

**My Ref:** IG-12176  
**Your Ref:**  
**Contact:** Freedom of Information Team  
**Email:** [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)



**Nottingham**  
**City Council**

**Freedom of Information Team**  
**Information Compliance**  
**Legal & Governance**  
2<sup>nd</sup> Floor  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

Requester

At contact address specified for request number above

**Tel:** 0115 876 4376

**Email:**

[FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)  
[www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)

13 May 2019

Dear Requester

### **Request under the Freedom of Information Act 2000 (the Act)**

Thank you for providing your name in accordance with section 8(1)(b) your request is now a valid request. The council has considered your request, which included your name, which was received on 11 April 2019, and our response to your questions is shown below.

*Complaints to Magistrates for Council Tax (CT) Liability Orders.*

*Going as far back as is reasonable (eg 5 years), up to the most recent data available, Please could you provide me with a table of information under the following headings:-*

- 1. Date Of hearing*
- 2. Number of CT Accounts Listed on a Complaint*
- 3. Total Court fee paid*
- 4. length of hearing - defended/undefended*
- 5. Number of CT accounts Liability Order made against*
- 6. Total costs awarded to Billing authority*
- 7. Actual cost of preparing for and attending the hearing.*
- 8. Number of Accounts in name of a Limited Company?*

In accordance with section 1 (1) of the Act the council has a duty to confirm whether it holds the information of the description specified in the request, and if that is the case, to have the information communicated to the requester.

Regard parts 4 and 7 this is not recorded and cannot be supplied therefore, under section 1 of the Act some of the requested information cannot be provided, as it is not held by the council.

Regarding part 8 of your request, whilst the council will have a record of accounts in name of a Limited Company, we do not hold a record the number of orders issued against limited companies for each court. It has been estimated that to manually,



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identify, interrogate, extract and then compile this information would exceed the appropriate limit. As per guidance from the Information Commissioner's Office (ICO), when estimating the cost of compliance, we can take into account the cost of the following activities:

- determining whether you hold the information;
- finding the requested information, or records containing the information;
- retrieving the information or records; and
- extracting the requested information from records

In order to answer this part of your request an officer would be required to manually go through every cost list, check the council tax records for each of the accounts listed on the complaint to identify if there were a limited company, and then count each account in the name of a limited company. As per the data provided below this would require looking through thousands of records, which the council estimates would significantly exceed the appropriate limit. Therefore, on this occasion, the council has decided to exempt itself, from complying with this part of your request as the cost incurred in providing a response would exceed the appropriate limit of £450, which is equivalent to requests that would require more than 18 hours continuous work.

The council is withholding some of the information you have requested as detailed above under section 12, please accept this letter as a partial refusal notice issued in accordance with section 17 of the Act.

Paragraph 14 of the section 45 Code of Practice states that when the council is not obliged to comply with a request because it would exceed the appropriate limit to do so, then it: "...should consider providing an indication of what, if any, information could be provided within the cost ceiling." See below for information in response to parts 1, 2, 3, 5 and 6 of your request. The council have also attached a letter along with a cost breakdown issued to the Magistrates Court justifying the costs of £70 levied for each order obtained.

Date of Hearing	Number of accounts listed on complaint	Total Court Fee Paid (£)	Number of Liability Orders issued	Total costs awarded to Council (£)
12/06/2014	5,230	15,690	4,671	934
26/06/2014	6,090	18,270	5,229	3,660
17/07/2014	2,011	6,033	1,662	1,163
14/08/2014	1,534	4,602	1,227	859
11/09/2014	3,775	11,325	3,289	658
09/10/2014	2,468	7,404	2,097	1,468
13/11/2014	1,469	4,407	1,150	805
11/12/2014	1,286	3,858	994	696
15/01/2015	3,119	9,357	2,538	508
12/02/2015	1,493	4,479	1,163	814
12/03/2015	2,624	7,872	1,958	392

09/04/2015	1,922	5,766	1,660	1,162
11/06/2015	5,283	15,849	4,570	914
25/06/2015	4,789	14,367	4,370	3,059
09/07/2015	2,696	8,088	2,237	1,566
13/08/2015	1,769	5,307	1,484	1,039
10/09/2015	3,484	10,452	3,097	619
08/10/2015	2,131	6,393	1,830	1,281
12/11/2015	1,078	3,234	922	645
10/12/2015	1,997	5,991	1,705	341
14/01/2016	1,754	5,262	1,368	958
11/02/2016	1,261	3,783	976	683
10/03/2016	2,601	7,803	1,894	379
14/04/2016	2,170	6,510	1,840	1,288
09/06/2016	2,912	8,736	2,578	1,805
30/06/2016	5,017	15,051	4,632	926
14/07/2016	4,301	12,903	3,868	2,708
11/08/2016	1,684	5,052	1,496	1,047
08/09/2016	2,320	6,960	2,091	418
13/10/2016	1,965	5,895	1,724	1,207
10/11/2016	984	2,952	832	582
08/12/2016	1,947	5,841	1,665	333
12/01/2017	1,836	5,508	1,536	1,075
09/02/2017	1,156	3,468	958	671
09/03/2017	1,380	4,140	1,149	804
13/04/2017	1,238	3,714	953	191
15/06/2017	4,778	14,334	4,289	3,002
29/06/2017	4,198	12,594	3,839	768
13/07/2017	4,033	12,099	3,658	2,561
10/08/2017	1,294	3,882	1,116	781
14/09/2017	2,292	6,876	1,981	396
12/10/2017	1,462	4,386	1,282	897
09/11/2017	1,366	4,098	1,180	826
14/12/2017	1,680	5,040	1,427	285
11/01/2018	1,355	4,065	1,093	765

08/02/2018	1,606	4,818	1,334	934
09/03/2018	1,601	4,803	1,320	924
19/04/2018	3,011	9,033	2,239	448
14/06/2018	3,653	10,959	3,261	2,283
28/06/2018	5,587	16,761	5,084	1,017
12/07/2018	4,791	14,373	4,256	2,979
13/09/2018	2,600	7,800	2,261	1,583
08/11/2018	1,661	4,983	1,419	993
13/12/2018	3,018	9,054	2,580	516
10/01/2019	1,655	4,965	1,403	982
14/02/2019	1,292	3,876	1,061	743
14/03/2019	1,420	4,260	1,160	812

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If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review in writing stating the reasons for your dissatisfaction. Your request for an internal review should be made to the council within forty working days of the date of this letter. Please quote reference IG-12176 in all communications.

You can contact the Freedom of Information Team either by email: [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk) or writing to the **Freedom of Information Team, Information Compliance, Legal & Governance, 2<sup>nd</sup> Floor, Loxley House, Station Street, Nottingham, NG2 3NG.**

If you remain unhappy after receiving the response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.** You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk).

Yours sincerely

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Legal & Governance  
Nottingham City Council

