

8.4 Resources

Legal and democratic services

Functions delegated to the director of legal and democratic services

1. To carry out the functions and responsibilities of the monitoring officer
2. To issue, defend, settle, or participate in any legal proceedings in any instance where the director of legal & democratic services considers that such action is appropriate to protect or promote the council's interests.
3. To sign on behalf of the council any document necessary to give effect to any decision of the council, cabinet, cabinet member, committee, committee chairman, or officer acting under delegated powers.
4. To prepare, issue, serve, or publish any document or notice required to implement any decision of the council, cabinet, cabinet member, committee, committee chairman, or officer acting under delegated powers.
5. To witness the affixing of the council's seal.
6. To instruct counsel, external solicitor, and other external experts or witnesses.
7. To authorise officers to appear in Court on behalf of the council.
8. To authorise legal representation for a council officer.
9. To register, remove and enforce a charge on the title of any property.
10. To take out letters of administration or grant of probate on behalf of the council.
11. To be the primary qualified person for the purposes of section 36 of the freedom of information act 2000 (prejudice to effective conduct of public affairs)
12. To appoint proper officers for specific statutory purposes.
13. To cancel scheduled meetings of the council, cabinet, committee, or other council body, following consultation with the chairman, the opposition spokesperson, and the party whips.
14. To settle claims or disputes for or against the council, upon terms, and to authorise the completion of settlement or compromise agreements.
15. To be responsible for authorising officers to implement and operate the provisions of the regulation of investigatory powers act 2000.
16. To amend the constitution from time to time, as follows:
 - a. such changes to Part Three (Responsibility for Functions) as may be necessary to reflect any decision made by a person or body with the authority to delegate or sub-delegate powers to exercise executive or non-executive functions;
 - a. such changes, including changes to Part 8 (officer delegated powers), to Article 13.04 and Part 7 (Management Structure), as

- are required to reflect officer management structure changes and / or any changes made in the allocation of functions to officers;
- b. such changes as may be necessary to comply with or give effect to any legislative requirements;
 - c. such other changes of an editorial nature as may seem appropriate to make the Constitution internally consistent, up-to-date and readily understandable.
17. To support the work and functions of the standards committee, including carrying out local investigations, and promoting and enforcing the councillors' code of conduct;
 18. To promote and enforce the ethical framework across the council.
 19. To take any actions or decisions relating to the record or publicity of any decision or meeting or proposal of the council, cabinet, cabinet member, committee, committee chairman, or officer acting under delegated powers.
 20. To support and facilitate the work of the electoral registration officer and the returning officer relating to the holding of elections, by elections, BIDS, and referenda, including maintaining the electoral registers.
 21. To support and facilitate the role of councillors (including the mayor) in their work on behalf of the council, including development.
 22. To implement the members' allowances scheme, including approving payment of allowances and other payments (including expenses).
 23. To approve the council's meeting programme, following consultation with the party whips.
 24. To approve and publicise membership of council, cabinet, or scrutiny committees or panels and councillor members of outside bodies, following consultation with the party whips.
 25. To implement and administer the council's standards regime for councillors, including carrying out any functions and responsibilities assigned to the post holder under the processes and procedures adopted by the council or the standards committee in relation to the standards regime.
 26. To implement and be responsible for the council's overview and scrutiny functions.
 27. To deal with requests from councillors for dispensations to standards restrictions, pursuant to section 33 of the localism act 2011 and paragraph 12 of the council's code of conduct for councillors.
 28. Following consultation with the appropriate cabinet portfolio holder(s) and the Leader, to appoint, nominate, or remove directors to or from council-owned or controlled companies.
 29. Following consultation with the party whips, to recruit and appoint independent members to any council committees or bodies that require them.

30. Coronial services, to liaise with the coroners' service as required, and to represent the council in matters which relate to the delivery of the west London coronial district.
31. Petitions, to implement and administer a scheme for handling both paper and electronic petitions.