

**NORTH SOMERSET COUNCIL
DECISION**

2016 2017 scheme



DECISION OF SECTION 151 OFFICER OF THE COUNCIL,
CORPORATE SERVICES DIRECTORATE

DECISION NO: CSD15

SUBJECT: Signing Local Search Certificates (LLC1) and Con29 & Con290 Enquiries of Local Authority forms

BACKGROUND: Signing of Local Search Certificates (LLC1) and Enquiries of Local Authority (Con29 & Con290 forms) was undertaken by the Corporate Information Manager, Business Intelligence Service (BIS)

The Local Land Charges Rules 1977:

"It seems that the official certificate must be signed on behalf of the registering authority. The identity of the person actually signing seems now to be immaterial, as the recipient will be entitled to assume that the person actually signing was authorised so to act by the registering authority* Signature by means of a facsimile stamp would seem to be sufficient**

**Omnia praesumuntur rite esse acta*: until the contrary is proved.

** Unless it is proved that the stamp was affixed without proper authority: *Goodman v J Eban Ltd* [1954] 1 Q.B. 550; *Plymouth City Corporation v Hurrell* [1967] 3 All E.R. 354; and *Bennett v Brumfit* (1867) L.R. 3 C.P. 28."

DECISION: That the Business Intelligence Manager is authorised to sign Official Certificate of Search (LLC1) and Enquiries of Local Authority (Con29 & Con290 forms) on behalf of the registering authority North Somerset Council, with effect from 4 July 2016.

Reasons: Due to the current signatory leaving the employment of North Somerset Council in July 2016, it is necessary to change the authorised signatory for Local Authority searches. Given the management and functional responsibilities the Official Certificate of Search (LLC1) and Enquiries of Local Authority (Con29 & Con290 forms) issued by the registering authority North Somerset Council, and signed as duly issued by the Business Intelligence Manager.

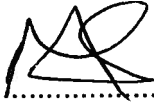
Other Alternatives Considered: Authorising the Head of Performance Improvement and Human Resources is an alternative option but it is considered that the Manager with direct immediate functional responsibility for the Local Land Charges function is the appropriate level of signatory.

Financial Implications:

None.

Implications for Future Years:

None

Signed: 
Section 151 Officer, North Somerset Council

Dated: 10/6/16