

WHALTON PARISH COUNCIL

There is to be the annual meeting of the Parish Council at 7.35pm (or on the rising of the Annual Parish Meeting whichever is the later) on Tuesday 21 May 2019 in the Village Hall, Whalton.

Members of the public and press are welcome to attend

AGENDA

- 1: Election of Chairman
 2. Receive Chairman's Declaration of Acceptance of Office
 - 3: Election of Vice-Chairman
 - 4: Public Participation
- It is anticipated that any issues will be raised during the preceding Annual Parish Meeting*
- 5: Apologies for absence.
 - 6: Declaration of any interests and the grant of any dispensations
 - 7: Minutes of the meeting held on 19 March 2019
 - 8: Any matters arising from the minutes not otherwise on the agenda
 - 9: Police and County Council reports

10: Planning

10.1 Consideration of any current planning applications

10.2 Any information on previously discussed planning applications

11: Traffic and Highway Issues

12: Environmental Issues

13: Finance

13.1 To approve any payments

13.2 To review and adopt the Risk Assessment and Assets Register

14: Annual Governance and Accountability Return for 2018/2019

14.1 To consider and agree any actions arising from the report of the internal auditor (copy attached)

14.2 To approve the Annual Governance Statement (draft copy attached)

14.3 To approve the draft annual accounts for 2018/2019 (draft copy attached)

14.4 To approve the Accounting Statement and Explanation of Variances (copies attached)

14.5 To confirm and approve the Certification of Exemption (draft copy attached)

15: The General Power of Competence

To consider adopting the General Power of Competence (for details please see the annex)

16: Parish Caretaker

17: Correspondence

18: Any other business

Time and date of next scheduled meetings:

- Tuesday 18 June 2019 at 7.30pm
- Tuesday 23 July 2019 at 7.30pm

Meetings may be cancelled if there is insufficient business

For more information please contact the clerk, Stephen Rickitt, on 0785 657 7181 or email whaltonlocalcouncil@gmail.com

Annex

Item 15 - The general power of competence

Part 1 Localism Act 2011 gives local authorities a general power of competence. Section 1 Localism Act 2011 provides that "a local authority have power to do anything that individuals generally may do". Previously local authorities had to identify a specific statutory power before carrying out a function.

A local council may only use the power if they satisfy the criteria for eligibility set out in the *Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012* (SI 2012/965):

- At least two thirds of the members of the Council were elected (i.e. not co-opted)
- The clerk has a one of a list of qualifications and has had relevant training – I now have the Certificate in Local Council Administration (one of the specified qualifications)
- The Council resolved that it meets the order's conditions.

A local council must confirm eligibility at subsequent annual meetings.

Before the Council can use the power, it has to consider, inter-alia,

- no other statutory power sets out restrictions,
- the proposed use is not prohibited,
- it is not altering the Council's governance arrangements
- any charging complies with the detailed rules.

Possible uses of the power:

- creation of a flood insurance scheme
- having prayers at the start of a meeting
- paying a larger grant than be permitted under section 137 Local Government Act 1972.