

Mr Mustaf Hassan

Via e-mail :
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Ref: FOI15-0604-16175

Date: 26 June 2015


Dear Mr Hassan,

I am writing in response to your Freedom of Information request, received 4 June 2015, in which you ask for:

1. A breakdown (of each element) of the actual minimum, average and maximum costs (reasonable amount) incurred by the council in obtaining a liability order (or in seeking to obtain one before the respondent capitulates) for non-payment of council tax for 2014/15?
2. How many council tax liability orders had been issued?

You stipulate that your request only pertains to the costs after it has been decided to go ahead obtaining the order until the order has been made and includes delivery of the order itself. You state that you understand most of these orders are done in bulk and that final reminders are required prior to the order, which you would like listed separately. You also state that you understand there are, for example, court fees, one person in attendance at the court, the printout that is brought with, the use of a laptop, the printing and posting of the summons and liability order to name but some of the elements. You request a list of each element and its individual costs. You state that you understand the council has the data as it must know (or be told) enough to ensure that nothing that it is necessary, because it is legally relevant for it to know, is left out of account in order for it to have set an envisaged amount in the first place.

Your request has now been considered and the Council's response is as follows.

Three decorative green curved lines of varying shades (light green, medium green, and dark green) sweep across the bottom right corner of the page.

Please be advised that the London Borough of Hackney charges recovery costs of £69.50 for each Council Tax summons that is requested from the Magistrates' Court and served on a Council Tax payer, and £8.50 for each liability order that is subsequently obtained at the Magistrates' Court hearing. This total charge of £78.00 has been frozen since 2006/07 and is the lowest Council Tax recovery charge in London. The charge is a universal figure that is applied to every case that requires such recovery action to be taken. Consequently, the Council does not hold the minimum and maximum charge figures to which you refer, and I therefore cannot provide an answer to this part of your request.

Likewise, in regards to the specific elements of cost that you give as examples in your request, the Council has not determined its level of charges by using a formula that utilises the information you have listed. Whilst some of the information is obviously factored in to the final figure, I am concerned that the provision of only part of the information could distort the interpretation of this response if taken out of context. As I am unable to provide all of the figures as you require them, I do not feel able to respond to this part of your enquiry.

In answer to the second element of your request, the total number of liability orders obtained during 2014/15 was 19,487. The number of Final Notices sent during the same period was 39,217.

It may be of interest to you to note that the Children's Society have recently held a meeting with the Council to discuss the impact of the Council Tax recovery proceedings on households in which persons under 18 years reside. The outcome of that meeting was relatively favourable, with the Society observing that those measures already being taken by the Council to ensure the minimum adverse impact in such cases would meet their own view of best practice.

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If you are dissatisfied with this response and wish to appeal, please write to the Information Governance Team, Appeals, 6-15 Florfield Road, Hackney, London E8 1DT and your complaint will be dealt with through the Council's Internal Review procedure.

If you are still not satisfied following the Internal Review, you have a right to appeal to the Information Commissioner. He can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 01625 545 700

www.informationcommissioner.gov.uk

In the meantime, I am sorry that I have been unable to supply you with the information you were seeking, but hope that the explanation offered, together with the information that has been supplied, will still be of use to you.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized capital 'K' followed by a long horizontal stroke.

Kay Brown
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Finance and Resources Directorate