



WHEATLEY PARISH COUNCIL REPORT – 15.05.2023

ITEM 16 –REAFFIRM GPC ELIGIBILITY

Author:	Clerk – Michelle Legg
Strategic Goal:	Goal 4 -Develop the Council to enable it to deliver its functions effectively and to instil effective leadership
Strategic Aim:	4.2 Provide excellent communications and transparency
Summary:	To reaffirm eligibility for General Power of Competence
Legislation:	Localism Act 2011

1.Introduction

- 1.1 The Localism Act 2011 provides local councils with the General Power of Competence (GPC), a statutory power “to do anything that individuals generally may do as long as it is lawful”. Providing the council confirm its eligibility for GPC by resolving and minuting, at a Full Council meeting, that it meets the following criteria:
- a) The Clerk must hold relevant qualifications¹ and has undertaken training in how to exercise GPC
 - b) At least two thirds of the council members must have been elected. (10 councillors).

2. Reaffirmation

- 2.1 To maintain GPC the council must reaffirm it still meets the criteria at the ‘relevant annual meeting’ which takes place in a year of ordinary elections (once every four years). Should any of these circumstances change the council must record its ineligibility at the next ‘relevant annual meeting’

3. GPC in practice

- 3.1 GPC is deemed the ‘statutory power of first resort’ and offers Wheatley Parish Council (WPC) new possibilities to support efficiencies, improve partnership working, build confidence and better facilities for Wheatley and its residents.
- 3.2 WPC would still need to comply with company and employment law, health and safety, vehicle and building legislation whilst being cautious of damage to their reputation should any new activities fail, put additional pressure on local/ neighbouring businesses and whether it has the support of the community

4. Recommendation

- 4.1 WPC to reaffirm its GPC eligibility.

¹ Certificate in Local Council Administration, Certificate of Higher Education in Local Policy, Certificate of Higher Education in Local Council Administration or the first level of foundation degree in Community Engagement and Governance awarded by University of Gloucester.