



General Power of Competence

Local Councils in England were given a General Power of Competence (GPC) in the Localism Act 2011, Sections 1-8. This means that Councils, once adopting the power, no longer need to ask whether they have a specific power to act. The General Power of Competence Localism Act 2011 S1 (1) gives Local Authorities including local councils "the power to do anything that individuals generally may do as long as they do not break any other laws". It is a power of first resort. This means that when searching for a power to act, the first question to ask is whether you can use the General Power of Competence. To find the answer, you ask whether an individual is normally permitted to act in the same way.

Sometimes a Council can do things that an individual can't do such as creating bylaws, raising a precept or issuing fixed penalty notices but it must do so using the specific original legislation. The General Power of Competence does not mean the Council can delegate decisions to individual Councillors. This is a procedural matter that remains enshrined in law.

Cleobury Mortimer Town Council first adopted the General Power of Competence at the full Town Council meeting on 8th May 2017. Cleobury Mortimer Town Council meets the criteria for eligibility as follows:

the number of Councillors elected at the last ordinary election, or at a subsequent by-election, equals or exceeds two thirds of its total number of Councillors

The Town Clerk holds at least one of the sector specific qualifications and has passed CILCA Unit 7 General Power of Competence