



AUDIT & SCRUTINY COMMITTEE

20th March 2024

REPORT TITLE:	Authority's Statutory Obligations
REPORT OF:	Claire Mayhew – Joint Acting Director of People & Governance and Monitoring Officer
REPORT OF FOR:	INFORMATION ONLY
WARDS:	ALL

REPORT SUMMARY

At Ordinary Council on 21st September 2023, Cllr White presented a written question to the Chair of Audit and Scrutiny Committee which stated:

“Will the Chair of Audit and Scrutiny publish a list of the Authority’s Statutory Obligations (primary and secondary legislation) confirming for each one which Committee under the Administration’s new structure is responsible for the appropriate oversight, performance or compliance monitoring and what second-line assurance mechanisms are in place to oversee this; can these be reported on at the next, or the subsequent, Audit and Scrutiny Committee meeting”?

Cllr Sankey confirmed It is good practice for the Council to ensure that the Authority’s Statutory Obligations are compliant. A report and an assurance matrix will be presented at a future Audit & Scrutiny Committee and then reported on a yearly basis.

SUPPORT ING INFORMATION

1.0 BACKGROUND INFORMATION

1. Local authorities are bound by statute. Their functions are set out in numerous Acts of Parliament and many of these functions have associated legal duties. As there had been no point in recent history of a collation of a comprehensive list of legal duties placed on local authorities in March 2011 the Department of Communities and Local Government advised they would be leading a cross Government review of statutory duties placed on local authorities by central

government. The Government therefore agreed with the Local Government Association that they should compile a list of these duties to give clarity about what these are.

2. On 30 June 2011, a summary of the responses and the latest revised list of duties were published. This exercise successfully enabled a clearer picture of the requirements on local authorities and created a valuable record that had previously not existed. It was agreed that any future consideration of whether to remove specific duties or associated guidance will be a separate exercise, and Government will consult further as appropriate.
3. Attached at Appendix A is a list of the Authority's Statutory Obligations.

2.0 FINANCIAL IMPLICATIONS

Name & Title: Tim Willis, Director – Resources & Section 151 Officer
Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk

4. There are no direct financial implications.

3.0 LEGAL/GOVERNANCE IMPLICATIONS

Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer
Tel & Email 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk

4. There are within the body of the report.

4.0 ECONOMIC IMPLICATIONS

Name & Title: Laurie Edmonds – Corporate Manager (Economic Development)
Tel & Email 01277 312500 / laurie.edmonds@brentwood.gov.uk

5. There are no direct economic implications arising from this report.

5.0 EQUALITY & HEALTH IMPLICATIONS

Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health
Tel & Email 01277 312500 /kim.anderson@brentwood.gov.uk

6. All Council decisions to reflect the Council's Section 149 duty.

6.0 ENVIRONMENTAL IMPACT

Name & Title: Henry Muss, Sustainability & Climate Officer

Tel & Email 01277 312500 /henry.muss@brentwood.gov.uk

7. There are no direct environment implications arising from this report.

REPORT AUTHOR:

Name: Claire Mayhew

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APPENDICES

Appendix A: *List of the Authority's Statutory Obligations - To follow*

BACKGROUND PAPERS

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Ordinary Council	21st Sept 2023