

Mr W Grant  
Via email  
request-601967-  
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Crystal Norbert  
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Information Team  
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**Date:** 25 October 2019

**Ref:**1125325

Dear Mr Will Grant,

**Re: Information request**

Thank you for your request for information, which we received on the 6 September 2019. I sincerely apologise for the delay in responding to your request.

Your Request:

1. Does your council billing authority or has it in the past, instigated bankruptcy proceeding against individuals by outsourcing this work to an external solicitor firm rather than carrying out this work in-house. For both council tax and business rates.
3. Does your council or have they in the past, instructed an external solicitor or solicitors firm to serve a Statutory Demand and a Bankruptcy Petition, do they further instruct a Process Server on the council billing authority behalf, or is this local service carried out by your in-house team of lawyers to save costs.
5. Does your council billing authority now or have they in the past changed the carriage of your petition to a different creditor.
6. Has the change of carriage of your petition ever been taken over by your external solicitor as a creditor in their own right and if so has an order been made by the court as to the change in carriage.
7. If your external solicitor has notified the council billing authority under The Insolvency (England and Wales) Rules 2016 s.10.29 of their intention to appear at a hearing and apply to the court for an order giving that person carriage of the petition in place of the original council billing authority petitioner, instead of prosecuting the original petition on your council's behalf. Please state the name of the person ("the relevant person") and how they became a creditor to the debtor, and if their debt was unsecured or secured. And whether their debt occurred due to appearing in court on behalf of the council billing authority in connection with the council instigating bankruptcy proceedings and instructing them to attend.
8. Please state the occasions and dates that the council billing authority as a petitioner has failed to prosecute your petition etc under this section of the insolvency rules and the reason given.
9. Please provide the date and the name of the court that made the order.

Our Response:

1. Yes

3. The external solicitor is responsible for serving the petition once a case is outsourced.

5. Information not held

6. Information not held.

7. Information not held

8. Information not held

9. Information not held

This information is being provided as a statutory obligation under the Freedom of Information Act 2000 and the Data Protection Act 2018.

Please note that under the Privacy and Electronic Communications (EC Directive) Regulations 2003 Southwark Council ask not to receive unsolicited marketing communications.

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If you are unhappy with the service you have received in relation to your request and wish to make an appeal for a review of our decision, you should contact us at [accessinfo@southwark.gov.uk](mailto:accessinfo@southwark.gov.uk), quoting the reference number above.

If you are not content with the outcome of your appeal you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have first exhausted our internal appeal procedure and you should contact her within 2 months of the outcome of your internal appeal. Further information on the Freedom of Information Act is available through the Information Commissioner at [www.ico.org.uk](http://www.ico.org.uk).

Yours sincerely

Crystal Norbert

Corporate Information Governance Officer