

Our ref: 8941557
24 September 2019

Will Grant

???

Account reference:request-602550-0fbb7c19@whatdotheyknow.com

Freedom of Information Act 2000

Dear Will Grant

I can confirm that the information requested is held by Birmingham City Council. Our responses are shown below in **blue**.

Request

Dear Birmingham City Council,

Change of carriage Bankruptcy Proceedings

1. Does your council billing authority or has it in the past, instigated bankruptcy proceeding against individuals by out sourcing this work to an external solicitor firm rather than carrying out this work in-house. For both council tax and business rates.

No We do not use external solicitors, nor have we in the past, in relation to this form of enforcement

3. Does your council or have they in the past, instructed a 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.

Birmingham City Council use Process Servers on occasion.

5. Does your council billing authority now or have they in the past changed the carriage of your petition to a different creditor.

We have not changed carriage 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.

No, we have not surrendered 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.

Not applicable – see above.

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.

None

9. Please provide the date and the name of the court that made the order.

None

Yours faithfully,

Will Grant...

Please quote the reference number 8941557 in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 working days from the date this authority issued its initial response to your original letter and should be addressed to:

Corporate Information Governance Team
PO Box 16366
Birmingham
B2 2YY

Email: infogovernance@birmingham.gov.uk

If you are still dissatisfied with the Council's response after the internal review you have a right of appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF.
Telephone: 01625 545 700
Website: www.ico.gov.uk

I will now close your request as of this date.

Yours faithfully

Digital and Customer Services

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