

## Agenda item 5

### For decision - Adoption of Standing Orders and the General Power of Competence

Author: Paul Wynne, Town Clerk

#### 1. Standing Orders

Standing Orders are the rules that the Council operates under, and they are re-adopted every year at the May Council meeting. They include rules we **have** to abide by (these are in bold in the document) and rules that we choose to abide by.

A track changed version of the proposed changes can be found at [Appendix 5.1 on the website here](#). The proposed changes include minor clarifications to the roles of the Council, the Oversight Committee and the Town Clerk in matters related to HR. The terms of reference for the Grants Committee have been included. All other amendments are minor and improvements made to the formatting of the document and not included as track changes.

#### Recommendation

1. Approve the Standing Orders at [Appendix 5.1](#)

#### 2. General Power of Competence

This power enables us to deliver local services. It was brought into force by the Localism Act 2011. The Explanatory Memorandum states:

“The Government’s intention in providing eligible parish (including town) 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, as the Government stated in 2011, 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 flipped 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 that it has an electoral mandate (two thirds of the Cllrs elected) and has a properly qualified Clerk. I can confirm both of these.

#### Recommendation

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