S7. The General Power of Competence

- Local councils were given "general power of competence" (GPC) in the Localism Act 2011, sections 1 to 8. The GPC gives local authorities including eligible local councils "the power to do anything that individuals generally may do".

- Eligibility

  The freedom of the GPC is available to local councils that meet two criteria (LA2011s8) set out in a statutory instrument known as the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012.

  (i) The number of councillors elected at the last ordinary election or subsequent by-election must equal or exceed two thirds of its total number which should include vacant seats. Co-opted or appointed councillors do not count.
  (ii) The clerk must hold at least one of the sector-specific qualifications and should have completed relevant training designed as part of the National Training Strategy for local councils. From April 2012 GPC is undertaken as part of the clerk's preparation for one of the recognised qualifications ie CiLCA.

- Other statutory or legal restrictions to be observed are disability/equality discrimination, health & safety, crime & disorder and conserving biodiversity.

- Three example activities using GPC with restrictions:-

Sports Facility	Planning permission Health & Safety
Purchase of Grit Bins	Highways permission Other service providers i.e. BT, British Gas
Café/Visitor Centre	Company set up Employment Law

- *Disability Discrimination Act 1995 replaced by the Equality Act 2010*
- *Crime & Disorder Act 2006 s17*
- *Health & Safety at Work Act 1974*
- *The Natural Environment & Rural Communities Act 2006 s40*