

*Amendments to Council Tax
and Non-domestic Rates
Secondary Legislation*

A consultation paper

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On 5th May 2006 the responsibilities of the Office of the Deputy Prime Minister (ODPM) transferred to the Department for Communities and Local Government (DCLG)

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A consultation paper

1. This consultation paper seeks views on a number of proposed minor changes to council tax and non-domestic rates secondary legislation (and in one case primary legislation).
2. A letter publicising this consultation paper has been sent to all English local authorities, the Institute of Revenues, Rating and Valuation, the Local Government Association, the Association of London Government, the Valuation Office Agency, the Chartered Institute of Public Finance and Accountancy, Carers UK, the Institute of Payroll and Pensions Management, the Federation of Small Businesses, the Confederation of British Industry, the Insolvency Service, the Local Authority Civil Enforcement Forum, the National Association of Local Councils, the National Association of Connexions Partnerships, the Association of Learning Providers, the Association of Colleges, the Learning & Skills Council, the Trades Union Congress, and the National Association of Citizens Advice Bureaux on behalf of the Citizen generally, Liberata, BH&HPA, Individual, British Beer & Pub Association, King Sturge LLP/Rating Surveyors' Association, Royal Institute of Chartered Surveyors, UK PIA, EP2, GVA Grimley, Erdman Lewis Rating, Cluttons LLP, British Holiday & Homes Park Association, National Caravan Council, Easynet, Sanderson Weatherall, Edwin Hill, Baker Davidson Thomas, Evans & Payne, Hair & Son, CAPITA, Stimpsons Chartered Surveyors, CIO, Rating Surveyors Association, J D Consultancy Ltd, LSM Partners, Local Government Ombudsman, Inter Bank Rating Forum, Cyril Leonard, British Council for Offices, Bridgestone Surveyors, Valuation Tribunal Service, British Chamber of Commerce, Forum of Private Business, National Grid Plc, Jones Lang LaSalle, Rating Solutions South West, GL Hearn, Wilkinson Hardware Stores, BBG Commercial, Rapleys LLP, NAI Fuler Peiser, MUA Property Services Ltd, IBS Open systems, Allsop Chartered Surveyors, B.I.S.L, Robert Clarke Chartered Surveyors, BOC Ltd, PriceWaterhouseCoopers, Bayram Vickery Meech, Lambert Smith Hampton, Portsmouth Water, Institute Of Directors. The Consultation Paper has been made available on the web-site of the Department of Communities and Local Government (DCLG) at www.communities.gov.uk
3. We invite responses to the consultation questions by 31 October 2006.
4. Please send paper responses to:

Mary Richardson
LGF CTBR – B
Department for Communities and Local Government,
Zone 5/D1, Eland House,
Bressenden Place
London SW1E 5DU

Or e-mail responses to
counciltax.consultations@communities.gsi.gov.uk
5. If you have any enquiries or require a paper copy of the consultation paper, please contact Mary Richardson on 020 7944 4208.

6. A summary of the responses to this consultation will be published on the DCLG website by 31 January 2007.
7. Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).
8. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.
9. The Department will process your personal data in accordance with the DPA and in the majority of circumstances; this will mean that your personal data will not be disclosed to third parties.

COMMENTS AND COMPLAINTS

10. This consultation is being undertaken in accordance with the Code of Practice on Consultation. The consultation criteria are set out at Annex D together with information on how to make comments or complaints about the consultation procedure.

Purpose of this paper

1. This consultation paper seeks views on a number of proposed changes to council tax and non-domestic rates secondary legislation (and in one case primary legislation). Broadly the changes fall into the following categories:
 - uprating financial limits and updating definitions;
 - changing the effective date of the increased council tax liability where the valuation list has been amended; and
 - minor changes to the information that must be provided by local authorities with council tax and non-domestic rates demand notices.
2. The amendments apply to England only.

Uprating financial limits and updating definitions

3. We are aware that there are a number of financial limits and definitions in council tax secondary legislation that have not been updated for a number of years. The proposed amendments below are intended to ensure that the original policy intention of the legislation is effective and up to date and that the financial limits reflect changes in the value of money since they were last updated. We have used changes in the Retail Prices Index (RPI) as the measure of inflation except for earnings limits for Attachment of Earnings Orders, where we believe changes in average earnings are a more appropriate measure.

The maximum amount that care workers may earn and still qualify for the discount disregard

4. Certain care workers who provide care or support through a connection with the Crown, a charity or a local authority are not counted when looking at the number of adults resident in a dwelling to see whether a discount should apply. Under Part 1 of the Schedule to the Council Tax (Additional Provisions for Discount Disregards) Regulations 1992 (SI 1992/552) such carers must not earn more than £36 per week to qualify to be disregarded. That figure was last updated in 1998. If that figure was not uprated it would continue to move out of line with changes in the value on money. We propose to uprate that limit in line with inflation (20.8% between April 1998 and April 2006) to £44.

Question 1.

Should the carer earnings limit be uprated in line with inflation to £44?

The earnings limits for Attachment of Earnings Orders

5. Once a liability order has been granted billing authorities can instruct employers to recover unpaid council tax directly from an employee's wages. The amount that employers should deduct from an employee's wages under an Attachment of Earnings Order is set out in tables at Schedule 4 to the Council Tax (Administration and Enforcement) Regulations 1992 (SI 1992/613). The percentage that is deducted depends on the level of the employee's net

earnings. The tables were last amended in 1998 – by the Council Tax (Administration and Enforcement) (Amendment) Regulations 1998 (SI 1998/295) – when the earnings limits were updated in line with average earnings.

6. We have already discussed with key stakeholders how – and whether – the earnings limits should be updated. There was broad agreement in those discussions that the limits should be updated, and that updating in line with the increase in the Average Earnings Index (36.5% between April 1998 and April 2006), rounded to the nearest £1/£5/£10 for daily/weekly/monthly limits respectively, would be the appropriate way to do so. We appreciate that this would mean that council tax AEO earnings limits would move out of line with those used for magistrates' courts fines. On balance, however, having discussed this with the Department for Constitutional Affairs we believe it is right that the limits should be updated so that the level of earnings after deductions is maintained in real terms. The proposed earnings limits are detailed at Annex A. They would only apply to new AEOs made on or after 1 April 2007.

Question 2

Should the Attachment of Earnings Orders earnings limits be updated in line with the Average Earnings Index as set out at Annex A for new AEOs made on or after 1 April 2007?

The maximum fees that can be charged by bailiffs in connection with council tax and non-domestic rates

7. The Council Tax (Administration and Enforcement) Regulations 1992 (SI 1992/613) (“the Administration and Enforcement Regulations”) and the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (SI 1989/1058) (“the Collection and Enforcement Regulations”) set out the rules for collecting and enforcing council tax and non-domestic rates bills. Both sets of regulations allow billing authorities to recover and sell on goods belonging to the debtor in respect of the unpaid bill following the grant of a liability order by the court. Recovery may only be carried out by authorised bailiffs and, under regulation 45 of the Administration and Enforcement Regulations and regulation 14 of the Collection and Enforcement Regulations, billing authorities may recover the unpaid liability and the costs of employing bailiffs.
8. The maximum amounts which may be recovered in respect of bailiffs' charges – which are the same for council tax and non-domestic rates – are set out in Schedule 5 to the Administration and Enforcement Regulations and Schedule 3 to the Collection and Enforcement Regulations. The specified fees were last updated in 2003. If these limits were not updated it would mean that they would begin to move out of line with the costs in real terms of levying distress. We propose to update these fees in line with inflation (8.4% between April 2003 and April 2006), rounded to the nearest 50 pence. The proposed maximum fees are set out at Annex B.

Question 3

Should the amounts that can be recovered by billing authorities for bailiffs' charges be updated in line with inflation as detailed in Annex B?

The maximum fees that may be charged by local authorities in connection with obtaining a warrant of commitment and an arrest warrant in connection with both council tax and non-domestic rates

9. If a billing authority is unable to recover and sell goods to the value of the sum owing for either non-domestic rates or council tax (including the costs of the bailiff), it may seek a warrant committing the debtor to prison. In some circumstances, the costs of doing this may be recovered from the debtor. The maximum costs that the billing authority may recover are the same for council tax and non-domestic rates. They are set out in Schedule 6 to the Administration and Enforcement Regulations and Schedule 4 to the Collection and Enforcement Regulations and vary according to the action that the authority has taken.
10. The Department for Constitutional Affairs have increased court fees from £10 to £25 with effect from January 2006. We believe that the change in court fees and the change in costs in real terms to authorities should be reflected in the maximum fees that they can charge. We propose to increase the fees that local authorities can charge for applying for an arrest warrant or a warrant of commitment by £15 (the increase in court fees) + inflation (36.3% between April 1994 and April 2006) on the balance not covered by the court fee (rounded to the nearest £5). The proposed maximum fees are set out at Annex C.

Question 4

Should the maximum fees that local authorities can charge in connection with obtaining a warrant of commitment and an arrest warrant be uprated as detailed in Annex C?

Penalties for failure to provide information

11. Under paragraphs 1 and 2 of Schedule 3 to the Local Government Finance Act 1992 billing and levying authorities can impose penalties on certain defined people if they fail to provide information requested to identify the liable person for a dwelling (£50 in the first instance and then £200 if the person still fails to provide the information), or fail to notify an authority that a discount or exemption does not apply (a £50 penalty). These penalties have not been uprated since council tax was introduced and, due to changes in the value of money, we believe that their effect as a deterrent has therefore diminished. We propose that the penalties are uprated in line with inflation (39.75% between April 1993 and April 2006), rounded to the nearest £5. The £50 penalties will therefore be uprated to £70 and the £200 penalty to £280. These penalties are set out on the face of the 1992 Act and can only be amended by way of an order made by the Treasury.

Question 5

Should the penalties that billing and levying authorities can impose for failure to provide information be uprated as proposed?

Definition of Prescribed Educational Establishments

12. To qualify as a student for council tax purposes a person must, inter alia, be studying at a prescribed educational establishment. Paragraph 1(d) of Part 1 of Schedule 2 to the Council Tax (Discounts Disregards) Order 1992 (SI 1992/548)

states that an institution will be a prescribed educational establishment if it is ‘an institution within the PCFC [Polytechnics and Colleges Funding Council] funding sector for the purposes of the Education Reform Act 1988’. Section 132 of the Education Reform Act (ERA) which created the PCFC was repealed by the Further and Higher Education Act 1992. The classes of institution contained in the original definition (an institution conducted by a higher education corporation or an institution designated under section 129 of the ERA 1988) still exist however. We propose to amend paragraph 1 so that it does not refer to the PCFC, but so that the institutions within the original definition remain as prescribed educational establishments for the purposes of the Order. We are not, therefore, suggesting any substantive change.

Question 6

Should Paragraph 1 of Part 1 of Schedule 2 to the Council Tax (Discounts Disregards) Order 1992 be amended as proposed?

Definition of Further Education

13. Some prescribed educational establishments qualify as such by virtue of the fact that they provide ‘further education’. Paragraph 2 of Part 1 of Schedule 2 to the Council Tax (Discounts Disregards) Order 1992 (SI 1992/548) defines ‘further education’ by reference to the Education Act 1944. That Act was repealed by the Education Act 1996 and the current definition of further education is contained within section 2 of the latter. We propose that the regulation is updated accordingly.

Question 7

Should Paragraph 2 of Part 1 of Schedule 2 to the Council Tax (Discounts Disregards) Order 1992 be amended as proposed?

Definition of Foreign Language Assistant

14. Paragraph 2 of Part 2 of Schedule 1 to the Council Tax (Discounts Disregards) Order 1992 (SI 1992/548) defines a foreign language assistant for council tax purposes. The Central Bureau for Educational Visits and Exchanges’ registration role referred to at paragraph 2(a) is now undertaken by the British Council. We propose that the regulation is updated accordingly.

Question 8

Should Paragraph 2 of Part 2 of Schedule 1 to the Council Tax (Discounts Disregards) Order 1992 be amended as proposed?

Apprentice Disregard

15. The qualifying criteria for the apprentice disregard is set out in Part 1 of Schedule 1 to the Council Tax (Discount Disregards) Order (SI 1992/548). We have discussed this disregard with the Department for Education and Skills (DfES) and other key stakeholders and propose to make three changes to update this disregard.

- i. Currently an apprentice must earn no more than £160 per week to qualify to be disregarded. That figure was last updated in 1998. We propose to update that limit in line with inflation (20.8% between April 1998 and April 2006) to £195 (rounded to the nearest £5).
- ii. Part 1 states that an apprentice must be undertaking a programme of training leading to a qualification accredited by the National Council for Vocational Qualifications (NCVQ). However, the NCVQ has been replaced by the Qualifications and Curriculum Authority (QCA). We propose that the regulation is updated accordingly.
- iii. Under Part 1, there is a requirement for an apprentice to be earning substantially less than their expected future salary. We believe that there is little justification for that requirement and it is administratively burdensome for authorities. We, therefore, propose to remove it.

Question 9

Should Part 1 of Schedule 1 to the Council Tax (Discount Disregards) Order 1992 be amended as proposed?

Youth Trainee Disregard

16. Under Part IV of Schedule 1 to the Council Tax (Discount Disregards) Order 1992 (SI 1992/548) to qualify for a disregard as a youth trainee a person must be undertaking training in conformity with an individual training plan pursuant to arrangements made under section 2 of the Employment and Training Act 1973 and those arrangements must constitute an approved training scheme for the purposes of section 28 of the Social Security Contributions and Benefits Act 1992.
17. We have been advised by DfES that this disregard is now out of step with current training arrangements. In order to maintain the original policy intention we propose to amend the disregard so that it applies to young persons in training instead of youth trainees. The qualifying criteria would be that a person must be under the age of 25 and undertaking approved training funded by the Learning and Skills Council. Approved training would be training arrangements made by the Secretary of State under s2 of the Employment and Training Act 1973.

Question 10

Should Part IV of Schedule 1 to the Council Tax (Discount Disregards) Order 1992 be amended as proposed?

Publication of Retail Prices Index

18. Regulation 2(4) of The Billing Authorities (Anticipation of Precepts) Regulations 1992 (SI 1992/3239) refers to the Department of Employment as publishing the retail prices index. This is now published by the Office for National Statistics and we propose that the regulation is amended accordingly.

Question 11

Should Regulation 2(4) of The Billing Authorities (Anticipation of Precepts) Regulations 1992 be amended as proposed?

Backdating of Council Tax

19. These proposed changes to regulations aim to ensure that taxpayers are not faced with backdated demands for council tax when certain valuation list errors, of which they could not be expected to be aware, are corrected. They introduce greater consistency in the treatment of list errors.
20. Where improvements have been carried out to a dwelling, its banding will not be looked at until such time as it is sold. If the improvements are sufficient to move the dwelling into a higher band, the rebanding will take effect from the date of sale (Regulation 14(2) of the Council Tax (Alteration of Lists and Appeals) Regulations (SI 1993/290)). This means that where there is a delay in the alteration of the valuation list, for example because the improvements are not identified until a later date, the new owner has to pay the increased council tax back to the date of sale.
21. We propose that this regulation should be amended so that the effective date of the list change becomes the date that the valuation list is corrected, rather than the date of sale. This will result in some loss of revenue to local authorities if errors are identified, which they would otherwise have received as a windfall. We however believe that this change improves fairness for council tax payers. It also brings the position into line with cases where there are errors in the original valuation list.

Question 12

Should Regulation 14(2) of the Council Tax (Alteration of Lists and Appeals) Regulations 1993 be amended as proposed?

22. Under regulation 14(7A), if an additional unit of living accommodation is identified within a single hereditament (and thus falls to be disaggregated under regulation 3 of the Council Tax (Chargeable Dwellings) Order 1992 (SI 1992/549), then currently the additional council tax liability is backdated to the date the additional living accommodation came into existence. We propose that this regulation should be amended so that the effective date of the list change becomes the date that the valuation list is amended. This would bring the position into line with disaggregation cases where the additional unit of living accommodation came into existence prior to April 1993.

Question 13

Should Regulation 14 (7A) of the Council Tax (Alteration of Lists and Appeals) Regulations 1993 be amended as proposed?

Minor changes to the information that must be provided with council tax and non-domestic rates demand notices.

Parish council expenditure

23. Under Schedule 3 to the Council Tax and Non-Domestic Rating (Demand Notices) (England) Regulations 2003 (SI 2003/2613) (“the Demand Notices Regulations”) billing authorities must provide budget information for their authority, major precepting authorities, and in some circumstances, parish councils, with council tax bills. For parish councils with expenditure above £100,000 a breakdown of expenditure by service and budget requirement must be provided. A number of authorities are finding that an increasing number of parishes are crossing the £100,000 limit. This means that information on lots of parishes, including ones in which the taxpayer does not reside, has to be sent out with bills. For reasons of openness and accountability we do not propose to uprate the £100,000 threshold. However, we propose to amend regulations so that billing authorities only have to provide financial information on the parish or town council in which the taxpayer lives. Billing authorities will retain the option of including information on all parish councils with expenditure over £100,000 within their area.

Question 14

Should Schedule 3 to the Council Tax and Non-Domestic Rating (Demand Notices) (England) Regulations 2003 be amended as proposed?

Rural rate relief

24. Section 43(6B)-(6E) of the Local Government Finance Act 1988 (“the 1988 Act”) sets out the eligibility criteria for rural rate relief. The types of properties that can qualify for the relief are specified in subsection (6B) (c) (i) of the Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001 (SI 2001/1345) (as amended). Where a property is the only general store, post office, pub or petrol station in a rural area it may qualify the ratepayer for rural rate relief. A food shop, on the other hand, may qualify for the relief regardless of whether it is the only food shop in the area.
25. Under Schedule 2 to the Demand Notices Regulations local authorities are required to provide prescribed explanatory notes with non-domestic rate demand notices. The prescribed explanatory notes which must accompany demand notices for businesses in rural areas currently suggest that a food shop has to be the only food shop in the area in order to qualify for the relief. We propose to amend the 2003 Regulations to clarify that any food shop in a rural area can qualify for rural rate relief provided they meet the remaining criteria. This is not a change of policy but will make clear to ratepayers what is provided by section 43 of the 1988 Act.

Question 15

Should the Council Tax and Non-Domestic Rating (Demand Notices) (England) Regulations 2003 be amended as proposed?

Former agricultural premises relief

26. Section 43(6F)-(6L) of the 1988 Act, inserted by the Rating (Former Agricultural Premises and Rural Shops) Act 2001, provides mandatory rate relief for former agricultural premises which meet certain criteria, for a period of five years from 15 August 2001 when those provisions came into force. Billing authorities may grant discretionary relief for former agricultural premises for the same period.
27. The Council Tax and Non-Domestic Rating (Demand Notices) (Amendment) (England) Regulations 2006 (SI 2006/492) amended the 2003 Demand Notices Regulations to make it clear to ratepayers that the relief will cease to exist from 15 August 2006. We propose to remove all references to the relief from the explanatory notes which must accompany rates demand notices as they will no longer be relevant.

Question 16

Should the Council Tax and Non-Domestic Rating (Demand Notices) (England) Regulations 2003 be amended as proposed?

Small Business rate relief

28. The Department is currently undertaking a separate consultation on proposed changes to the Small Business rate relief scheme (<http://www.communities.gov.uk/index.asp?id=1500226>). One of the proposals in the consultation paper is to relax the requirement for ratepayers to apply for the relief every year. It is proposed the changes will take effect from 1 October 2006, subject to the outcome of the consultation. We propose to amend the prescribed explanatory notes in Part 1 of Schedule 2 to the Demand Notices Regulations to ensure the explanatory notes accompanying rates bills are consistent with the provisions of the new scheme.

Question 17

Should the Council Tax and Non-Domestic Rating (Demand Notices) (England) Regulations 2003 be amended as proposed?

Timing of changes

29. We propose for the sake of simplicity to bring the majority of changes into force on 1 April 2007. We recognise, however, that the proposed demand notice changes will need to be brought into force earlier than this so that they can be reflected in 2007/08 bills. We aim therefore to bring these into force by the end of January 2007. Also, the changes to paragraphs 1 and 2 of Schedule 3 to the Local Government Finance Act 1992 may need to be brought into force later than 1 April 2007 due to the need to amend primary legislation.

Question 18

Do you have any comments on the timing of the proposed changes?

Other comments

30. We would be happy to hear any other views that you may have on the issues raised in this consultation paper.

Question 19

Do you have any other comments on the issues raised in this consultation paper?

Regulatory Impact Assessment

31. The proposals in this consultation paper are minor changes to council tax and non-domestic rates secondary legislation and in one case to primary legislation, mainly concerning the uprating of statutory financial limits in line with inflation and statutory increases in court fees. The cost to public bodies will not exceed £5million per annum. A regulatory impact assessment has therefore not been produced.

ANNEX A

Comparison Tables – Current Rates/Average Earnings

DEDUCTIONS FROM WEEKLY EARNINGS		
Net earnings (current position)	Upated by average earnings	Current and proposed deduction rate % (ie no change)
Not exceeding £55	Not exceeding £75	0
£55 – £100	£ 75 – £135	3
£100 – £135	£135 – £185	5
£135 – £165	£185 – £225	7
£165 – £260	£225 – £355	12
£260 – £370	£355 – £505	17
Exceeding £370	Exceeding £505	17 for first £505, then 50% on rest

DEDUCTIONS FROM MONTHLY EARNINGS		
Net earnings (current position)	Upated by average earnings	Current and proposed deduction rate % (ie no change)
Not exceeding £220	Not exceeding £300	0
£220 – £400	£300 – £550	3
£400 – £540	£550 – £740	5
£540 – £660	£740 – £900	7
£660 – £1,040	£900 – £1,420	12
£1,040 – £1,480	£1,420 – £2,020	17
Exceeding £1480	Exceeding £2,020	17 for first £2,020, then 50% on rest

DEDUCTIONS BASED ON DAILY EARNINGS		
Net earnings (current position)	Upated by average earnings	Current and proposed deduction rate % (ie no change)
Not exceeding £8	Not exceeding £11	0
£8 – £15	£11 – £20	3
£15 – £20	£20 – £27	5
£20 – £24	£27 – £33	7
£24 – £38	£33 – £52	12
£38 – £53	£52 – £72	17
Exceeding £53	Exceeding £72	17 for first £72, then 50% on rest

ANNEX B

The Maximum Fees that can be charged by Bailiffs in connection with Levying Distress

Matter connected with distress	Current charge	Proposed New charge
For making the first or only visit with a view to levying distress (where no levy is made)	£22.50	£24.50
For making the second visit with a view to levying distress (where no levy is made)	£16.50	£18.00
For close possession of goods	£14.00	£15.00
For walking possession of goods	£11.00	£12.00
Where no sale of goods takes place by reason of payment or tender	£22.50	£24.50
For levying distress where the sum due at the time of the levy does not exceed £100	£22.50	£24.50

ANNEX C

Costs Connected with Committal

Application	Current costs	Proposed new costs
For making an application for the issue of a warrant	£55.00	£85.00
For making an application for an arrest warrant with bail	£55.00	£85.00
For making an application for an arrest warrant without bail	£70.00	£105.00

ANNEX D

The consultation criteria

The Government has adopted a code of practice on consultations. The criteria below apply to all UK national public consultations on the basis of a document in electronic or printed form. They will often be relevant to other sorts of consultation.

Though they have no legal force, and cannot prevail over statutory or other mandatory external requirements (e.g. under European Community Law), they should otherwise generally be regarded as binding on UK departments and their agencies, unless Ministers conclude that exceptional circumstances require a departure.

- 1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.**
- 2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.**
- 3. Ensure that your consultation is clear, concise and widely accessible.**
- 4. Give feedback regarding the responses received and how the consultation process influenced the policy.**
- 5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.**
- 6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.**

The full consultation code may be viewed at
www.cabinet-office.gov.uk/regulation/Consultation/Introduction.htm

Are you satisfied that this consultation has followed these criteria? If not, or you have any other observations about ways of improving the consultation process please contact

Adam Bond, DCLG Consultation Co-ordinator, Room 2.19, 26 Whitehall, London, SW1A 2WH;
or by e-mail to:
adam.bond@communities.gsi.gov.uk

Please note that **responses to the consultation itself** should be sent to the contact shown within the main body of the consultation.