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CGRG



QUEEN ANNE'S GATE LONDON SW1H 9AT

10 November 1986

NBM

Dear Willie,

File with ARN

E(LF): COMMUNITY CHARGE - APPEALS

I have seen a copy of Nicholas Ridley's letter to you dated 24 October, enclosing a paper on appeals and other aspects of the community charge.

I am content with the proposal that the role of the local valuation courts should be extended to deal with appeals.

Subject to what follows, I am also content with the proposal that enforcement of payment should remain with the magistrates' courts. Nicholas Ridley recommends in paragraph 6 of his paper that enforcement of payment should include the issuing of distress warrants and attachment of earnings orders. Distress warrants are used now in the enforcement of rates, but attachment of earnings orders are not. If the latter were to be a feature on any significant scale of arrangements for enforcement of the community charge, the cost in court time and court administration could be very large.

In the circumstances where a magistrates' court can make an attachment of earnings order, a separate means enquiry has to be held to assess each individual case. If such arrangements were to become a feature of the enforcement of the community charge, the additional work for the magistrates' courts could be very large indeed, with resource implications which could run into millions of pounds. I could not agree therefore that attachment of earnings orders should be a feature of the arrangements for the enforcement of the community charge until the details of the arrangements had been worked out and any necessary provision agreed. My officials are in touch with Nicholas Ridley's about arrangements for enforcement, and I hope that we shall soon have the opportunity to consider a thoroughly worked out and effective scheme, with relevant costings.

I am copying this letter to members of E(LF), the Lord Chancellor, the Lord Advocate and Sir Robert Armstrong.

Yours,
Douglas

The Rt Hon The Viscount Whitelaw, CH, MC

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Local Govt Rating revaluation PTS

