

Information about changes to Enforcement regulations from April 2014

If Council Tax is not paid on time, the Council follows a recovery process of reminding the customer. If this does not result in payment then the taxpayer is summonsed to court, and the Council will obtain a Liability Order from the Magistrates Court which enables us to use various remedies to collect council tax. One of these is the use of Bailiffs. The Government has passed new legislation that will change the way Bailiffs operate and can collect debts from April 2014. This is intended to create a new open, transparent and sustainable process which protects the vulnerable against what is perceived as “aggressive bailiffs”. The principles behind the new rules are aiming to reduce physical door step activity with the Enforcement Agent and having a set and clear fee regime.

From 6th April 14 Bailiffs will be known as Enforcement Agents

Stage One Compliance Stage - Once Torridge District Council passes a case to the Enforcement Agent, a £75 charge is payable by the debtor. At this point the Enforcement Agent will attempt to make contact with the debtor by text, e-mail, phone (but will not call at the property at this stage) – If the debtor pays or makes an arrangement to pay and maintains payment, they will not hear from the Enforcement Agent again, as long as they keep to the arrangement. The £75 costs incurred will be collected and cleared first.

Stage Two – Enforcement Stage - If stage one is not successful the account is moved on to the Enforcement Stage. This stage involves a visit to the premises. The cost to debtor is an additional £235 plus 7.5% of proportion of debt above £1,500 if debt is above £1,500. There is only one Enforcement Charge, regardless of how many visits for the same debt. At this stage, the Enforcement Agent can still make an arrangement with the debtor without goods being levied, although the costs will be included. At this stage the Enforcement Agent must issue an Enforcement Notice, this is a statutory document and information enclosed will be in accordance with legislation.

Stage Three – Sale or Disposal of goods – This is the final stage of recovery as far as the EA's are involved and a charge of £110 will be applied.

Summary of Fees for Enforcement

FEE STAGE	FIXED FEE	PERCENTAGE FEES	
		£0-£1,500	£1,500+
Compliance Stage	£75	0%	0%
Enforcement Stage	£235	0%	7.5%
Sale or Disposal Stage	£110	0%	7.5%