

## IMPORTANT INFORMATION PLEASE READ

### FURTHER GUIDANCE NOTES FROM WIRRAL COUNCIL

**Q: WHY HAVE I BEEN SENT THIS SUMMONS?**

A: Council records show you were sent a Council Tax bill that set out the amounts and dates of your payments. These were not kept to, so at least one **Reminder** notice was sent. The reminder notice requested payments be brought up to date and then maintained. It also detailed what would happen if payment was not made as requested.

As you did not pay as advised, a Final Notice was issued which cancelled your right to pay by instalments. The full balance shown on the Final Notice has not been paid by the date requested. This has resulted in the issue of a Summons for the outstanding balance, including £81 costs, which you are legally liable to pay.

You can view and manage your Council Tax account on line at any time at [www.wirral.gov.uk/myaccount](http://www.wirral.gov.uk/myaccount), to register make sure you have your email address and your Council Tax account reference number - found on the Council Tax bill or Summons. Once registered, you can check your outstanding balance, payments made, and apply to make an arrangement. If you don't have access to the internet at home for web and email, our libraries and One Stop Shops will be able to help you access a computer

Payment is now required in full by the Hearing Date to prevent the case coming to court and the possibility of incurring additional costs of £43.

Although a Liability order will be sought at the hearing, a payment arrangement (including court costs) is detailed on the Summons document. If you wish to accept this arrangement, you must contact the Council. The quickest way is by email to [counciltax@wirral.gov.uk](mailto:counciltax@wirral.gov.uk) - Please enter the subject title "Summons Arrangement Confirmation" along with your council tax reference.

**Q: WHAT IF I HAVE PAID?**

A: Any queries over payments should be made to the Council Tax Office. You can view and manage your Council Tax account on line at any time at [www.wirral.gov.uk/myaccount](http://www.wirral.gov.uk/myaccount)

**Q: WHAT HAPPENS IF I STILL DON'T PAY?**

A: The Council will ask the court to issue a Liability Order against you. If granted the Council will request an additional **£43** costs. A letter will be sent confirming your new balance and requesting information as mentioned below.

**Q: DO I HAVE TO ATTEND COURT?**

A: **Most queries can be resolved without your attendance to court. If you have a query please contact the Council Tax office, who will try to help and advise you.**

Unless the debt has been paid or has been illegally demanded, the Magistrates must issue a Liability Order. You do have a right to present your case. However, most queries can be resolved without your attendance at court. **If you have a query or need to make an arrangement, then please contact BEFORE the court date and we will try to help and advise you.**

If you do have problems don't leave it, **contact the Council**. The quicker you do so, the more help can be offered. Visit [www.wirral.gov.uk/counciltax](http://www.wirral.gov.uk/counciltax) or [www.wirral.gov.uk/myaccount](http://www.wirral.gov.uk/myaccount).

The Magistrates Court cannot make payment arrangements.  
If you are attending Court, please bring your summons with you.

**Q: WHAT IS A LIABILITY ORDER?**

A liability order allows the Council to request certain information from a Council Tax payer about their financial circumstances. Failure to supply or providing false information could lead to criminal proceedings and a fine.

The order gives the Council the authority to use alternative methods of collection if we can't agree a payment arrangement with you or you fail to maintain payment of an arrangement. These include:

- deductions direct from your salary
- deductions of £3.70 per week from Job Seekers Allowance, Income Support, Employment Support Allowance, Pension Credit or £3.95 per week from Universal Credit.
- Referral to an Enforcement Agent (Bailiff). If an Enforcement Agent is used, you will also have to pay fees, which include the following:
  - £75 as soon as the order is passed to the Enforcement Agent, plus
  - £235 if you don't respond to their letter and a visit is made

Please note that if the Enforcement Agent is unsuccessful in collecting Council Tax from you, the Council can apply to the Magistrates Court for your Committal to prison.

- Bankruptcy proceedings or Charging orders

More information is available on our website about Council Tax recovery proceedings and Enforcement Agent fees [www.wirral.gov.uk/counciltax](http://www.wirral.gov.uk/counciltax)

**Q: DO I HAVE TO PAY BY THE METHODS JUST MENTIONED?**

A: No. The Council wants full payment immediately, however it is able to offer an arrangement dependent upon your financial circumstances. Providing the arrangement is made and maintained there should be no need to use Attachment of Earnings, Deductions of Benefit or Enforcement Agents. You may still receive a request for financial information which you must complete and return. Please note that any repayment arrangement that runs past the Court hearing date will incur Liability Order costs of **£43**.

**Q: WHAT IF I CAN'T PAY?**

A: We understand the problems associated with debt, so the sooner you contact us, the sooner we can help. **If you wish to accept the arrangement offered, you must contact the Council before the Court hearing date.** To consider an alternative arrangement we will need your financial income and outgoings.

A: If you owe other debts to the Council, including amounts unpaid from previous years' Council Tax bills, please tell us and we will consider the total amount you owe under our Fair Debt Policy. This means we may be able to offer one arrangement for payment covering all of the debts, provided you keep your current year's Council Tax payments up to date. This will make it easier for you to maintain your payments.

A: If we agree an arrangement (including Summons and Liability order costs), no further action will be taken, as long as you make payments as agreed. However the arrangement will be cancelled and recovery action will continue if any further payment is missed.  
You can pay your arrangement by direct debit on either the 5<sup>th</sup>, 12<sup>th</sup>, 20<sup>th</sup> or 28<sup>th</sup> day of the month. Set this up by completing and returning the enclosed direct debit form or go online at [www.wirral.gov.uk/ddonline](http://www.wirral.gov.uk/ddonline) you will need your Council Tax account number and bank details.

You can view and manage your Council Tax account on line at any time at [www.wirral.gov.uk/myaccount](http://www.wirral.gov.uk/myaccount) Once registered you will be able to apply for an arrangement on-line.

**Q: WHAT HAPPENS IF I HAVE APPEALED AGAINST MY COUNCIL TAX BANDING?**

A: The Council Tax is still due and payable in accordance with the original bill issued. The court has no jurisdiction over your appeal. Payment will not prejudice your appeal. If you are successful in your appeal any overpayment that has occurred may be refunded to you or used to offset future Council Tax liability.

**Q: WHAT IS THE COUNCIL TAX SUPPORT SCHEME AND HOW CAN I APPLY? DO I CONTINUE TO PAY WHILST AWAITING A DECISION?**

A: Council Tax Support is designed to help people on certain Department for Work and Pensions benefits, or who have low paid jobs or a low income. You can claim whether you are working, self-employed, unemployed or retired.  
Apply online at [www.wirral.gov.uk/benefitsapplication](http://www.wirral.gov.uk/benefitsapplication) If you already receive Universal credit or want to make a claim, you need to make a separate claim to Wirral council for Council tax Support .

You must carry on paying your Council Tax while an application is being considered or you are awaiting the outcome of an appeal against the amount of Council Tax Support granted. If your application or appeal is successful, you will be sent a new bill.