Earnley Parish Council

Agenda Item 84.26.2

General Power of Competence

1.0 Introduction

The 'General Power of Competence' (GPC) is provided under the Localism Act 2011 and gives eligible Parish Councils the power to do anything that individuals generally may do, unless prohibited by law. It replaces many of the older, more restrictive statutory powers and allows Councils to act more freely and innovatively in the interests of their communities. Earnley Parish Council wishes to adopt the General Power of Competence to support effective decision-making, modern governance, and flexibility in delivering local services.

2.0 Report Details

2.1 Earnley Parish Council may adopt the General Power of Competence if it meets all three statutory criteria. The criteria are that two-thirds of the total number of Councillors must be elected, the Clerk be qualified and have completed any relevant training and that Council resolve to adopt the General Power of Competence at a properly convened meeting of the Full Council.

2.2 The General Power of Competence allows the Council to:

- Do anything an individual may do, provided it is lawful.
- Undertake activities, projects, or services that benefit the community.
- Enter into contracts, partnerships, or agreements.
- Generate income, trade or charge for services (subject to relevant legislation).
- Acquire or dispose of land and property.
- Support local organisations, events, and initiatives.

Where specific legislation exists (e.g., planning, licensing, highways), the Council must comply with those frameworks.

2.3 The 'General Power of Competence' must be confirmed annually at the Annual Parish Council meeting with a resolution that Earnley Parish Council still meets the criteria.

3.0 Recommendation

3.1 That Earnley Parish Council confirms that it meets the criteria to adopt the 'General Power of Competence' to strengthen Council's ability to act for the benefit of its residents and deliver local services.