

Questions received in the name of Councillor C Preston to the Portfolio Holder for Finance: -

- “ 1. What is the policy of the Council to Petition for Bankruptcy in the case of arrears of Council Tax? At what meeting was this decision made?
2. What express power is being used, which says, we as a Local Authority can petition, i.e. to initiate bankruptcy proceedings for arrears of Council Tax? Is the Council obliged to institute Bankruptcy proceedings or does the Council have discretion whether or not to choose the Bankruptcy route? Is there an alternative such as obtaining a charging order on the dwelling?
3. Is the Portfolio Holder aware that the Council has initiated, a petition for bankruptcy? How many said petitions have there been?
4. Has the Portfolio Holder been consulted, on these actions and agreed them both generally and in individual cases. If you were consulted were you given advice on alternatives available, both generally and in individual cases. Were you given advice each time on the proportionality of each action relative to less restrictive alternatives?
5. Where the Council Tax payer is in difficulties and the Council should be aware, does the Portfolio Holder know of what steps the Council takes to identify and assist disadvantaged people, vulnerable people and mentally ill people?
6. Does the Portfolio Holder agree the Bankruptcy route can increase a Council Tax debt of say £2,500, into an estimated debt the following year of £35,000, this being an increase of 1400% in one year. I hope the Portfolio Holder agrees this is grossly disproportionate, and should not be acceptable.
7. Not only are the figures in (6) extortionate, not only does it mean the individual will have their home taken away and sold, but it also means the Council will say the individual has become intentionally homeless and the individual and any children are on the street? Does this seem to the Portfolio Holder an ineffective way of collecting Council Tax, when the less restrictive alternative is the one prescribed, namely the express power to get a charging order? Surely a charging order will mean the Council will get all its money much earlier whilst causing less hassle to the individual; and does the Portfolio Holder not think it best that most importantly for vulnerable people, they would not become homeless?”