

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-0676 - Summary Warrants
Date: 01 June 2017 14:31:05
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED]

Thank you for your information request of 5 May 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

1) How many Summary Warrants did Aberdeen City Council issue on the 27th Feb 2015?

Aberdeen City Council do not issue Summary Warrants. An application for Summary Warrant in terms of legislation is made to the Court.

2) How many Summary warrants applications were not granted by the Sheriff Court that day?

None. See response to question 1.

3) How many names were on the Summary Warrant Application or was each application individually lodged? I.e. Was the Court provided a spreadsheet of names or were they all lodged individually?

Lists are provided to the Court along with the Application for Summary Warrant. The lists of 27 February 2015 contained 1363 names for the financial year 2014/15.

4) What was the cost to lodge each application to the Sheriff Court on that date?

The cost is £67 per application.

5) What was the cost to Aberdeen City Council for all Summary Warrant Applications made on the 27th Feb 2015 relating to the 2014/2015 Council Tax Year?

The application costs paid by Aberdeen City Council was £67 per application for 2014/15.

6) How many Summary Warrants did Aberdeen City Council issue on the 10th June 2015?

Aberdeen City Council do not issue Summary Warrants. An application for Summary Warrant in terms of legislation is made to the Court.

7) How many Summary Warrants Applications were not granted by the Sheriff Court that day?

None. See response to question 6.

8) How many names were on the Summary Warrant Application or was each application

individually lodged? I.e Was the Court provided a spreadsheet of names or were they all lodged individually?

Lists are provided to the Court along with the Application for Summary Warrant. The lists of 10 June 2015 contained 9,899 for the financial year 2015/16.

9) What was the cost to lodge each application to the Sheriff Court on that date?

The cost is £67 per application.

10) How many of them were relating to the 2013/2014 Council Tax year?

It is not known how many there were for 2013/14 although there were was a list of 2,145 customers with previous years debts outstanding.

11) How many of them were relating to the 2014/2015 Council Tax year?

It is not known how many there were for 2014/15 although there were was a list of 2,145 customers with previous years debts outstanding.

12) What was the cost to Aberdeen City Council for all Summary Warrant Applications made on the 10th June 2015 relating to the 2013/2014 Council Tax Year?

It is not known how many there were for 2013/14 although there were three lists of 2,145 customers with previous years debts outstanding. The application costs paid by Aberdeen City Council was £201.

13) What was the cost to Aberdeen City Council for all Summary Warrant Applications made on the 10th June 2015 relating to the 2014/2015 Council Tax Year?

The application costs paid by Aberdeen City Council was £603 for 2014/15.

14) How many Summary Warrants did Aberdeen City Council issue on the 5th May 2016?

Aberdeen City Council do not issue Summary Warrants. An application for Summary Warrant in terms of legislation is made to the Court.

15) How many Summary warrants applications were not granted by the Sheriff Court that day?

None. Please see response to question 14.

16) How many names were on the Summary Warrant Application or was each application individually lodged? I.e. Was the Court provided a spreadsheet of names or were they all lodged individually?

Lists are provided to the Court along with the Application for Summary Warrant. The lists of 5 May 2016 contained 12,029 names for the financial year 2016/17.

17) What was the cost to lodge each application to the Sheriff Court on that date?

£71

18) How many of them were relating to the 2016/2017 Council Tax year?

The lists of 5 May 2016 contained 12,029 names for the financial year 2016/17.

19) What was the cost to Aberdeen City Council for all Summary Warrant Applications made on the 5th May 2016 relating to the 2016/2017 Council Tax Year?

The application costs paid by Aberdeen City Council was £639 for 2016/17.

20) Please verify and update the “Arrestment of your Earnings” that has been made by ACC? Please break this down to provide the annual figures for each financial year.

- a) 2014/15 1535
- b) 2015/16 2311
- c) 2016/17 2542

21) Please verify and update the “Arrestment of Funds in your Bank Account” that has been made by ACC? Please break this down to provide the annual figures for each financial year.

- a) 2014/15 4116
- b) 2015/16 5740
- c) 2016/17 8324

22) Please update the total value of goods sold at auction? Please break this down to provide the annual figures.

- a) 2014/15 £1333.00
- b) 2015/16 0
- c) 2016/17 0

23) How many Sequestration/Bankruptcy petitions have been lodged to the Court for Council tax? Please break this down to provide the annual figures. 2002/03 through to 2016/17.

- a) 2002/03
- b) 2003/04
- c) 2004/05
- d) 2005/06
- e) 2006/07
- f) 2007/08
- g) 2008/09
- h) 2009/10

i) 2010/11	13
j) 2011/12	20
k) 2012/13	13
l) 2013/14	11
m) 2014/15	25
n) 2015/16	21
o) 2016/17	23

Due to the passage of time, there are no figures available prior to financial year 2010/11. Therefore, ACC is unable to provide you with this information as it is not held by ACC. 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.

24) How many Sequestration/Bankruptcy petitions have been dismissed by the Court throughout this period? Please break this down to provide the annual figures. 2002/03 through to 2016/17 (as the above table)

a) 2002/03	
b) 2003/04	
c) 2004/05	
d) 2005/06	
e) 2006/07	
f) 2007/08	
g) 2008/09	
h) 2009/10	
i) 2010/11	0
j) 2011/12	0
k) 2012/13	0
l) 2013/14	0
m) 2014/15	0
n) 2015/16	1
o) 2016/17	1

Due to the passage of time, there are no figures available prior to financial year 2010/11. Therefore, ACC is unable to provide you with this information as it is not held by ACC. 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.

25) How many citizens have lost their property from Sequestration/Bankruptcy? Please break this down to provide the annual figures. 2002/03 through to 2016-17 (as the above table)

a) 2002/03	
b) 2003/04	
c) 2004/05	
d) 2005/06	
e) 2006/07	
f) 2007/08	

- g) 2008/09
- h) 2009/10
- i) 2010/11
- j) 2011/12
- k) 2012/13
- l) 2013/14
- m) 2014/15
- n) 2015/16
- o) 2016/17

26) Please also provide a breakdown per type of property if applicable

In regard to questions 25 and 26, where someone goes through the legal sequestrations process, an Insolvency Practitioner is appointed. Thereafter all financial information and the potential loss of their property is dealt with by the Insolvency Practitioner and Aberdeen City Council do not get involved other than submitting a claim of outstanding debt along with all other creditors. Therefore, ACC is unable to provide you with this information as it is not held by ACC. 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.

27) Has any application for a Summary warrant lodged by Aberdeen City Council for Council Tax ever been unsuccessful? Please break this down to provide the annual figures. 2002/03 through to 2016/17 (as the above table)

All summary warrants have been granted since council tax was introduced.

28) The Council apparently has many avenues for pursuing alleged debt for council tax, such as arrestment of wages, arrestment of your funds in your bank account and selling goods at auction therefore, is Sequestration considered a very last resort?

Aberdeen City Council will explore all avenues to recover the debt amicably and only as a last resort will legal action be taken i.e. wage and or bank arrestment, sequestration, inhibitions.

29) Does Aberdeen City Council Hire a Court Room to implement their own Summary Warrants?

No

30) Does Aberdeen City Council Issue their own Summary Warrants?

No

31) When ACC lodge a Summary Warrant application, does the alleged debtor get a chance to represent themselves in Court? Please clarify.

No. The legislation does not provide the opportunity for a court hearing.

32) Can a citizen demand a trial by Jury for alleged debt for council tax? Yes/No. Please

clarify.

No. The legislation does not provide for any court hearings.

33) Is Aberdeen City Council a Registered Company?

No

34) What is the registered number of the company Aberdeen City Council, what is its registered address and who are the named Directors?

Not applicable. Please see response to question 33.

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).

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