
However, you must expect to explain why you ignored the previous summons when you attend.

If you miss the hearing again we will ask the Magistrates to remove the bail from the warrant and this means that you will be arrested and taken straight to court. This may be at a time which is very inconvenient for you and costs will be added.

What are the Costs involved?

At every stage mentioned above the Council will apply for costs which reflect, to some degree, the actual costs incurred. The costs have to be approved by the Magistrates. Costs can become substantial if warrants have to be served by Council or other authorised officers/police.

How can I avoid a court appearance?

Only by contacting the Recovery Team at the Council at least one week before the Hearing date to discuss the matter.

Can I get independence advice?

The following are organisations which may be able to help you:

Citizens Advice Bureau
www.adviceguide.org.uk
Local offices

Consumer Credit Counselling Service
www.ccs.co.uk
0800 138 1111

National Debtline
www.nationaldebtline.co.uk
0800 804 4000

Christians Against Poverty
www.capuk.org.uk
01932 821 848

Further information is available from the Council's Recovery Manager on 01784 446210

LEGAL ADVICE

If you wish to seek legal advice you should see a solicitor immediately.

A duty solicitor may be available at Court but you should contact the Court direct before the hearing date to confirm this.

Why does the Council apply to the Courts to commit people to Prison for non-payment of Council Tax?

If we have not been able to collect the money in any other way, the final option is to issue a summons for you to attend a committal hearing before the Magistrates sitting at Staines Magistrates Court.

This means the Council will ask the Magistrates to consider sending you to prison for non payment of Council Tax.

What happens at the Hearing?

At the hearing the Magistrates will decide whether you have deliberately refused or neglected to pay and enquire into any other reasons there may have been for non-payment.

The Council's representative will confirm to the court that a liability order has previously been granted for the sum in question, and that it has not been possible to collect the outstanding amount.

You will be asked why the money still has not been paid, and if you are going to offer any payments.

They will enquire into your means for the period between the date of the original Liability Order and the present time. You must be prepared therefore to give full details of your income and expenditure to the Magistrates at the hearing. This is called a means enquiry. You will be expected to prepare this information in advance and you should bring any relevant information with you (such as pay slips.)

The Council's representative and the Magistrates may ask you some other questions, and you will have the chance to ask questions too.

The Magistrates will then make their decision. They may leave the courtroom to do this.

There are several decisions they can make:

If the Magistrates consider that you have refused or neglected to pay they can:

- Commit you to prison for a maximum of 90 days,
- or
- Commit you to prison for a maximum of 90 days and suspend that order while you pay an amount in accordance with an order to make payments set by the Magistrates.

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