

GENERAL POWER OF COMPETENCE

13 May 2022

The General Power of Competence (GPC) gives the power to an eligible council to do “anything that individuals generally may do”¹ under the Localism Act 2011, ss1-8, subject to statutory prohibitions, restrictions and limitations, in place before and after the introduction of GPC. It is the “power of first resort”, but cannot be used to circumvent other current legislation. There is no expenditure limit and GPC can be used for activities inside and outside the parish (cf Local Government Act 1972, s137²).

To be eligible a council must have, at the point of resolution³:

- a) At least two-thirds of councillors having been elected: and
- b) A qualified Clerk – holding CiLCA, or a recognised level 4 qualification.

Eligibility is confirmed by minuted resolution at a full council meeting, and at each Annual Council meeting after an ordinary election.

¹ Localism Act 2011, s1(1)

² Local Government Act 1972, s137(4) and s137 (1), Localism Act, s1(4)(b) and s1(4)(a)

³ The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012