



**Customer Services
Revenue and Benefits Services**
Town Hall, Castle Circus, Torquay, TQ1 3DR
Website: www.torbay.gov.uk/council-tax

Mr T Council and Mrs T Council
Road
Town
County
Postcode

Liability Address For Charge:
Road
Town
County
Postcode

Date: 01/01/2017

Dear Sir/Madam

Council Tax Final Notice - Immediate Action Required

Account Number: 00000000
Balance now due for the year to: 01/01/2017 £0.00

You have now lost the right to pay by instalments and the full balance is now due for payment within the next seven days.

Council tax is a priority bill for payment.

Why have we sent you this letter?

You were previously sent a Council Tax bill advising how much to pay and the date payment was due. Our records show that your payments are not up to date. View your account at <https://my.torbay.gov.uk>

Are you having problems paying? - Making a new arrangement.

We will consider making a new payment plan if you contact us within the next seven days.

You will be expected to make an immediate payment before a new arrangement can be agreed. It is important to have a payment plan that is best suited for you to help you pay on time. You can request your payments to be weekly, fortnightly or monthly (1st or 25th) at: www.torbay.gov.uk/change-your-payments

What happens if you ignore this letter?

We will commence court action and issue a summons for non payment in the Magistrates Court. If you do not pay in full, by the court date on the summons, the Magistrate will grant a Liability Order for the amount owed and £85 court costs will be added to your account. We can then pass the debt to the enforcement agents (bailiffs) to collect or apply to take money straight from your earnings or benefits.

Yours Sincerely,

John Howell
Corporate Debt Manager

**This bar code enables you to make
payments at the Post Office**



View your Council Tax account online with My Torbay

'My Torbay' is a quick and easy way to view your Council Tax account(s). Registering for an account will only take a few minutes and allows you 24 hours-a-day, seven days-a-week, access to your Council Tax information. You can register at: <https://my.torbay.gov.uk>

Ways to pay your Council Tax

Direct Debit	Pay monthly by Direct Debit. Set one up at www.torbay.gov.uk/pay-your-bill
Online payments	Pay with a debit or credit card. A charge of 2% is payable on credit card payments but debit cards are free. Make a payment at www.torbay.gov.uk/pay-your-bill
Telephone Payment	Please call our 24 hour payment line on 0300 456 0506
Standing Order or Internet Banking	You can pay, weekly, fortnightly or monthly. You need to set this up directly with your bank. The details you will need are: Sort Code: 55-70-01 Name: Torbay Council Account Number: 06040411 Reference: Use your 10 digit A/c number
Post Office	For cash, card or cheque payments. Please take this bill with you. Cheques should be made payable to Post Offices Ltd. Not all post office branches accept cheque payments.

Do you have an enquiry about your bill?

You can do this online at <https://forms.torbay.gov.uk/ContactCTax> and you will receive a written response within two working days.

Have you told us about any changes in your household circumstances?

You must tell us about changes that may affect the amount of Council Tax you have to pay. We may issue a financial penalty or take recovery action if you do not inform us of any change in your circumstances within one calendar month of the change occurring. The provision of false or inaccurate information may result in action being taken against you, including legal action.

- Tell us about any changes, including people moving in or out, or becoming 18 years of age.
- Tell us if you are moving

You can do this online at www.torbay.gov.uk/counciltax

Can you reduce your bill?

There are different ways you may be able to reduce the amount of Council Tax you pay. It could be that you live alone or are the only person over 18 living in your home, you have a full time student living with you or your income, savings and investments may be below a set level.

Find out all the ways to reduce your bill and how to apply at www.torbay.gov.uk/reducing-your-bill

If you think your bill is wrong?

It could be that the bill is in the wrong name, you should be receiving a Council Tax reduction, you don't agree with a decision we've made or you think your Council Tax banding is wrong.

You can tell us what you think is wrong and find out how to appeal at www.torbay.gov.uk/bill-is-wrong

It is important to continue paying your Council Tax while you are waiting for the result of an appeal.

This notice has been issued in accordance with Regulation 23 of the Council Tax (Administration and Enforcement) Regulations 1992, as amended.

To request a copy of this bill in another format or language please phone 01803 207201.

Any personal information you provide will be processed in accordance with the Data Protection Act 1998. Torbay Council and our partners will use it to deliver, improve services and fulfil statutory duties. We will not disclose any personal information to any third parties unless required to do so by law. You can read more about how we use personal data in our Fair Processing/Privacy Notice at www.torbay.gov.uk/privacy-notice.

WHAT HAPPENS NEXT?

If you do not pay the outstanding balance in full, or agree a new repayment arrangement, the Council will start court action and issue a summons for non payment in the Magistrates Court. You will then become liable to pay an additional £85.00 in Court costs when we make an application at the Court for a liability order. Further information is enclosed for your information

When the Council applies for the liability order, the Magistrates are only required to consider:-

- (a) Whether the Council has issued the required notices (The Council is only required to show they were posted, not that you received them).
- (b) Has the debt been paid in full prior to the Court date (you will need to provide a receipt).

The Magistrates cannot enter into:-

- **Arrangements to pay – this can only be agreed with the Council**
- **It cannot consider issues relating to liability to pay**
- **It cannot consider issues relating to valuation of property**
- **It cannot consider issues relating to the award of Council Tax Support**
- **The Council Tax is a tax and not a payment for services and the format and manner in which documents are signed have been agreed with the Magistrates Court Service and are in accordance with the Magistrates Court Act 1980, as amended**

If the full amount owed has not been paid by the court date we will apply for a liability order in court. If we apply for a liability order you will be charged (currently the charge is £85.00).

It may not be necessary for you to attend Court, as It is quicker, simpler and may save you and the Council time and money if you contact us prior to the Court date to resolve any queries.

Where there is more than one person who is liable to pay the Council Tax for a property each person is responsible for the full amount, arrangements as to who pays what percentage of the bill are matters between the liable persons.

A liability order is a type of court order. It enables the council to recover any outstanding Council Tax through a number of options, including :-

- **an attachment to your earnings** (this is money taken directly from your wages through your employer)
- **an attachment to your benefits** (this is money taken directly from your benefits)
- **instruct an enforcement agent** who will issue a notice of enforcement advising that the order has been obtained. They could remove goods to the value of the debt (you will also have to pay additional statutory fees to cover the cost of using an enforcement agent.) **Please turn over for Enforcement Agent fee structure.**
- **commencing bankruptcy or charging order proceedings** (you will also have to pay significant costs to cover the charge of these proceedings).
- **Apply to commit you to prison.**

ENFORCEMENT AGENT FEE STRUCTURE.

Once the Magistrates Courts have granted a Liability Order against for unpaid Council Tax, then Torbay Council may instruct Enforcement Agents to take control of your goods. This means that Enforcement Agents can call at your home to take control of your goods and to remove and, ultimately, sell them at public auction. Any revenue raised from the sale of your property will be used to clear the debt.

STAGE	COST
Compliance Stage	£75 (per Liability Order)
Enforcement Stage	£235 (plus 7.5% of any debt above £1500)
Goods Removal Stage	£110 (plus 7.5% of any debt above £1500)

The fees involved are statutory amounts laid down in legislation and are charged at different stages throughout the process: These fees are prescribed by statute and are not negotiable and must be paid to the Enforcement Agent and not Torbay Council.

The Compliance Stage:

You become liable to pay this fee to the Enforcement Agent **and not Torbay Council** at the point the debt is referred for collection.

You may at this stage make arrangements with the Enforcement Agent without the need for a visit to Take Control of Your Goods. So if you receive a Notice of Enforcement then contact the Enforcement Agent without delay.

The Enforcement Stage.

If you fail to make an arrangement or fail to maintain a payment arrangement made with an Enforcement Agent, then they may visit your property to take control of your goods, under a Control of Goods Order.

They may call between 6.00am and 9.00pm any day **(including Sundays)**. **You will become liable to pay the £235 (plus 7.5% of any debt above £1500) from the First Visit by the Enforcement Agent. and this fee must be paid to the Enforcement Agent and not Torbay Council.**

The Sale Stage

Where goods are removed then you would become liable to pay the Enforcement Agent and **not the Council** £110 (plus 7.5% of any debt above £1500). There may be other costs relating to the sale of your goods.

If you have been sent a Notice of Enforcement or a letter warning of an impending Enforcement Agent visit, you are advised to contact them immediately to discuss your payment intentions. **You must make any payment arrangements with them and, also, make any payments directly to them.**