

**Question 1: The government intends to change the default bill instalments from 10 months to 12 months. Do you agree with this approach? Why/why not?**

The Council believes that this proposed move is unnecessary because: the option for 12 instalments is already readily available to council taxpayers; it closes down options to assist taxpayers who suffer financial shocks and it will have a negative impact on Local Authorities' (LAs') finances.

While the proposal to extend statutory instalments from 10 to 12 months may appear to offer the advantage of reduced, more even monthly payments, there are several practical drawbacks that could negatively impact both customers and administrative processes. This proposal removes any room for maneuver for the Council and the taxpayer.

Furthermore, the QRC process and published targets place an unnecessary emphasis on in-year collection rates. If the default instalments are to be changed to 12 rather than 10, the Government should consider removing the emphasis on in-year collection rates.

**Question 2: If the government were to move to 12-month instalments by default, should taxpayers be able to request to pay in 10-monthly payments?**

The concern here is that, should someone request a change back to 10 instalments by a date in mid-April, the LA will have already sent their annual bills and would then be forced to rebill those customer, potentially resulting in a missed April payment along with an associated cost of rebilling and the taxpayer receiving increased instalments for the remainder of the year.

**Question 3: What impacts, if any, do you think this change will have on local authority's' cash flow and ability to pay precepting authorities? [Local Authorities and other interested parties]**

There will be a negative cash flow impact on LAs. The government should not underestimate the impact on cash flow for Billing Authorities and the Preceptors if this change was to occur.

**Question 4: Do you feel you have a good understanding of how council tax revenue is used by your local authority?**

The Council has no substantive response. It is considered that this question is better answered by taxpayers.

**Question 5: Do you agree further information should be provided on how council tax is spent? Why/Why not? How should this information be presented?**

The Council has no substantive response. It is considered that this question is better answered by taxpayers.

**Question 6: Do you feel you have a good understanding of the support offered by your council and how to claim this? How might this be improved?**

The Council has no substantive response, or it is not appropriate for the Council to respond to this question.

**Question 7: What further information, if any, do you think would be helpful to see on this support? How should this be presented?**

The Council has no substantive response, or it is not appropriate for the Council to respond to this question.

**Question 8: Do you agree with the proposed new name and definition of the disregard, as set out above? Why/Why not?**

In relation to the severe mental impairment (SMI) disregard, the Council sees no issues with the proposed new name and definition of the disregard. It is not considered that the name of the SMI disregard has served as a major obstacle to people applying for the disregard; there are other reasons as to why people are not receiving this disregard, such as the requirements for the individual to be living alone or with only one other adult, or being eligible for a qualifying disability benefit.

By the nature of the disregard, engagement with those who may be eligible can be difficult, however, the Council supports any name change which the Government considers will improve access to the disregard/exemption.

**Question 9: What are your views on whether the proposed definition is consistent with the existing eligibility for the disregard? [Local authorities and other interested parties]**

The Council considers that the proposed definition is consistent with the existing eligibility for the disregard.

**Question 10: Have you, or your family members, experienced any barriers to claiming this support? Please describe.**

The Council has no substantive response. It is considered that this question is better answered by taxpayers.

**Question 11: Are you aware of any households facing barriers when accessing this support? Please describe. [Local Authorities and other interested parties]**

It has been reported that some doctors ask patients to pay a fee when they request a doctor's declaration of the patient meeting the criteria for the (current) SMI disregard / exemption.

It is considered that Government guidance to GPs on this matter may be helpful.

**Question 12: What, if anything, do you think could put someone off applying for this support?**

The application process can be off-putting for some customers, and as Government suggests, there may also be a stigma attached to this support.

Currently, the claimant must be "eligible" for a qualifying benefit. This does not mean they must be in receipt of that benefit. Consideration should be given to removing the requirement for a qualifying benefit, therefore leaving eligibility solely on the medical professional certification.

**Question 13: What do you think the government could do to improve access and accessibility to this disregard?**

Better data sharing between government departments, particularly the DWP, would allow for the proactive identification of customers who are eligible for council tax reductions, and for passporting of certain reductions.

Investigation could be given into seeing how the NHS app could assist customers with the application process, such as identifying where certain flags could be added by a medical professional and to verify entitlement without the need for an application and separate medical professional sign-off.

**Question 14: What are your views on a government provided (but not prescribed) form that councils and taxpayers could use to improve consistency of claiming the disregard in England? How should the government incentivise councils to use such a form?**

The Council considers that a government provided form that LAs and taxpayers can use to improve the consistency of claiming the disregard will have little impact on the number awarded, and that any new online form must operate alongside other LA online forms. Any new application form must be accessible,

especially if the individual does not have family or friends to help them make the application.

**Question 15: What are your views on the disregards set out for carers and apprentices?**

The Council believes that apprentices disregard needs changing. The wage requirement of earning no more than £195 per week is significantly outdated, with such cases being almost non-existent; the disregard should therefore be updated accordingly.

**Question 16: Do you believe the current eligibility criteria for apprentices and/or carers is appropriate?**

See answer to Question 15 above.

**Question 17: Are there any other disregards which should be considered in respect of certain cohorts who do not fall within the current disregards?**

The Council supports a new care leavers disregard. Currently, the Council gives an exemption / disregard to person leaving care up to the age of 25. The Council offers this support regardless of which Council area was providing the care during childhood. However, this is fully funded by the Council (district) and no financial support is received from precepting authorities.

The Council is aware that some areas offer such a discount, but only for persons leaving the care of their own County or Unitary authority. A national disregard would ensure consistency of grant and or funding across the country.

**Question 18: Do you or anyone in your household fit into one of these cohorts? If so, what would be the impact of any new forms of support on your household?**

The Council has no substantive response, or it is not appropriate for the Council to respond to this question.

**Question 19: What are your views on how information is currently provided by councils?**

The Council has no substantive response, or it is not appropriate for the Council to respond to this question.

**Question 20: What council tax information do you believe could be communicated digitally?**

The Council Tax (Administration and Enforcement) Regulations 1992 allows for Demand and Reminder Notices to be issued electronically (providing that both parties agree), but this does not extend to Final Notices. The Council would welcome this small anomaly to be corrected.

**Question 21: In relation to any suggestions in question 20, how could councils ensure this was accessible to all residents?**

The Council has no substantive response, or it is not appropriate for the Council to respond to this question.

**Question 22: What are your views on the current process for challenging a council tax band? What changes, if any, should the government consider to the council tax band challenge process?**

The Council is of the view that legislation should exist that limits appeals against council tax assessments to a period of six years, and it recommends that such legislation is introduced to protect LAs' finances.

Further, a successful appeal should only be applicable to the current resident who submitted the appeal, and from the date the appeal was submitted, there should be no benefit for prior residents.

**Question 23: The government is interested in changing regulations on when councils can request a full bill, or seek liability orders, to a more appropriate and proportionate timeframe.**

**How long after a reminder notice, should full liability apply:**

**after 7 days**  
**after 14 days**  
**after 31 days**  
**after 62 days**  
**after 90 days**  
**other**

**Please explain your answer.**

The Council is not eager to take enforcement action and does not favour taxpayers losing their instalments. Typically, the Council issues reminder notices 14 days after an instalment has been missed.

The local knowledge of taxpayers and taxbase is a matter for Councils and discretion over when enforcement action is taken should not be decided by Government.

It is imperative that this discretion remains at a local level as any extension to the period between a missed payment and the seeking of a liability order will create a financial burden on councils and negatively impact collection.

**Question 24: Are there any further steps councils should take before being able to charge for a full-year's bill? For example, offering alternative payment plans, providing further reminder notices or undertaking welfare checks.**

The Council firmly believes that this proposal is undermined by the proposal in Question 1 (12-monthly instalments as default): the proposal in Question 1 will remove the flexibility that currently helps council tax customers in arrears and will result in more reminder notices being issued and more people losing the right to instalments, as well as a reduction in interventions by LAs; and the proposal in this question will delay the period within which LAs can take action.

There is overwhelming evidence that customers who get into short-term difficulties engage with LAs, who work together to create a sustainable instalment plan.

**Question 25: Do you believe there are any barriers to councils being able to take the kind of steps set out in Question 24? [Local Authorities and other interested parties]**

The Council believes that giving LAs more information on customers' financial circumstances before seeking a liability order would help reduce barriers to LAs taking steps prior to charging for a full-year's bill.

Sharing of HMRC PAYE data would be highly effective in allowing secured payments by instalment meaning tax-payers do not face full year demands and Councils secure payment from those who can pay.

**Question 26: What other ways can councils support individuals when they miss a council tax payment?**

The Council already provides robust support to individuals that miss a council tax payment, primarily in the use of concessionary arrangements. This is considered a useful tool to support taxpayers who require short-term assistance.

The Council supports those who need support and enforces against those who routinely default on payments.

Removing this discretion, which relies on local understanding of taxbase and taxpayers, would be detrimental to collection rates and council finances.

**Question 27: Do you agree that the government should introduce a cap on the reasonable costs that a court can award for a council's costs for an application for a liability order?**

The Council does not agree that the government should impose a cap on the reasonable costs that a court can award for a LA's costs for an application for a liability order.

The costs sought by the Council are already based on a factual courts costs incurred calculation that is demonstrated in court; the implementation of a cap would reduce funding for support services such as summons surgeries and welfare support teams, and, ultimately, shift the burden of these costs to compliant taxpayers.

**Question 28: What do you think this cap should be set at? Please explain your answer:**

**less than £70**

**up to £70**

**between £71 and £100**

**over £100**

**other**

The Council is not in favour of the proposed cap.

**Question 29: Should the cap apply when seeking a liability order on second or empty homes?**

Please refer to the answer to Question 27: costs should not be capped at any level, and there is no justification for treating second or empty homes differently.

The court cost is a genuinely calculated sum based on costs incurred.

**Question 30: Do you believe the current enforcement is or is not proportionate in the context of council tax collection? Why/why not?**

The Council is concerned that the issue of local government council tax collection powers are being compared to the powers of an FCA regulated debt collector.

Council tax is a compulsory tax, not a civil debt, and any questions relating to the proportionality of council tax enforcement must be compared to other taxes, such as those under the auspices of the HMRC.

**Question 31: What are your views on ways enforcement could better reflect the needs of those in financial or other hardship?**

The Council, as an independent statutory body, is able to set its own policy in relation to the recovery of debts.

The Council has a fair debt collection policy in place and actively works to reflect the needs of those in financial hardship.

**Question 32: What are your suggestions on alternative or additional measures to ensure council tax is paid?**

Allowing LAs to use attachment of earning orders without the need for a liability order would be an effective additional method for recovering unpaid council tax and would, in time, facilitate the removal of committal as an enforcement option (alongside providing LAs with access to HMRC data).

**Question 33: What are your views on the current methods available to councils to collect council tax?**

The Council advocates for allowing LAs to use attachment of earning orders without the need for a liability order, and for the use of third-party debt orders, as stated in answer to Question 32.

**Question 34: How else do you think council tax could be efficiently and fairly collected?**

Much of the current media attention on LA enforcement and collection practices is focused on those that are the most financially in need: this is a result of the changes to the Council Tax Support Scheme in 2013 and the subsequent removal of funding from the DWP, which lead to the erosion of council tax support as LAs looked to account for rising costs.

The reintroduction of a council tax support scheme that awards up to 100% relief for those most in need would directly combat unfair enforcement action and would ensure that LAs are only enforcing against those who are able to pay.

**Question 35: Do you have any views on anything else related to council tax administration which has not been covered in this consultation and call for evidence? If so, please provide them here (250-word limit).**

The Council has no substantive response, or it is not appropriate for the Council to respond to this question.

**Question 36: Do you have any views on whether any of the proposed changes in the consultation will have any disproportionate impacts on any particular groups with protected characteristics compared to others?**

The Council has no substantive response, or it is not appropriate for the Council to respond to this question.