

**Report to:** Council

**Date:** 4 March 2009

**Subject:** Responses to motions referred to Cabinet from previous Council meetings

**Report of:** Service Director - Borough Solicitor

**Contact officer:** Michael Williamson 01942 827123

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**Purpose / summary:** To advise Council of the progress that has been made with motions referred from Council to Cabinet

**Alternative options considered and reason for selecting the one recommended:** Not to update Council

**Recommendation / decision:** Council is asked to:-  
  
note the progress that has been made on the outstanding motions referred to Cabinet.

**Risks / Implications:**

Financial:	None
Staffing:	None
Policy:	None
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	n/a
Wards affected:	None

**Property Implications – Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?**

No

**Does this proposal have significant implications for the Council and the local population?**

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

**Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?**

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

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Has the Service Director - Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? **Yes**

Has the Service Director - Corporate Services confirmed that any expenditure referred to within this report is consistent with the Council's budget? **n/a**

Are any of the recommendations within this report contrary to the Policy Framework of the Council? **n/a**

\* delete which applicable

**For Cabinet reports only :**

Categorisation of the report:	<b>x</b>		<b>x</b>
Discussion leading to a decision		Discussion	
Monitoring		Decision	
Sharing for corporate understanding		Information	

**Tracking/Process:**

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
			4 March 2009

There are no Background Papers to this Report within the meaning of Section 100D of the Local Government Act 1972.

Proper Officer Mr K P Lawson

Date 24 February 2009

## **Background:**

At the meeting of Council on 7 January 2009, Members were advised on the progress that had been made on motions referred from Council to Cabinet during 2008.

Appendix A of this report contains an extract from the Cabinet report which was considered in relation to the "Honour the Covenant" motion submitted by Councillor R M Bleakley.

Appendix B of this report contains an extract from the Cabinet report which was considered in relation to the "installation of an Elected Mayor" motion submitted by Councillor R M Bleakley.

The report below details the outcome of the Cabinet's consideration of these motions:-

### **Motion considered by Cabinet on 22 January 2009:**

1. This Council believes that when people sign up to join the Armed Services they show that they are prepared to put their life on the line for their country. In return they should be certain that they and their family will be looked after appropriately both in relation to services provided by the Government and the Council.

It further believes that the recognition in medals and commendations does not meet the needs and care of many of our servicemen and women past and present, and accordingly, it supports the 'Honour the Covenant' campaign of the Royal British Legion.

This Council therefore calls upon her Majesty's Government to honour its life-long duty of care to those soldiers (both from Wigan Borough and beyond) making a unique commitment to their country by realising in full the demands laid out by the Royal British Legion in their 'Honour the Covenant' Campaign.

**(submitted by Councillor R M Bleakley)**

**194 Honour the Covenant (minute 90 (1) February 2008 of Council refers):** The Cabinet considered a report of the Executive Director: Health and Wellbeing, which informed Members of details of the cross Government Strategy on how the Service Community should be supported. The report also included proposals to support Veterans Day for 2009.

It was noted that Councillor J Talbot has expressed an interest in becoming involved in the arrangements of Veterans Day 2009.

The report set out details of the alternative option to be considered.

Resolved: The Cabinet:-

- refers the section of the report on Honour the Covenant back to Council;
- agrees that the Executive Director: Health and Wellbeing, takes a lead role to establish a clear corporate approach to the planned Veteran's Day event, with support from all services;

- agrees a package of staff support from all service areas, including technical, professional and funding advice, to be led by the Executive Director: Health and Wellbeing;
- agrees that liaison with MP's is undertaken as soon as possible and clear lines of communication are maintained with respective offices; and
- agrees to Councillor J Talbot giving his support and to Councillor J Hilton being the Cabinet support person for the planning of the Veterans Day event.

## **Motions considered by Cabinet on 5 February 2009**

2. That Council puts on record that it currently sees no advantage in the installation of an Elected Mayor in either Wigan or the whole of Greater Manchester.

Although there may be some imperfections in the present system of Governance, Council believes it does form the basis for a strong, legitimate and accountable local democracy which is capable of continuous improvement. It also provides a strong civic focus for the Borough.

**(submitted by Councillor R M Bleakley)**

**212 Communities in control: Real people, real power – consultation by the Department of Communities and Local Government:** The Cabinet considered a joint report of the Service Director – Borough Solicitor and the Deputy Chief Executive, which advised Members of two consultation papers received from the Department for Communities and Local Government entitled, Changing Council Governance Arrangements and a code of Recommended Practice on Local Authority publicity. The report sought Members' views on the issues raised in the consultation papers. The report also drew Members attention to the motion submitted to Council (minute 41.4 refers) by Councillor R M Bleakley, which did not support the installation of an Elected Mayor in Wigan or the whole of Greater Manchester.

The report set out details of the alternative option to be considered.

The Cabinet:-

- endorses the comments now made by Members and requests the Service Director – Borough Solicitor and the Deputy Chief Executive to submit the responses to the Department for Communities and Local Government by the 13 March 2009; and
- notes the comments in the motion referred from Council (minute 41.4 refers) by Councillor Bleakley, but in view of the formal decision on governance arrangements that the Council will need to make later this year, the Cabinet makes no formal comment other than to note that the Department for Communities and Local Government acknowledges that the Cabinet and Leader Model of governance can meet the aims of accountability, leadership and effective decision making.

3. This Council notes with interest the news that the problem of stray dogs became the responsibility of Wigan Council in April 2008.

Consequently this Council believes that the new powers require the authority to increase the number of dog wardens employed. Given that the Council currently employs only two dog wardens in the borough, this totally inadequate coverage will need to be enhanced. In particular Council are aware that there is a rising and serious problem associated with dog fouling that has been reported in wards right across the borough.

This Council supports any and all efforts to tackle this by enforcing existing legislation and obliging dog owners to pick up after their dogs and not to allow them to roam on their own. This Council firmly believes that dog fouling, which is a major social menace and a health hazard to very young children, could be brought under control by firm and decisive action, including surveillance, steep fines with "naming and shaming" publicity, the provision of dog bins, free bags and any other methods designed to provide either carrot or stick approaches. **(submitted by Councillor R M Bleakley).**

**217 Animal warden service – deferred motion:** The Cabinet considered a report of the Executive Director – Environmental Services, that responded to the motion submitted to Council (minute 42.5 refers) by Councillor R M Bleakley, which informed Members of how the Environment Services Department discharged its extended out-of-hours stray dog function and how it was tackling dog fouling across the borough.

There were no alternative options for consideration.

Resolved: The Cabinet notes the report and the steps being taken to tackle the dog control issues raised by the motion submitted by Councillor Bleakley.

Members are advised that the following motion will be considered at a future Cabinet meeting and will be reported back to Council at its meeting on 29 April 2009.

4. This Council seeks to further support and encourage retailers, businesses and commercial manufacturers to reduce unnecessary and wasteful packaging, in particular the widespread use of plastic bags.

This Council resolves to take the lead in reducing free plastic bag provision by launching a borough wide campaign to gain voluntary agreement between the Council, business, and other interested parties to end the practice of providing free plastic bags within Wigan Borough. **(submitted by Councillor R M Bleakley)**

#### **Recommendations:**

Council is requested to:-

- note Cabinet's response in relation to Motions 1 – 3 detailed in the report; and
- agree that Cabinet's response to Motion 4 is reported back to the next meeting of Council on 29 April 2009.

## Appendix A



### This is an Open Report

**Report to:** CABINET

**Date:** 22<sup>nd</sup> JANUARY 2009

**Subject:** HONOUR THE COVENANT

**Report of:** EXECUTIVE DIRECTOR: HEALTH AND WELL BEING

**Contact officer:** BERNARD WALKER 01942 827780 x2780

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**Purpose / summary:** This report outlines details of the cross Government Strategy on how the Service Community should be supported. It also includes proposals as to how the Council could support Veterans' Day 2009.

**Alternative options considered and reason for selecting the one recommended:**

**Recommendation / decision:** That Cabinet reports back to Council on the details of Honour the Covenant.  
That Cabinet supports the proposals for Veterans' Day 2009.

This report does not involve a key decision. The decision made as a result of this report will be published within **48 hours** and cannot be actioned until **seven working days** have elapsed, i.e. before 3<sup>rd</sup> February 2009

**Risks / Implications:**

Financial:	Will need to be contained within existing budgets.
Staffing:	None
Policy:	Community Leadership
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	No
Wards affected:	All

**Property Implications – Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?**

No

**If yes, have the property implications been agreed with the Corporate Property Officer?**

**Does this proposal have significant implications for the Council and the local population?**

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

**Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?**

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Has the Service Director - Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council’s Constitution? **Yes / ~~No~~ \***

Has the Service Director - Corporate Services confirmed that any expenditure referred to within this report is consistent with the Council’s budget? **Yes / ~~No~~ \***

Are any of the recommendations within this report contrary to the Policy Framework of the Council? **~~Yes~~ / No \***

\* delete which applicable

**For Cabinet reports only :**

Categorisation of the report:	<b>x</b>		<b>x</b>
Discussion leading to a decision		Discussion	<b>x</b>
Monitoring		Decision	
Sharing for corporate understanding		Information	

**Tracking/Process:**

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
		22 <sup>nd</sup> January 2009	

There are no Background Papers to this Report within the meaning of Section 100D of the Local Government Act 1972.

Proper Officer Bernard Walker

Date 23<sup>rd</sup> December 2008

## 1. BACKGROUND

- 1.1 At the meeting of Council on 27<sup>th</sup> February 2008 Councillor R M Bleakley submitted the following motion:

“This Council believes that when people sign up to join the Armed Services they show that they are prepared to put their life on the line for their country. In return they should be certain that they and their family will be looked after appropriately both in relation to services provided by the Government and the Council.

It further believes that the recognition in medals and commendations does not meet the needs and care of many of our servicemen and women past and present and, accordingly, it supports the ‘Honour the Covenant’ campaign of the Royal British Legion.

This Council therefore calls upon her Majesty’s Government to honour its lifelong duty of care to those soldiers (both from Wigan Borough and beyond) making a unique commitment to their country by realising in full the demands laid out by the Royal British Legion in their ‘Honour the Covenant’ Campaign.

In accordance with Rule of Procedure 20.1, Councillor PRC Smith moved suspension of Council procedure rules, to enable him to move a motion without notice, which was seconded.”

- 1.2 Council resolved to receive a report on the 13<sup>th</sup> March 2009. Cabinet considered this motion and sought further information from the Minister for the Armed Forces in respect of the ‘Honour the Covenant’ campaign.

### 1.3 Honour the Covenant

On the 8<sup>th</sup> November 2007 the Government announced the first ever cross-Government strategy into how the service community will be supported. This built on the Service Personnel Command Paper (‘The Nation’s Commitment: Cross-Government Support to Our Armed Forces, their Families and Veterans’) which was presented to Parliament on the 17<sup>th</sup> July.

The strategy is the product of extensive consultation and close involvement with Other Government Departments and the Devolved Administrations. One of the key strands of the strategy is that the Armed Forces should not be disadvantaged by their military lifestyle, while also making provision for special treatment for those who make exceptional sacrifices in the course of duty. The Command Paper has been welcomed by the RBL.

The strategy includes 40 new measures many of which were particular areas of concern raised by the RBL. Key changes include:

- The Ministry of Defence doubling Armed Forces Compensation Scheme payments for the most serious injuries from £285,000 to £570,000;

- The Department of Health improving access to NHS dentists for Service families;
- The Department of Transport offering free bus travel for seriously injured Service Personnel and veterans.

#### 1.4 Improved Armed Forces Compensation Scheme (AFCS)

The upfront lump sum payment for injury under the AFCS will be doubled for the most serious injuries. All future recipients, according to severity of injury, will have an uplift of between 10 and 100% in their upfront lump sum payments. MOD also intends to confer additional benefits to extend this effect to those who have already made claims under the Scheme. The Guaranteed Income Payment (GIP) will continue to apply on discharge, in addition to the upfront lump sum compensation payment. The GIP will continue to provide the most seriously injured with a monthly, tax-free income once they leave Service. For example, a 25-year old seriously injured soldier may receive a £570,000 lump sum payment plus a GIP of £19,000 per year tax free for life. If he lives to average life expectancy, this is a further million pounds, tax free, on top of the lump sum payment. These changes will be implemented following a short consultation period.

#### 1.5 Improved access to NHS dentists for Service families

Service mobility and the frequent need to find an NHS dentist in the new location can make access to dentistry difficult for Service families. The Department of Health (DH) and other UK health departments will trial various new ways such as making use of facilities in military bases, or provide mobile services, or making use of spare capacity elsewhere. Trials will begin by December this year and complete by December 2009. DH and other health departments will work with the NHS to ensure that health areas with large Service personnel populations plan with the military communities in their areas to ensure Service families get the dental care they need.

#### 1.6 National Health Service (NHS) Waiting List – Retention of Place

Service mobility can cause repeated loss of place on NHS waiting lists. DH and other UK health departments will ensure that when patients move across the UK, previous waiting time will be taken into account with the expectation that treatment will be within national waiting time standards.

#### 1.7 Concessionary Bus Travel

The statutory bus concession in England will be extended by 1 April 2011 to include seriously injured Service personnel and veterans under the age of 60.

#### 1.8 Automatic entitlement for Blue Badges to severely injured veterans

The Blue Badge Scheme provides a range of parking concessions across the UK for people with severe mobility problems. We will now introduce a scheme so that severely disabled veterans in England will

receive automatic entitlement to a Blue Badge without further assessment. Scottish Ministers will also implement this change. The Welsh Assembly Government is consulting on plans for a Reform Strategy for the Blue Badge Scheme in Wales, with this proposal considered as part of the review.

#### 1.9 High priority for injured troops in applying for adapted social housing

Seriously injured Service personnel can face delays in obtaining suitable adapted social housing where they are not given sufficient priority. The Department for Communities in Local Government (DCLG) will give seriously injured personnel in England and Wales high priority for social housing. Statutory guidance will be issued to reinforce this message. Scottish Ministers will remind landlords of the existing high priority that seriously injured personnel in Scotland receive for adapted social housing.

#### 1.10 Support for bereaved families

In terms of support for bereaved families the MOD is also providing additional logistical support for bereaved families and coroners. For example a new booklet for families explaining the Board of inquiry and inquest process; increasing the number of family members who can, at public expense attend repatriation ceremonies, pre-inquest hearings and inquests; establishing a dedicated team for Army deaths; and improving the selection of and training for visiting officers. The Ministry of Justice and the MOD are also looking at what else can be done to speed up the inquest processes and MOD is reviewing Board of Inquiry procedures.

## Appendix B



### This is an Open Report

**Report to:** Cabinet

**Date:** 5th February 2009

**Subject:** Communities in Control: Real People Real Power - Consultations by the Department of Communities and Local Government

**Report of:** SERVICE DIRECTOR BOROUGH SOLICITOR  
DEPUTY CHIEF EXECUTIVE

**Contact officer:** K.P. Lawson (Telephone: 01942 827026)  
D. Mather (Telephone: 01942 827164)

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**Purpose / summary:** To advise Members of two consultation papers received from the Department for Communities and Local Government

1. Changing Council Governance Arrangements
2. A Code of Recommended Practice on Local Authority publicity

The report seeks Members' views on the issues raised in the consultation papers.

The report also seeks to refer to Members a motion submitted to Council concerning possible change to executive governance arrangements

**Alternative options considered and reason for selecting the one recommended:** These are addressed in relation to each question raised under the consultation papers

**Recommendation / decision:** Members' views on the consultation papers are sought both on the consultation papers and on the motion submitted to Council

**Key Decision:** This report does not involve a key decision. The decision made as a result of this report will be published within 48 hours and cannot be

actioned until 7 working days has elapsed i.e. before 16<sup>th</sup> February 2009

**Risks / Implications:**

Financial:	None identified
Staffing:	None
Policy:	Community Leadership/Engagement
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	No
Wards affected:	All

**Property Implications– Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?**

No

**Does this proposal have significant implications for the Council and the local population?**

A full diversity impact assessment is not necessary at this stage

**Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?**

A diversity impact assessment is not necessary at this stage

Has the Service Director Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council’s Constitution?	<b>Yes</b>
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Has the Service Director Corporate Services confirmed that any expenditure referred to within this report is consistent with the Council’s budget?	<b>Yes</b>
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Are any of the recommendations within this report contrary to the Policy Framework of the Council?	<b>No</b>
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**For Cabinet reports only :**

Categorisation of the report:	<b>x</b>		<b>x</b>
Discussion leading to a decision	<b>x</b>	Discussion	
Monitoring		Decision	
Sharing for corporate understanding		Information	

**Tracking/Process:**

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
		5 <sup>th</sup> February 2009	

List of Background Papers in accordance with Section 100D of the Local Government Act 1972:

Document	Date	File Reference	Place of Inspection
Changing Council Governance Arrangements – Mayors and Indirectly Elected Leaders- A Consultation	December 2008		Legal and Democratic Services Town Hall, Library Street, Wigan WN1 1YN
Code of Recommended Practice on Local Authority Publicity – A Consultation	December 2008		Legal and Democratic Services Town Hall, Library Street, Wigan WN1 1YN

Proper Officer K.P.Lawson

Date 22 January 2009

## **The White Paper – Communities in Control: Real People, Real Power**

1. The White Paper, Communities in Control: Real People Real Power, is aimed at promoting the passing of power into the hands of the community, building on the earlier White Paper Strong and Prosperous Communities. This forms part of the Government's wider agenda to modernise the democratic process and participatory democracy.
2. A series of consultation papers have been issued by the Department for Communities and Local Government and this report seeks to address the latest two such consultation papers.
3. The first consultation paper relates to possible amendments to the provisions concerning changes to local authority executive arrangements and seeks to make it easier for local people to demand a governance referendum on the form of executive arrangements at each council. Members can access the full consultation document by using the link provided.  
<http://www.communities.gov.uk/documents/localgovernment/pdf/1098111.pdf>
4. A motion to Council has been referred to Cabinet on the issue of the value of the possible governance arrangements and this report also seeks to advise Members of the context that motion and steps that will need to be taken later this year in relation to the choice of executive arrangements.
5. The second consultation paper relates to a review of the existing rules on the use of publicity by local authorities and seeks to obtain views on how the rules can be amended to reflect modern communication methods and encourage greater knowledge of and involvement in the democratic process. Members can access the full consultation document by using the link provided.  
<http://www.communities.gov.uk/documents/localgovernment/pdf/1100762.pdf>

# **Consultation by the Department for Communities and Local Government** **Changing Council Governance Arrangements – Mayors and Indirectly Elected Leaders**

## **Background**

1. The Local Government Act 2000 introduced a new decision making framework to local authorities. The Act required authorities with a population of over 85,000 to put in place executive arrangements involving the creation and operation of one of three different forms of Executive, namely:
  - A Leader and Cabinet Executive (as currently operating in Wigan)
  - An Elected Mayor and Council Manager
  - An Elected Mayor and Cabinet Executive
2. Under the Local Government and Public Involvement in Health Act 2007 these options have effectively been reduced to two:
  - A new style Leader and Cabinet Executive
  - An Elected Mayor and Cabinet Executive
3. The Leader and Cabinet Executive option would involve a Councillor being appointed as Leader by the Council for a fixed term. (4 years in the case of local authorities operating whole Council elections or until the Councillor's term of office expires where the Council operates elections by halves or thirds). Under these provisions the Leader would directly appoint the Cabinet Executive rather than the Council.
4. The 2000 Act established provisions where a local authority does not have an Elected Mayor for a referendum to be held where the Council receives a valid petition requesting a referendum to move to a directly elected mayor. Such a referendum is triggered by a petition supported by at least 5% of the local government electors in the area.
5. Under the 2007 Act all local authorities which presently operate a Leader and Cabinet Executive will be required to change to either an Elected Mayor and Cabinet Executive or to a new style Leader and Cabinet. The process of changing the governance arrangements is subject to further regulations and DCLG guidance and this could include public consultation on both the options. For metropolitan districts a decision must be made by the Council by 31<sup>st</sup> December 2009 and the new form of governance arrangements must be implemented following the next following local election. Clearly further reports will be submitted to Cabinet in due course once the relevant regulations and guidance are received.

## **The Current Consultation**

6. The Government's favoured form of governance for local authorities is clearly that of a directly elected mayor although the DCLG does recognise that an indirectly elected Council Leader and Cabinet can equally deliver the desired outcome of strategic leadership, accountability and effective and efficient decision taking. The Consultation paper focuses on proposals to make it

easier for people to demand that their local leaders hold a governance referendum on moving to a new form of governance arrangement.

7. Where a Council wishes to move from a Mayor and Cabinet Executive to a Leader and Cabinet Executive or vice versa the Council can either following consultation simply resolve to move to new arrangements or can make its proposals subject to approval in a governance referendum. Where, however, the Council is seeking to move from a directly elected mayor model, special additional requirements apply in that the Council must also include in its proposal a statement setting out the arguments for and against the change and its reasons for wanting to make that change. This would not apply to Wigan as currently structured.

**Consultation Question 1 - “Should we remove the special requirements that a proposal to move from a Mayor and Cabinet Executive must include a statement setting out the arguments for and against the change and Council’s reasons for wanting to make that change?”**

Given that the Government is satisfied that either governance model can achieve the desired objectives it is suggested that a consistent approach should be applied whereby the same provisions need to be adhered to whichever governance model is currently in force.

8. Currently where a Council has adopted an executive governance model following a governance referendum then it can only move from that model following a further governance referendum approving the change. The Council can also be required to hold a governance referendum on proposals to move to a Mayor and Cabinet if a valid petition is received. However, under the current provisions where a governance referendum has been held then a further governance referendum may not be held for 10 years. This was increased from 5 to 10 years by the 2007 Act to provide a period of stability where governance arrangements have changed. The Government now considers that where a governance referendum results in no change then local people should not be denied the opportunity to seek a further change within 10 years.

**Consultation Question 2 – “Do you agree with the proposal that the moratorium period should be reduced from 10 years to 4 years where a governance referendum does not result in a change?”**

While the Government believes that this proposal would strike the right balance between allowing local communities to change their Council’s governance models with relative ease whilst avoiding unnecessary and damaging instability, it is suggested that the actual referendum itself can give rise to uncertainty and instability and a moratorium of more than 4 years might be appropriate.

9. Currently the threshold for a valid governance petition being made is 5% of the local electorate. The consultation advises that the level of the threshold needs to be such that it ensures that on the one hand governance referendums are not triggered unless there is a significant interest, but equally that there are no barriers or impediments to such interests being demonstrated where they exist.

**Consultation Question 3 – “Should the threshold for a petition to trigger a governance referendum be reduced across the board? If yes, to what level should the threshold be reduced bearing in mind the considerations about the balance between the practicalities of collecting signatures and the demonstration of a significant level of interest in change.”**

The Government’s view is that the current threshold of 5% may pose a barrier to local people petitioning for a governance referendum. Potential reductions to 4%, 3% or 2% are put forward but it clearly is acknowledged that if a threshold is too low then this may not demonstrate a significant support for change. It is suggested then that if the 5% threshold is to be lowered that it should not be lowered by a significant figure.

10. The consultation puts forward an alternative option whereby numerical thresholds would be set for various electorate ranges. An example of an electorate between 100,000 and 200,000 would be a threshold figure of 6,500. This is based upon the median of 5% across that range. The consultation suggests that this is achievable but it does still give a significant level of signatures.

**Consultation Question 4 – “Should numerical thresholds be set? If so, what should the basis and bands for these thresholds be?”**

It is suggested that there should be a difference between the threshold for an electorate of 100,000 and an electorate of 200,000 and if this proposal were to be put into place that narrower bands than 100,000 should apply.

11. A further alternative put forward in the consultation is the application of a percentage but subject to a minimum and maximum numerical threshold. Petition organisers would be required to obtain the percentage threshold save where the percentage threshold would be above or below the set maximum or minimum numerical threshold. The rationale is that in smaller areas a minimum figure would need to be satisfied to show a significant support for a change but that in larger areas a maximum level should be applied to make it easier for petition organisers to prove the demand for a change.

**Consultation Question 5 – “Should the threshold be a percentage, but subject to a certain minimum and maximum numerical threshold? What should those percentage and numerical thresholds be?”**

It is suggested that given the range of electorates then this particular proposal could lead to an over complicated and an inconsistent requirement depending the size of the electorate.

12. The Government proposes to introduce electronic petitioning (e-petitions) alongside paper petitions to trigger a governance referendum. It considers that this will make it easier for people to become involved in local democracy and provide another means for communities to add their support to a petition. It is recognised, however, that members of the public may not have access to computers and it is therefore proposed the e-petitioning is an addition to the current paper petitioning system.

**Consultation Question 6 – “Do you agree that a traditional paper based petition calling for a governance referendum may be supplemented, if the petition organiser so wishes by e-petitioning?”**

Provided that satisfactory requirements are imposed in relation to e-petitioning then it is suggested that the principle can be accepted.

13. The consultation further proposes that the process for submitting an e-petition should differ from submitting a paper petition. It is acknowledged that the system used to register the details of those supporting the petition will need to be secure. The consultation therefore proposes that a request to start any petition should be submitted to the Council before any signatories are gathered and Council can check a petition meets the requirements and upload all qualifying petitions on an e-petition facility for local people to sign electronically.

**Consultation Question 7 – “Do you agree that e-petitioning for a governance referendum must be through a secure e-petitioning facility provided by the Council concerned?”**

It is suggested that there should be a minimum provision for security in such an e-petition which should recognise potential abuses and provided that relevant software is available then this proposal can be supported.

**Motion referred to Cabinet from Full Council**

1. At its meeting on 3<sup>rd</sup> September 2008 the Council received a motion from Councillor R.M. Bleakley as follows:  
  
*“That Council puts on record that it currently sees no advantage in the installation of an Elected Mayor in Wigan or the whole of Greater Manchester.  
  
Although there may be some imperfections in the present system of Governance, Council believes it does form the basis for a strong, legitimate and accountable local democracy which is capable of continuous improvement. It also provides a strong civic focus for the Borough.”*
2. Following the enactment of the Local Government Act 2000, this Council resolved to adopt the Leader and Cabinet executive governance model and that model has applied since that time. No petition has been received to give rise to a governance referendum to change to a directly elected mayor.
3. As indicated above the Council will prior to 31<sup>st</sup> December 2009 need to make a decision on whether it changes to a new style Leader and Cabinet Executive or a Directly Elected Mayor and Cabinet Executive. Regulations as to how that process is to be undertaken and what consultation is undertaken will be issued by the Department of Communities and Local Government shortly. It would therefore seem inappropriate at this time for the Council to commit itself to either option of governance models. It can, however, be acknowledged, as is acknowledged by the Department of Local Government and Communities that the Leader and Cabinet Executive model can deliver strategic leadership, sharp accountability and effective and efficient decision taking.