



Jacqui Sinnott-Lacey  
Chief Operating Officer  
52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

Wednesday, 19 July 2023

**TO: THE MAYOR AND COUNCILLORS**

Dear Councillor,

Please see attached additional information for the meeting of the **COUNCIL** being held this evening in the **COUNCIL CHAMBER, 52 DERBY STREET, ORMSKIRK L39 2DF (WEDNESDAY, 19 JULY 2023) at 7.30 PM.**

Yours faithfully

A handwritten signature in black ink, appearing to be 'JS', written over a faint circular stamp.

Jacqui Sinnott-Lacey  
Chief Operating Officer

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**(Open to the Public)**

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**We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.**

For further information, please contact:-  
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### COUNCIL 19 JULY 2023

#### DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Blundell, de Freitas, Gordon, Howard, Mrs Marshall, Gaynar Owen, Patel, Pope, Webster, Whittington and Witter declared a non-pecuniary interest in relation to item 12 'Capital Programme Out-Turn 2022-23' and item 17 'Linear Parks Update' in view of their membership of a Parish Council.
2. Councillors Aldridge, Bailey, Pope and D Westley declared a non pecuniary interest in relation to item 12 Capital Programme Out-Turn 2022-23 and item 17 'Linear Parks Update', as Members of Lancashire County Council, as did Councillors Coughlan, Cummins and Gagen as an employee of Lancashire County Council.
3. Councillors Gaynar Owen, Nixon and West (Tenant of a Council flat/house) Coughlan (Tenant of a Council garage) declared a non-pecuniary interest in relation to item 14 'HRA – Revenue & Capital Outturn' for the reasons indicated but were entitled to speak and vote by virtue of an exemption (nothing in these reports relates particularly to their respective interests arising from the tenancy or lease).
4. Councillors Aldridge, de Freitas, Nixon and Rigby declared a non-pecuniary interest in relation to item 14 'HRA – Revenue & Capital Outturn' as they have a connected person who is a tenant of rented Council accommodation. Insofar as that interest becomes a pecuniary interest (as it would affect the financial position of their relative and a member of the public with knowledge of the relevant facts would reasonably regard this as so significant that it is likely to prejudice their judgement of the public interest) they declared that interest but considered that they were entitled to speak and vote by virtue of an exemption as nothing in these reports relates particularly to the relevant tenancy or lease.



**COUNCIL  
19 JULY 2023**

**TO ANSWER ANY QUESTIONS UNDER THE PROVISIONS OF COUNCIL  
PROCEDURE RULE 10.2**

**Planning Application 2019/0366/FUL – Question from Councillor Marsh-  
Pritchard**

*To ask the Council Leader, in relation to the Planning Application 2019/0366/FUL Demolition of existing structures and erection of a foodstore (Use Class E(a)) and trade counter unit (Use Class B8) | Pennylands House, High Street, Skelmersdale which was considered by Planning committee on 16 February 2023:*

- a. *To confirm that conditions 9 and 10 approved by Planning Committee have been fulfilled to the satisfaction of the council*
- b. *If the conditions 9 and 10 have not yet been fulfilled what further steps the Council will contemplate to preserve the amenity of local residents during the construction phase of the development given that construction is already underway"*

**Response**

Officers are aware of a number of concerns raised by local residents and we have written to developer's planning representatives to remind them of their responsibilities. In response, they have apologised for any disruption caused. We now have applications to address condition 9 relating to Traffic Management and condition 10, which relates to Construction Environment Management Plan (CEMP). If unacceptable disruption continues pending the outcome of these applications, it is open to the Council to take formal action against the developers. Such measures could include a Breach of Condition Notice or a Temporary Stop Notice. In the meantime, officers will continue to monitor the site to ensure that conditions remain complied with at all times.



**COUNCIL  
19 JULY 2023**

**REVIEW OF POLITICAL BALANCE 2023/24**

**Motion to be moved by Councillor Yvonne Gagen**

- A. That, for the period ending with the next Annual Meeting of the Council, or such lesser period should the political balance or allocation to political groups change during the year requiring a review under the provisions of the Local Government and Housing Act 1989, the allocation of seats to the political groups be as agreed at the Annual Meeting of the Council on 17 May 2023, subject to:
- (i) Executive Overview & Scrutiny Committee – less 1 Conservative, plus 1 OWL
  - (ii) Corporate & Environmental Overview & Scrutiny Committee – less 1 Conservative, plus 1 OWL
  - (iii) Planning Committee – less 1 Conservative, plus 1 OWL
  - (iv) Licensing & Appeals Committee – less 1 Labour, plus 1 Conservative, plus 1 OWL
  - (v) Licensing & Gambling Committee – plus 1 Conservative
  - (vi) Standards Committee – plus 1 OWL
  - (vii) Audit & Governance Committee – plus 1 OWL
  - (viii) Investigating Committee – less 1 Conservative, plus 1 OWL**
- B. That the Leaders of each Political Group advise the Head of Legal & Democratic Services in relation to the names of the Councillors in respect of A. above and Section 4.1A of the Council's Constitution be updated accordingly.





## COUNCIL

19 JULY 2023

### **Standing up for Responsible Tax Conduct - Motion from Councillor Adam Yates on behalf of the Labour Group**

#### **Amendment to be moved by Councillor David Westley**

~~"Full Council notes that:~~

- ~~1. The pressure on organisations to pay their fair share of tax has never been stronger.~~
- ~~2. Polling from the Institute for Business Ethics finds that "corporate tax avoidance" has, since 2013, been the clear number one concern of the British public when it comes to business conduct.~~
- ~~3. Two thirds of people (66%) believe the Government and local councils should at least consider a company's ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.~~
- ~~4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.~~
- ~~5. It has been conservatively estimated that losses from multinational profit shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.~~
- ~~6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co[1]operatives, social enterprises and large private businesses."~~

Full Council believes that:

1. Paying tax is often presented as a burden, but it shouldn't be.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.

3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct ~~including by ensuring contractors are paying their proper share of tax, or the refusal~~ to go along with offshore tax dodging when buying land and property.

4. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.

~~5. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils' ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.~~

~~6. UK cities, boroughs, counties and towns can and should stand up for responsible tax conduct – doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.~~

Full Council resolves to:

~~1. Approve the Councils for Fair Tax Declaration.~~

1. Lead by example in West Lancashire and demonstrate good practice in our tax conduct, right across our activities.

2. Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.

3. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.

4. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.

5. Demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.

~~7. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.~~

~~8. Support Fair Tax Week events in West Lancashire and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.~~

~~9. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.~~

~~<https://fairtaxmark.net/wp-content/uploads/2022/12/Councils-forFair-Tax-Declaration-ENG-CYM-2022.pdf>~~