

LITTLE ABINGTON PARISH COUNCIL

The General Power of Competence.

1. The General Power of Competence (GPC) is a statutory power of first resort that enables Local Councils to do anything that individuals generally may do. It is found in the Localism Act 2011 S 1-8 4. GPC endows greater flexibility than using section 137. Parish councils cannot use section 137 as set out in the Local Government Act 1972 **and GPC**

2. . To be eligible two criteria must be met:
 - Have an electoral mandate of at least two thirds at the time of the last election. Co-opted parish councillors can not be included.
 - Have a qualified clerk with a certificate in local council administration (CiLCA) including the section on GPC, or a higher relevant qualification.

The council must confirm and minute it is eligible at a relevant annual council meeting.

3. . Four restrictions to actions under the general power of competence to consider, are:
 - The council must set up a company if it wishes to trade .
 - If the action is covered by a specific power then restrictions that apply to the overlapping power remain in force.
 - If another authority has a statutory duty for the action then it continues to be their duty to provide that service.
 - Should the council wish to invest in a local business it should follow Government advice on investment.

4. There are various examples of activities the council with the General Power of Competence might consider undertaking but some restrictions apply. Advice should always be sought.

Little Abington Parish Council meets the criteria set out in section 2.