

What Do I Need To Do If I Cannot Pay In Full?

To make an offer of repayment or for an Attachment of Earnings or Attachment of Benefits to be considered, please go online and complete your income and expenditure details along with your proposal for repayment at:

[https://kingston-self.achieveservice.com/service/Request for Council Tax or Housing Benefit repayment plan](https://kingston-self.achieveservice.com/service/Request%20for%20Council%20Tax%20or%20Housing%20Benefit%20repayment%20plan)

This must be completed within 7 days from the date on your Summons. No arrangement will be considered without the form being fully completed.

If you are unable to access this digitally you can request a hard copy of the form. Failure to complete the form or contact the Recovery Team will leave the Council with no alternative other than to forward the Liability Order to our Enforcement Agents. Costs of £75.00 will be added for each Liability Order passed to the Enforcement Agents. Following this if you do not make an arrangement to pay, an Enforcement Agent will visit your home and a further £235.00 (plus 7.5% for debt over £1,500) will be added to your account and recoverable from you.

Making Payments

Payments by debit or credit card can be made using the Council's Automated Telephone Payment facility on 0345 359 1111. Touch-tone telephone keypads are required.

Alternatively you can visit our website www.kingston.gov.uk to make payment online, set up a Direct Debit or view other ways to pay.

These services are available 24 hours a day, 365 days a year. You will need your Council Tax account number when making payment.

Getting In Touch With Us

If you need to contact the Council to discuss your account please quote your account number as shown on the front of this Summons. If you are writing to us please provide a contact telephone number.

Website www.kingston.gov.uk

Telephone 020 8547 5000 – 9am to 5pm Monday to Friday

Address Revenues Department, Royal Borough of Kingston, Guildhall 2, Kingston upon Thames, Surrey KT1 1EU

Council Tax

What you need to know if you receive a Summons

Important – costs of £109 have been added to your Council Tax account because you have not paid in accordance with the Council Tax notices issued to you. If the Magistrates grant a Liability Order at the Hearing then further costs of £12 will be added. Costs added to your account cannot be withdrawn.

You must now pay the full amount shown on the Summons including the £109 costs.

If you do not contact the Council before a Liability Order is granted then your account will be passed to the Enforcement Agents without further notice to you.

Disagree with the amount charged?

If you disagree with the amount of Council Tax charged contact the Council Tax Team immediately.

Want to make an arrangement to pay?

If you want to make an arrangement to pay contact the Council Tax Team immediately.

Contact us immediately—do not leave it until the day of the Hearing or the day before to contact us as we may not have time to make a decision.

Will costs be withdrawn?

Costs are payable in all cases including where applications have been made for reductions, there is dispute over receipt of notices, unable to pay and payment crossed in the post.

It is your responsibility to contact us to inform us of changes that affect your liability as soon as the change happens.

It is your responsibility to ensure the Council receives payment in accordance with the notices sent to you.

What if I did not receive any other notices?

Our responsibility is to ensure that recovery notices are correctly issued and our records updated. The responsibility for delivery rests with Royal Mail.

How can I stop the Court Hearing?

The action will be stopped if the total amount of Council Tax and the costs of £109.00 are paid in full before the date of the Court Hearing.

Do I need to attend the Court Hearing?

No you do not need to attend the hearing but you must contact the Council Tax Team before the hearing date.

If the full amount of Council Tax and costs is not paid before the hearing date, the court hearing will go ahead. The Magistrates will be asked to grant the Council a Liability Order. When a Liability Order is granted, you will have to pay another £12.00 in costs. If you have not contacted the Council, your account will proceed to Enforcement.

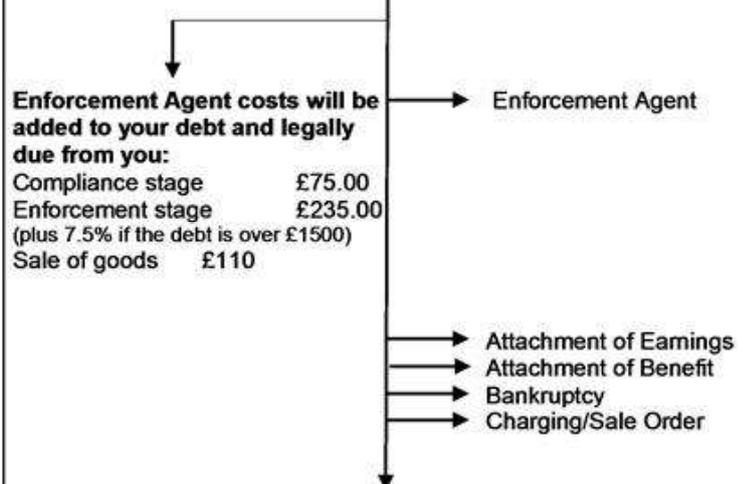
Recovery Process

Summons issued
Costs incurred £109



Liability Order obtained at Magistrates' Court
Court Costs incurred £12

The next course of action will be one of the following, whichever we decide is appropriate and efficient in enabling the debt to be repaid. Once these actions are started we will be unable to discuss other repayment options.



Committal Hearing (where bailiff action is unsuccessful)

Costs incurred

Committal warrants	£245.00
Bail & no bail warrants	£75.00

Commit to Prison

Up to the Committal Hearing mutually acceptable arrangements may be made. It is usually not appropriate to make arrangements once a taxpayer has been seen by the Magistrates at the Committal Hearing as the matter is taken over by the Court.

If you have difficulty reading this document because of a disability or because English is not your first language, we can help you. Please call 020 8547 5000 or ask someone to call on your behalf.

Our recovery policy is set in accordance with the Council Tax regulations and ensures that all taxpayers are treated fairly and objectively. A balanced and considered view is taken to those with special needs.

When you have read the notes and information sent in the documents regarding the application and/or spoken to the council, you may decide that you don't want to oppose the making of the liability order. If so, you do not need to attend court and the order will be made in your absence. Please contact your council to discuss how you'll pay.

You have three options:

1. **Pay in Full:** Pay the total amount listed on the summons, including any costs, before the hearing date. This will resolve the matter.
2. **Do Nothing:** If you take no action, the council will request the court to issue a liability order in your absence.
3. **Arrange Payment:** If you agree that you owe the money but cannot pay it all at once, contact the council to set up a payment plan. The council will still ask the court for a liability order, but if you adhere to the payment plan, no further action (such as seizing goods or deducting payments) will be taken.

If an agreement is reached with the council, you do not need to attend the court hearing.

Please read the notes on the next page which outline the reasons when you can challenge a liability order. If you still believe you have a valid defence, the court asks that you contact the council **at least 7 days** before the hearing date on the summons to try and reach agreement. After this discussion you may decide that you don't need to come to court to object to the order being made, or the council may agree with you and withdraw their application for a liability order.

If you and the council are unable to reach agreement, and you still want to oppose the order, the court will have to decide.

Important – You must contact the Council to let them know you are contesting the case. They will inform the court, and the court will adjourn the case to another hearing. This will happen even if you attend court on the date on the summons.

At this contested hearing, you don't have to attend in person. You can attend by video link through a mobile phone, tablet or computer, or simply by telephone (we call this live link). If you want a live link hearing, please let the council know and they will inform you what to do next.



Challenging a Liability Order

[Council Tax or Non-Domestic Rates or Business Improvement District]

What the Council must prove

To get a liability order, the council must show that:

1. There is a current entry for the property in the council tax banding or non-domestic rating list.
 - You cannot argue against a liability order just because you disagree with your council tax band or rateable value for your property. However, you can appeal your band or rateable value to the Valuation Office at www.voa.gov.uk. If your appeal is successful, you will receive a refund from the council.
2. The council has advertised the council tax in a local newspaper ***[not applicable for non-domestic rates/business improvement district]***.
3. The bill and reminder have been sent to the last known address.
 - It is not a valid defence to say you did not receive the bill. The council only needs to prove that they sent it to the last known address.
4. You have not paid the tax, or part of it.
 - If you have paid the tax but not the costs, the council can still ask for a liability order to collect the costs.

If the magistrates believe these points are true, they must make a liability order.

Defences to a liability order

There are only two reasons why a court will not issue a liability order:

1. The council has not done the things they are supposed to in the points above.
2. You have paid the amount in full, including costs.

Things which are not defences to a liability order

Magistrates cannot consider the following:

- Whether the council was right to charge you for council tax, non-domestic rates or business improvement district.
- Whether you should pay the tax.
- Whether the amount claimed is wrong.
- Whether you should get council tax support ***[not applicable for non-domestic rates/business improvement district]***.
- Whether your council tax support has been calculated correctly ***[not applicable for non-domestic rates/business improvement district]***.

Help to pay your Council Tax

If you are finding it difficult to pay your Council Tax bill or manage your money, you may find the advice on our website at www.kingston.gov.uk useful. There is further information and advice available at www.moneyadvice.org.uk and www.gov.uk.

If you live in the borough and you are on a low income you may qualify for Council Tax Reduction (CTR). Use our online benefits calculator and claim form to see how much CTR you could get. You can find our online benefits calculator at www.kingston.gov.uk/benefits.

The maximum reduction you can receive is 100% of your Council Tax liability but this depends on factors such as your income, savings and the size of your household.

For many people, money worries may feel overwhelming. It can be extremely stressful and affect your mental wellbeing.

To help you cope, Connected Kingston lists a range of services and supportive advice and tips to help you if you are feeling depressed, anxious or stressed:

<https://connectedkingston.uk/categories/help-with-depression-anxiety-and-stress>

For national expert advice, practical tips, and plenty of help and support if you're stressed, anxious, low or struggling to sleep:

www.nhs.uk/every-mind-matters/

If you need urgent help with your mental health, you can call 0800 028 8000 to speak to Kingston's NHS mental health crisis line. Or you can call 111 and select the mental health option wherever you live.

For independent advice on debt problems

Citizens Advice Bureau

www.citizensadvice.org.uk

Advice line (England) 0800 144 8848

Debt Helpline 0800 240 4420

Step Change

www.stepchange.org

0800 138 1111

National Debtline

www.nationaldebtline.org

0808 808 4000