

NETHER WALLOP PARISH COUNCIL

Review of the council's expenditure incurred under section 137 or GPC.

<p>Spending under Section 137 of Local Government Act 1972.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">A/c Code</td> <td style="width: 30%;">4240 s.137 Expenditure</td> <td style="width: 20%;">Annual Budget</td> <td style="width: 20%; text-align: right;">200</td> </tr> <tr> <td>Centre</td> <td>100 Administration</td> <td></td> <td></td> </tr> </table> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%; text-align: left;">Date</th> <th style="width: 15%; text-align: left;">Reference</th> <th style="width: 15%; text-align: left;">Source</th> <th style="width: 35%; text-align: left;">Transaction Detail</th> <th style="width: 15%; text-align: right;">Debit</th> <th style="width: 15%; text-align: right;">Credit</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>Opening Balance</td> <td style="text-align: right;">0.00</td> <td></td> </tr> <tr> <td>07/07/2020</td> <td>BACS</td> <td>Cashbook</td> <td>Donation to charity</td> <td style="text-align: right;">750.00</td> <td></td> </tr> <tr> <td>08/11/2020</td> <td>BACS</td> <td>Cashbook</td> <td>Prizegiving x 2</td> <td style="text-align: right;">50.00</td> <td></td> </tr> <tr> <td colspan="4" style="margin-top: 10px;">Account s.137 Expenditure</td> <td style="text-align: right; border-top: 1px solid black;">800.00</td> <td style="text-align: right; border-top: 1px solid black;">0.00</td> </tr> <tr> <td colspan="4" style="margin-top: 5px;">Centre Administration</td> <td style="text-align: right;">Net Closing Balance</td> <td style="text-align: right;">800.00</td> </tr> </tbody> </table>	A/c Code	4240 s.137 Expenditure	Annual Budget	200	Centre	100 Administration			Date	Reference	Source	Transaction Detail	Debit	Credit				Opening Balance	0.00		07/07/2020	BACS	Cashbook	Donation to charity	750.00		08/11/2020	BACS	Cashbook	Prizegiving x 2	50.00		Account s.137 Expenditure				800.00	0.00	Centre Administration				Net Closing Balance	800.00	<p>Spending under the General Power of Competence.</p> <p>NONE – see explanation below.</p>
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The Council does not yet have the right to declare the General Power of Competence.

Summary:	GPC is known as the Power of first resort meaning that a Clerk does not need to check if a Council has the power to perform a function, he/she must only check that Council is not prohibited to so do by other legislation.
Legislation:	Localism Act 2011, Part 1, Chapter 1, sections 1 to 8 S.I. 2012 no. 965
Permits:	Council to “do anything that individuals generally may do” subject to: <ol style="list-style-type: none"> 1. The function not contravening a pre/post commencement limitation¹ 2. No alteration of the discharge of functions per LGA 1972 part VI (committees & officers)² 3. Limitations on any charges made for a function³
Process to confirm & re-affirm eligibility.	The council resolves at a <i>meeting</i> ⁴ of the council and each subsequent <i>relevant annual meeting</i> ⁵ that it meets the eligibility criteria.
Eligibility Criteria:	A) the number of elected ⁶ members of the council ⁷ is equal to or greater than two-thirds of the total number of members of the council ⁸ ; B) the clerk to the parish council is suitably qualified ⁹ . NOTE: the CLERK IS QUALIFIED but the COUNCIL IS NOT.

¹ Localism Act 2011, Part 1, Chapter 1, sections 2 (2)

² Localism Act 2011, Part 1, Chapter 1, sections 2 (3) a

³ Localism Act 2011, Part 1, Chapter 1, sections 3

⁴ This can be any Full Council meeting throughout the year and need not be an election year.

⁵ “relevant annual meeting” means an annual meeting that takes place in a **year of ordinary elections** of parish councillors. Renewal is every four years rather than annually.

⁶ Co-opted are not counted

⁷ Those that are still members at the time of the meeting, (i.e. any resigning since the elections don't count)

⁸ If this is not a whole number, then it must always be rounded up to the nearest whole number.

⁹ SI 2012 No.965 Article 2, 2 s1.(b)+(c) & 2.