

PRIVATE & CONFIDENTIAL
Mr Adam Moores

By email to:
mooresa808@gmail.com

Ilys Cookson
Assistant Director
Exchequer Services

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Ashton under Lyne, OL6 0GA

Call Centre 0161 3428355

www.tameside.gov.uk
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Doc Ref	Stage 2 complaint
Ask for	Ilys Cookson
Direct Line	0161 342 4056
Date	29 July 2024

Dear Mr Moores

Stage Two Complaint

Complaint Number: 15182895

Thank you for your emails dated 01 July 2024 in respect of the above complaint. You have raised concerns relating to a number of issues you have with the Greater Manchester Combined Authority (GMCA) and other organisations which are independent to Tameside Council, and you must contact these organisations directly with your concerns. Tameside Council cannot comment on any issues you have experienced with them and only your complaint relating to the Council Tax Service will be addressed in this letter. I understand that you have requested that your complaint to be reviewed as a stage two complaint within the Council's Corporate Complaints Process for the following reasons:

You request where the Council Tax Service obtained the information that Miss Nikita Catlow was employed by Tameside Pointing and allege the Council have targeted yourself and your ex-partner by applying for an Attachment of Earnings Order.

Stage two of the Complaints Process requires a full investigation to be undertaken into the complaint by the Assistant Director of the service concerned. I have therefore undertaken an investigation of the points raised in your complaint and have found the following information:

I have reviewed the stage one complaint response letter sent to you on 03 June 2024 which explained to you that an Attachment of Earnings Order was applied for on 14 August 2023, against your arrears balance totalling £1478.61 for the period 01 April 2022 to 31 March 2023 with Tameside Pointing. The Council has obtained Liability Orders against you in accordance with the Local Government Finance Act 1992 through Tameside Magistrates Court, as you have not made any payments towards your Council Tax since your liability began at 42 Windermere Road, Dukinfield on 27 April 2015.

The stage one complaint response letter advised that the Attachment of Earnings Order paperwork was sent in your ex-partners name, Ms Nikita Catlow, in error and should have been issued in your name. Miss Catlow is joint and severely liable with you for the Council Tax at 42 Windermere Road, Dukinfield, and has been since your liability began on 27 April 2015, therefore the Council can pursue recovery action against both you and Ms Catlow.

The Council Tax Service has not received any information regarding Ms Catlow vacating the property, and if she has, please provide the date she left along with her forwarding address by email using counciltax@tameside.gov.uk.

An apology was offered for the error relating to the Attachment of Earnings Order, and you were advised in a letter dated 19 June 2024 that the officer who made the error had since left the service, and a reminder had been sent to all staff to ensure care and attention to detail is followed when administering accounts.

The Council Tax Service was not aware of where Ms Catlow worked as advised and the Council held records that only you worked at Tameside Pointing.

The Council has not targeted you when applying for an Attachment of Earnings Order. The Council has a duty to collect all Council Tax payments in a timely manner, to help fund vital services used daily by residents. As you have not made any payments towards your Council Tax, the Council had no option but to collect your arrears by an Attachment of Earnings Order, in accordance with the Local Government Finance Act 1992.

No payments were received in respect of the Attachment of Earnings Order and as this recovery method was unsuccessful, your arrears totalling £14,195.94 were referred to Jacobs enforcement agents for collection on 28 February 2024. As you have not returned the income and expenditure form requested on 03 June 2024 and 19 June 2024 the enforcement agent has been advised to continue recovery action against you.

I urge you to engage with the enforcements agents as the Council does not wish to use further alternate methods of recovery as detailed in the Debt Recovery Policy detailed here [Recovery of Unpaid Council Tax - Tameside MBC](#) and which could have serious consequences,

As stated in the letter dated 19 June 2024, the Council does want to help you get back on track with your payments and will allow one final opportunity for you to complete and return the income and expenditure form attached to this letter. The recovery action will be temporarily held until **07 August 2024** to allow you time to return this information.

On receipt of the information your finances will be reviewed, and a suitable arrangement agreed with you. If you do not return the information the enforcement agent will be advised to continue recovery action against you.

In conclusion.

- The Council was unaware that Ms Catlow worked at Tameside Pointing, the Attachment of Earnings Order letter was sent in her name in error and should have been issued in your name.
- A balance of £14,195.94 is payable and held with Jacobs enforcement agents for collection. Please complete the enclosed income and expenditure form by **07 August 2024** to enable a suitable repayment arrangement, to be agreed.

We have now completed our consideration of your complaint. This is our final position, based on the information we have.

You can now ask the Local Government and Social Care Ombudsman (the Ombudsman) to review your complaint. You usually have up to 12 months to do this, starting from the date you first knew about the matter you complained about, not from the date of this letter. The Ombudsman will normally only consider complaints made within that time but can decide to look at older complaints if there is a good reason to do so.

The Ombudsman looks at individual complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. It investigates matters fairly and impartially and is free to use.

There are some matters the Ombudsman cannot or will not investigate. In these cases it will explain clearly the reason for its decision.

You will need to provide it with a copy of this letter, and our earlier responses to you, so it can consider your complaint

For advice on making a complaint, or to make a complaint over the telephone, you can contact the Ombudsman Advice Team on 0300 061 0614, between 10am and 4pm Monday to Friday, except public holidays. Alternatively you can raise your complaint by using its online complaints form. More information about the Ombudsman and the complaints process, together with the online complaints form, can be found at its website www.lgo.org.uk

Yours sincerely,

I. Cookson .

Ilys Cookson
Assistant Director
Resources Directorate