

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** FOI-17-0832 - Summary Warrants  
**Date:** 05 July 2017 07:20:04  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)

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Dear [REDACTED]

Thank you for your information request of 12 June 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

### **Follow up to FOI-17-0676**

- 1) In regard to your response to question 8a, the list contained 9,899 for the financial year 2015/2016. Please confirm ACC got charged one fee of £67 and not court fees of £663,233.**

There were 9 Applications for Summary Warrant, which cost Aberdeen City Council £603.

- 2) In regard to your response to question 28, this has not been answered to my satisfaction. Is Sequestration a very last resort? Please provide the guidelines and process that must be adhered prior to sequestration.**

Council Tax recovery process is set by the Local Authority in conjunction with the Local Government Finance Act 1992 and Council Tax (Administration and Enforcement) Scotland Regulations 2000.

A new Council Tax bill is issued each financial year which runs from 1st April to 31st March. The payment terms for the Council Tax bill states that Council Tax is payable by one instalment on 1st April with nine equal instalments due on the first of each month from May to January or by one payment due on or before 1st April.

If an instalment is not paid on or before its due date, the account is in arrears. At this point a reminder will be sent to the liable person(s) requesting that the amount overdue be paid in full within 7 days. It explains that if the overdue amount is not paid within the 7 days allowed the full amount is due to be paid within 14 days of issue of the reminder. It is also states that only a maximum of 2 reminders will be issued in any financial year.

The reminder advises that if the total amount outstanding is not paid in full or a payment arrangement made an application will be made to the Sheriff Court for a summary warrant. Once this is granted 10% is immediately added to any outstanding balance. The Council then passes the account to the Council's collection agent Scott & Company, Sheriff Officers who will then engage further with customers to recover the outstanding debt amicably i.e. telephone, text, letters, payment arrangements, visits, tracing, bank arrestment.

Where debts are still not being paid, a Charge for payment will be served by the Sheriff Officers to obtain wage details and take account of any circumstances which may affect non-payment of the debt as the serving of the Charge for Payment gives

authority to start legal proceedings i.e. wage arrestment, start process for inhibition or sequestration within 3 months of serving the charge for payment.

Therefore if all the aforementioned fails then only as a last resort will legal inhibitions and or sequestration be carried out.

**3) Is Aberdeen City Council registered on Companies House? what is its registered address and who are the named Directors?**

Aberdeen City Council is not registered on Companies House.

The Council's Organisation structure can be found on the website, [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk) under Council and Government, Organisation structure.

**4) Please provide the full list of Summary Warrant applications for the financial years from:**

Please see item 5 below

**5) Please provide the full cost for Summary warrant applications for the financial years from:**

	<u>Number of Summary Warrant applications</u>	<u>Cost of applications</u>
2003/04	13	£871
2004/05	16	£1,072
2005/06	21	£1,407
2006/07	21	£1,407
2007/08	21	£1,407
2008/09	40	£2,680
2009/10	39	£2,613
2010/11	43	£2,881
2011/12	35	£2,345
2012/13	24	£1,608
2013/14	37	£2,442
2014/15	37	£2,479
2015/16	33	£2,211
2016/17	32	£2,240

ACC is unable to provide you with information for the 2002/03 period as it does not hold the information. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it. This information may be held by the Scottish Courts and Tribunals Service and they can be contacted at <http://www.scotcourts.gov.uk/about-the-scottish-court-service/contact-us/freedom-of-information>

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

### **INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

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\*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan. Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)