



This document sets out Birmingham City Council's policy in relation to the recovery of unpaid council tax.

Its powers to collect council tax are set out in the Council Tax (Administration & Enforcement) Regulations 1992 (SI 1992 No. 613, as amended).

Birmingham City Council is committed to assisting all customers to pay their council tax bills. This includes:

- maximising benefit take-up.
- providing accurate bills as soon as possible; and
- assisting people to make affordable payment arrangements based on their means.

To make a claim for benefit, visit [this page](#).

Help with debts or money problems can be sought from the council's Debt Advice Team by calling or contacting other agencies such as those listed at the end of this document. We will place a hold on council tax accounts for at least 21 days to allow for this to be done.

Where bills remain unpaid and agreement is not reached on how they are to be paid, the council will use all appropriate powers to pursue these debts, including direct deductions from earnings or benefits, collection through enforcement agents (bailiffs), charging orders against property, bankruptcy and in some cases even commitment to prison.

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In March of each year, council tax payers are sent a bill covering the 12 months from 1 April. This includes information advising how to claim council tax support and other reductions.

The council has a legal right to pay ten or twelve monthly instalments (April to January, or April to March). The amounts and due dates are shown on the bill.

Payment should reach the council by the due date each month, and should match the amount shown on the bill.

Instead arrange a telephone interview using this link [\\_\\_\\_\\_\\_](#) as soon as you receive the summons or contact us 0121 303 1113 to discuss the nature of any dispute so that you may be may advised or signposted accordingly.

There is no need to attend court if a payment arrangement is in place and is up to date.

We can help if you are struggling with debt. Further information is available on this link  
[\\_\\_\\_\\_\\_](#)



## Where enforcement agent action is unsuccessful

Where appropriate, a second firm of enforcement agents may be instructed to collect the debt. They follow the same process as the first enforcement agents.

Any unpaid costs associated with the first enforcement agents cease to be due, and fresh costs are imposed as appropriate.

Debts that remain unpaid are sent back to us. We will look again at whether we can collect them via attachment of earnings or deductions from benefit, and may refer them to a debt collection agent, but where appropriate we can apply to the court for

- commitment to prison for up to 90 days;
- a bankruptcy order; or
- a charging order on the property for which the debt is owed.

We will still consider offers of payment at this late stage, but will need to take into account the legal process then underway and the likelihood that the debt will be paid if the proceedings are withdrawn.

## Insolvency

An application may be made in the County Court for a person to be made bankrupt, or a company to be wound up. This means that any assets owned by those against whom the application was made - such as property, shares or savings - may be used to clear the debt.

Costs involved in this action can be substantial and may eventually exceed the amount owed.

Because of its serious consequences, such action is only taken where we believe there are enough assets for the council to expect payment in full, either before the hearing or once assets have been realised.

## Charging order

We may make an application to the County Court for a charging order where the owner owes at least £1,000 in liability order debt for that property. The costs of this action, and any interest payable, will also be charged to the owner.

Once an entry is made at the Land Registry confirming that the debt has been secured, the property may not be sold without the council tax debt being addressed first.

Payments can still be made to reduce the debt. If the debt is paid in full, including costs and interest, the charge will be removed.

## Enforced sale

## Committal to prison

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