

WEST SWINDON PARISH COUNCIL

General Power of Competence

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 purchase property. It does not give the Council the power to carry work on the public highways unless an individual would also 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 Parish Council should always be certain about what powers it is using to carry out its functions and when the 'General Power of Competence' is used this should be noted in the relevant Committee resolution.

3. Recommendations

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