



COUNCIL TAX OR BILL

One of the clerical errors committed by employees within the council tax department of a local council, is to confuse tax with a bill.

They imply that they send you a bill, and then attempt to treat the alleged bill as “*private debt*” for services rendered.

This will involve sending “*reminders*” and then *threats* to alleged debtors if they do not pay the bill for services rendered.

However, as these documents, which are alleged to be bills and are sent out to all dwellings across the UK are deficient, when questioned the council are unable to answer.

You should query the document and ask if they are making a *direct demand* for payment, and if so they must produce the *legal demand notice*.

Note: a legal demand notice must be supported with proof of contract and of services delivered as a bare minimum.

The legal reality that employees at the council office are either unaware of, or do not wish to tell you is as follows:

“*Council tax*” is a *statutory tax* and *not* based on a contractual service provided by the council.

This means because it is a *tax* based on *statute* code, the council does *not* have a contract with you, meaning they *cannot* simply bill you.

Although the council can exercise a power granted by parliament, they must follow the strict instructions as per statute, and follow the guidance of their *Valuation Office Agency's Council Tax Manual*, which they currently are not.

Council employees are mandated to comply with a statutory trigger within regulation 9 of the Council Tax Regulations act 1992.

The Council Tax Administration and Enforcement Regulations 1992, Part 5, Regulation 9, paragraph 1

Service of demand notices

19.— (1) The demand notice is to be served on or as soon as practicable after the day the billing authority first sets an amount of council tax for the relevant year for the category of dwellings which includes the chargeable dwelling to which the notice relates.

Link: <https://www.legislation.gov.uk/uksi/1992/613/regulation/19>

Without the ***demand notice*** and ***statutory Instrument***, a court cannot issue a ***liability order***, and without a liability order ***no*** debt can be collected.

This means any and all attempts by third party interlopers, such as debtor collectors and solicitors, to claim a debt is owed, or to act upon the assumption there is a debt, is unfounded and can be challenged.

Note: debt collectors who are not FCA registered may make claims that they are collecting ***“non-regulated debt”*** or ***“private debt”*** on behalf of a ***“local authority”*** which conflicts with council tax being a ***“statutory tax”***.

Furthermore, if any challenge to these alleged agents for proof of debt should go as unproven or even ignored, then all further action carried out by them is now both unlawful and illegal, allowing for a counter claim.

No contract

Council employees are sending out documents to people claiming they do not have or need a contract to send you a bill.

Although on the surface this appears to be true, it is not nor does it have any lawful or legal basis.

What they are doing, either mistakenly or deliberately, is conflating two different issues in an attempt to muddy the water.

It is factually true that the council has no contract with you, however there must be an underlining contract to be able to produce a bill.

This leaves only two possible positions the council hold:

1. They do not have a contract with you, and therefore have no right to even contact you, regardless of any alleged bill.
2. They are acting as agents for the principal, who must have the underlining contract that supports the bill.

Statutory Tax

Council offices submit documentation that makes a claim the council tax is a statutory tax and therefore a contract is not required to carry out enforcement.

This statement is also factually untrue and legally incorrect, with said statement being legally incoherent and an oxymoron.

Everything written within the legal system is contract based, which means a contract is required to enforce the policy within it.

Someone cannot make a claim that there is no contract and yet they are attempting to enforce a contract.

Statute codes are no different and require a trigger to become active, before a claim ***pursuant to statute*** can be made.

Therefore, there has to be a cause that activates the statute, which would be an agreed upon contract.

Summary:

Either the council is sending a *bill* to a *customer* for *services rendered*, or is acting as an *agent* for *parliament* and is collecting a *statutory tax*.

The council will have to make their position clear and then supply you with all relevant, *legal* and *juridical* documentation to support their claim, otherwise their claim is unfounded.