



Tollesbury Parish Council

Notice is hereby given that the Annual Statutory Meeting of Tollesbury Parish Council will be held on **Tuesday 16th May 2023**, in **The Pavilion, Tollesbury Recreation Ground, Elysian Gardens** commencing at **7.30 pm**, to which members of the Council are summoned for the transaction of the under-mentioned business.

M. Curtis

Michelle Curtis – Clerk to the Council

9th May 2023

Councillors: S Plater (Chairman), M Bell, R Clare, R Cole, A Ferneyhough, L Goldie, S Hawes, C Page, J Rogers, A St Joseph

THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted; however, the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

1. Election of Chairman

To elect a Chairman for the forthcoming year and to receive a signed Declaration of Acceptance of Office

2. Election of Vice-Chairman

To elect a Vice-Chairman for the forthcoming year

3. Apologies for Absence

To receive and accept apologies for absence

4. Declaration of Interest

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable Interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members. (Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting.)

- 5. Public Forum**

Members of the public will be given an opportunity to put forward their question(s) or statement to the Council. The Chairman will, at his discretion, then decide if he is able to answer the question(s) or proposes to put the item on the agenda for the next meeting.
- 6. Minutes**

To receive and approve the minutes of the Parish Council Meeting held on 2nd May 2023
- 7. Committees and Representatives**

Election of Committees and Representatives of External Bodies for the forthcoming year
- 8. Terms of Reference**

To review the Terms of Reference for the following Committees:

 - 8.1** *Environment and Amenity
 - 8.2** *Recreation Ground
 - 8.3** *Finance and Policy
 - 8.4** *Woodrolfe Hard
 - 8.5** *Woodup Pool
 - 8.6** *Personnel
- 9. Policies and Procedures**

To review the following Policies and Procedures:

 - 9.1** *Standing Orders
 - 9.2** *Financial Regulations
 - 9.3** *Compliments and Complaints
 - 9.4** *Reserves Policy
 - 9.5** *Social Media and Email Policy
 - 9.6** Councillors to sign and agree that they have read and understood the Social Media and Email Policy
- 10. Banking Arrangements**
 - 10.1** To seek confirmation of 5 signatories for the Co-operative Bank Account
 - 10.2** To seek confirmation of 3 signatories for the Unity Trust Account
- 11. Appointment of Internal Auditor**

To confirm that Maurice Howard will continue to provide the Council's internal audit
- 12. Register of Members' Interests**

Councillors are respectfully reminded to keep their register of interests and memberships up to date at all times
- 13. General Power of Competence**

To resolve to use the General Power of Competence in the forthcoming year
- 14. Meeting Schedule**

To agree on the dates of Full Parish Council meetings up to and including the next annual meeting of the Parish Council

15. Community Concerns

To receive information only or note future agenda items

16. Dates of the Next Meetings

Tuesday 6th June 2023 – Full Council Meeting – 7.30 pm – Pavilion

If you would like an item on the agenda at any Parish Council or Committee Meeting, you should write your request to the Parish Clerk at least a week before the meeting.

*Document available to view on the Parish Council website:

www.tollesburyparishcouncil.gov.uk

Clerk: Michelle Curtis

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GENERAL POWER OF COMPETENCE

Summary

Town and Parish councils are corporate bodies whose powers to act have accumulated through legislation since 1894. Their powers were constrained by specific and appropriate legislation until 2008 when they could, if eligible, exercise the Power of Well-being 2008 Order under the Local Government Act 2000, for the benefit of their community.

The Localism Act 2011, Chapter 1 of Part 1, Sections 1-8 has provided local authorities with a general power of competence, a radical new power with wide ranging possibilities, which replaces the power of well-being.

The general power of competence was brought into force by SI. 961, The Localism Act 2011 (Consequential Amendments) Order 2012 on 28th March 2012.

The power is a central part of the Government's move towards the decentralisation of powers down to the lowest practical level of local government. The idea being that councils will use this power to work with others to provide cost-effective services and facilities in new ways to meet the needs of local communities.

The General Power of Competence, Localism Act 2011 Sec 1 (1) gives local authorities, including eligible local councils, "the power to do anything that individuals generally may do" as long as they do not break other laws. It is intended to be a power of first, not last, resort. The council has to ask itself if an individual is allowed to do it, if the answer is yes then a council is normally permitted to act in the same way.

To become eligible to use the power of general competence

1. Resolution

The council must resolve at a meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the clerk. The resolution can be passed at any meeting of the council but a further resolution must be passed at every subsequent "relevant annual meeting" for the council to be able to continue to exercise the power.

2. Electoral Mandate

At the time the resolution is passed, at least two thirds of the members of the council must hold office as a result of being declared elected. Currently, the Parish Council has 10 elected councillors.



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3. Qualified clerk

At the time the resolution is passed the clerk must hold the certificate in local Council Administration, the Certificate of Higher Education in Local Policy, the Certificate of Higher Education in Local Council Administration or the first level of the foundation degree in Community Engagement and Governance (or successor qualifications) awarded by the University of Gloucestershire. The clerk must also have completed training in the exercise of this power as part of one of these qualifications or as separate exercise.

Tollesbury Parish Council all 3 criteria, and could if it chooses, resolve to use the Power of General Competence as and when appropriate.