



## 2014 CHAPTER 8

### PART 11

#### GENERAL POWERS OF COUNCILS

##### **Council's general power of competence**

**79.—**(1) A council has power to do anything that individuals generally may do.

(2) Subsection (1) applies to things that an individual may do even though they are in nature, extent or otherwise—

- (a) unlike anything the council may do apart from subsection (1); or
- (b) unlike anything that other public bodies may do.

(3) In this section “individual” means an individual with full capacity.

(4) Where subsection (1) confers power on the council to do something, it confers power (subject to sections 80 and 81) to do it in any way whatever, including—

- (a) power to do it for a charge, or without charge; and
- (b) power to do it for, or otherwise than for, the benefit of the council, its district or persons resident or present in its district.

(5) The generality of the power conferred by subsection (1) (“the general power”) is not limited by the existence of any other power of the council which (to any extent) overlaps the general power.

(6) Any such other power is not limited by the existence of the general power (but see section 82(2)).