

Agenda item 7

For decision - Adopt the General Power of Competence

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Summary

Every year at the May Council meeting FTC needs to agree to adopt the GPC. This note recommends that FTC adopt the GPC again.

The power to deliver local services is provided by the GPC. It was brought into force by the Localism Act 2011. The Explanatory Memorandum states:

“The Government’s intention in providing eligible parish councils with the general power of competence is to better enable them to take on their enhanced role and allow them to do the things they have previously been unable to do under their existing powers”

In short, the GPC gives eligible local councils, “the power to do anything that individuals generally may do” as long as they do not break other laws. This is a powerful tool and flips legislation around from being explicit about what a Council can do (and therefore everything that isn’t permitted is not allowed) to explicitly saying a Council can do anything that isn’t illegal.

In order to use the GPC Cllrs must agree at this meeting that it has an electoral mandate (2/3 of the Cllrs elected) and have a properly qualified Clerk. I can confirm both of these.

Recommendation

Confirm that the eligibility criteria for utilising the power of general competence are met.