

CENTRAL SWINDON NORTH PARISH COUNCIL

General Power of Competence

May 2018

1. Introduction

The 'General Power of Competence' was introduced as part of the Localism Act 2011 and the Parish Council is in a position to decide whether to exercise this power.

2. Report Details

- 2.1** The Parish Council meets the criteria to use this additional power. The criteria are that two-thirds of the total number of Councillors must be elected and the Clerk must hold a Certificate in Local Council Administration (CILCA).
- 2.2** The 'General Power of Competence' allows a Parish Council to do anything that an individual can do without the need to find the power in another Act. For example, the Parish Council could decide to run a shop or pub or give their funds to their favourite charity. It does not give the Council the power to carry work on say the highways as an individual would not be able to do this.
- 2.3** The 'General Power of Competence' has to be confirmed annually at the Annual Parish Council that the Council still meets the criteria.
- 2.4** The suggestion is that the Parish Council should always look for the powers to carry out their functions in the current legislation and when the 'General Power of Competence' is used this should be contained in the resolution.
- 2.5** The current Clerk (situated at Central Swindon South Parish Council) is intending to leave during the municipal year 2018/19 although the exact date is to be confirmed. The Parish Manager has yet to hear with regards his final CILCA module.

3. Recommendations

- 3.1** That the 'General Power of Competence' is adopted.