

PUBLIC

DISPUTE PROCESS

STEP BY STEP GUIDE TO
CHALLENGING COUNCIL TAX

RESPONSE TO SUMMONS ^{v1}





RESPONSE TO COUNCIL TAX SUMMONS

This is the start of public dispute resolution.

Even at this point all the people involved are under an obligation to do whatever they can to resolve the dispute privately, and the courts encourage that to be done by a consent order between the parties.

The reason is simple...

No one wants to take responsibility for making a decision that may be wrong!

This responsibility means all parties **MUST** reasonably attempt to narrow the issues to be decided by the court, and ours is simple - **PROVE MY OBLIGATION!**

ALREADY HAVE A SUMMONS?

If you haven't already started this dispute process from the beginning and you have received a Summons you can still begin by jumping straight to section 3 of this ebook.

You still have time, just follow the instructions and start the process.



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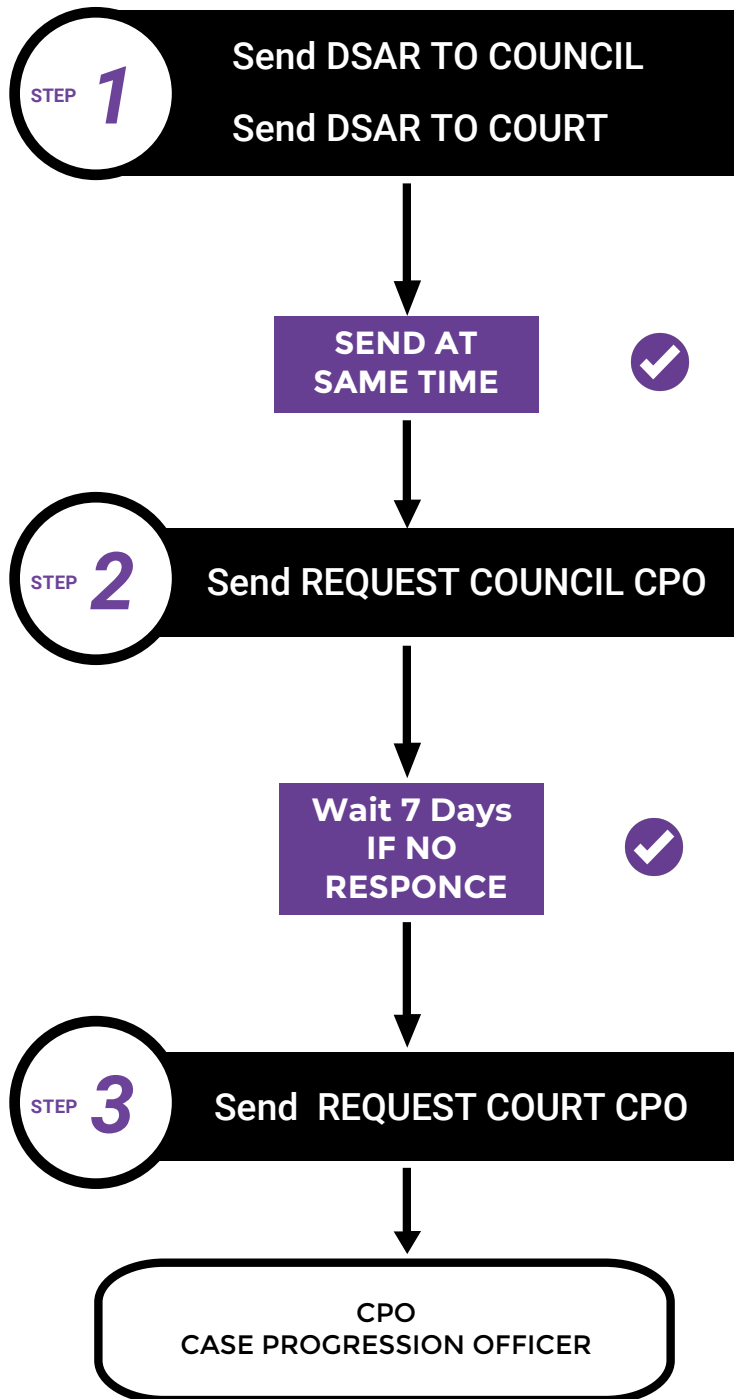


YOUR DSAR, REQUEST PROCEDURE



IMPORTANT

Withholding your payment, guarantees staying in honour, good faith and clean hands proving you are not just trying to avoid paying!





1

DEALING WITH THE SUMMONS DSAR council & court

You will have your record of your dispute.

The Council is under an obligation to not knowingly or recklessly mislead the Court.

The Council must provide all details of your dispute to the Justice of the Peace when laying their claim (information) and applying for the Summons, and the Court MUST consider the evidence before it.

The summons should never be issued as the evidence shows that the Council have failed to PROVE YOUR OBLIGATION!

If you receive a summons, in any event you need to find out what information was laid so you can ensure it includes your dispute, as if the Court issued the summons then they must be held to account for reaching that decision as administrative courts are unlawful.

Immediately send a DSAR to BOTH the Council and the Magistrates Court asking for the information laid.

1.1 SEND DSAR TO THE COUNCIL

DSAR the Council for information laid upon which the summons was requested.

1.2 SEND DSAR TO THE COURT

DSAR the Court for information laid upon which the summons was granted.



SEND THESE DSAR'S AT THE SAME TIME AS THE COUNCIL'S CASE PROGRESSION OFFICER LETTER



2

REQUEST CASE PROGRESSION OFFICERS

gathering the evidence

At the same time request the Council's 'Case progression Officer in accordance with section 3A Case Management (4) of [The Magistrates' Courts Rules 1981 SI 1981 No 552 \(as amended\) \(up to date Jan 2020\)](#).

This is because you put their claim into dispute and have asked them to prove your obligation, and until they can provide that you have no case to answer - they simply have no cause for action (laying the information for the summons and liability order).



AT THE SAME TIME AS THE DSAR'S REQUEST THE COUNCIL'S CASE PROGRESSION OFFICER

2.1 REQUEST COUNCIL'S CASE PROGRESSION OFFICER

If within 7 days the Council do not provide you with their case progression officer then apply to the Magistrates' Court for their case progression officer and ask them to order the council to provide their case progression officer.

ADD THESE REQUESTS AND ANY RESPONSES TO YOUR RECORD IN CHRONOLOGICAL ORDER

Wait 7 Days

2.2 REQUEST COURT'S CASE PROGRESSION OFFICER

ADD THESE REQUESTS AND ANY RESPONSES TO YOUR RECORD IN CHRONOLOGICAL ORDER



3

ALREADY HAVE A SUMMONS but not yet disputed your council tax bill?

3.1 SEND DSAR COUNCIL & COURT

Send the above DSAR'S to the Council & Court.

SEE SECTION 1, and

3.2 REQUEST COUNCIL'S CASE PROGRESSION OFFICER

Follow the process described in section 2.

SEE SECTION 2, and

3.3 SEND CAUTION NOTICE

Send the CAUTION NOTICE to Council

SEE "PROVE MY OBLIGATION" EBOOK FOR PROCESS

3.4 SEND WARNING NOTICE, LETTER BEFORE ACTION

Send the WARNING NOTICE and wait 7 days to send LETTER BEFORE ACTION

SEE "PROVE MY OBLIGATION" EBOOK FOR PROCESS

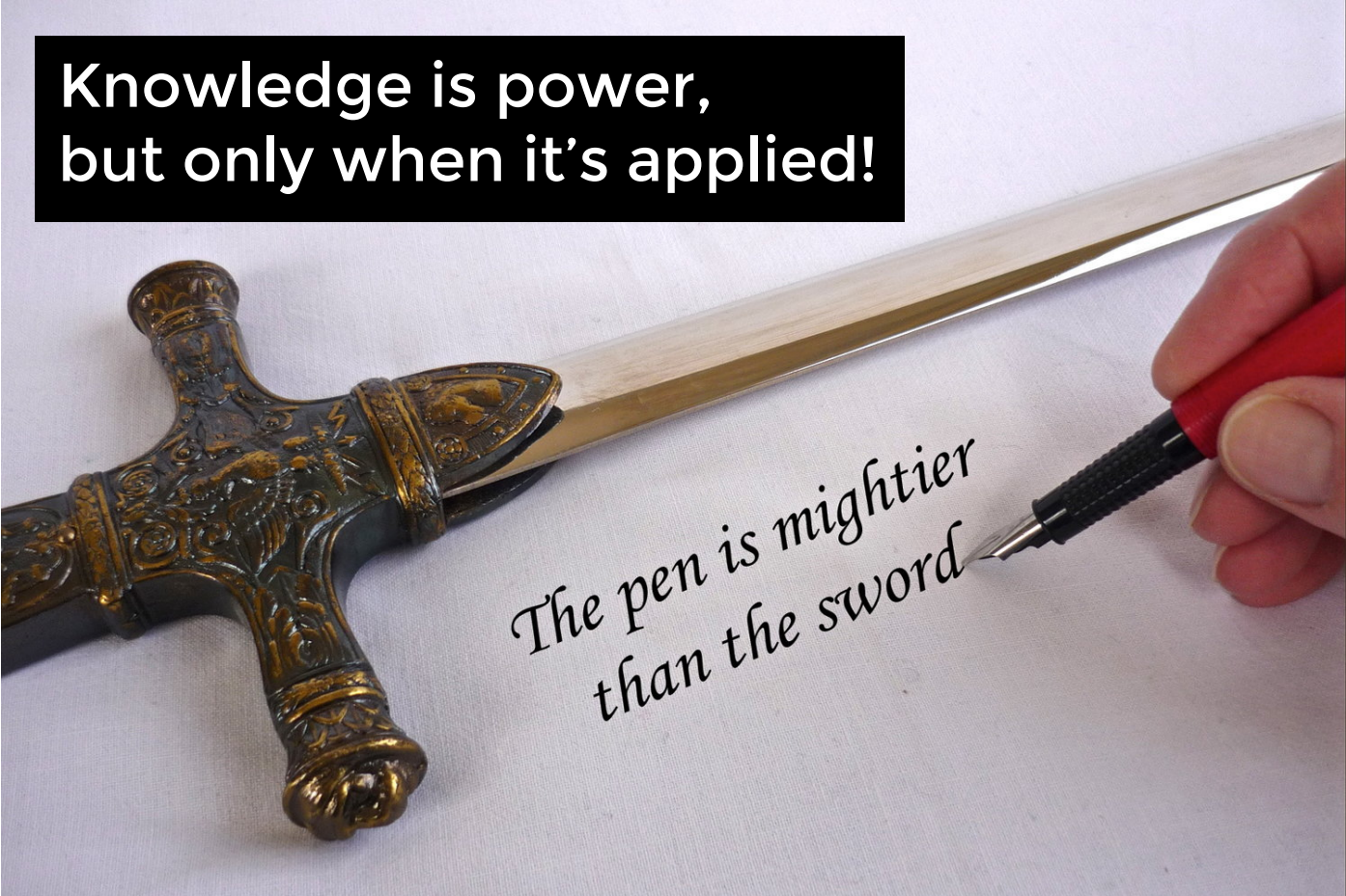


SUMMARY

By the end of this process you should have completed the following DSAR'S & notices.

- DSAR COUNCIL
- DSAR COURT
- COUNCIL - CASE PROGRESSION OFFICER
- COURT - CASE PROGRESSION OFFICER (If NO RESPONSE)
- IF STARTING AT SUMMONS STAGE
CAUTION NOTICE, WARNING NOTICE, LETTER
BEFORE ACTION

**Knowledge is power,
but only when it's applied!**



*The pen is mightier
than the sword*



<https://peacekeepers.org.uk/equity/>