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STATUTORY INSTRUMENTS

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**2001 No. 1517**

**The Local Authorities (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001**

**Standing orders with respect to local authority contracts**

**8.**—(1) Before a local authority operate executive arrangements under Part II of the 2000 Act they shall make standing orders under section 135 of the 1972 Act (contracts of local authorities) with respect to the making of contracts on their behalf in the course of the discharge of functions which are the responsibility of the executive of that authority.

(2) The standing orders shall include provision for securing that any contract which—

- (a) is of or above a value specified in the standing orders by the authority; or
- (b) is of a description specified in the standing orders by the authority,

must be in writing.

(3) The function of specifying a value or a description of contracts for the purposes of the provisions required by paragraph (2) shall be discharged by the authority themselves and section 101 of the 1972 Act (arrangements for the discharge of functions by local authorities) shall not apply to that function.

(4) The standing orders shall include provision for securing that any contract to which the provisions required by paragraph (2) apply must—

- (a) be made under the authority's seal and be attested by at least one officer of the authority who, in the case of an authority having a mayor and council manager executive, is not the council manager, whether or not the seal is also attested—
  - (i) by any member of the authority; or
  - (ii) in the case of an authority having a mayor and council manager executive, by the council manager; or
- (b) be signed by at least two officers of the authority, whether or not the contract is also signed by any member of the authority.

(5) In relation to an authority which are operating executive arrangements on the date on which this Order comes into force, the requirement of paragraph (1) to make the standing orders before they operate executive arrangements shall be treated as a requirement to make the standing orders as soon as reasonably practicable after that date.