

Clive Menzies

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18th July 2021

Response to Notice Issued on 22nd June 2021 by:
North London Local Justice Area (Highbury Corner)
Highbury Corner Magistrates' Court
51 Holloway Road
Highbury
London N7 8JA

Summons for Non-Payment of Council Tax (London Borough of Enfield)

Account number: xxxxxxxxxx

Hearing number: 1046

Summons number: 225900

Please Note:

xxxxx xxxxx has also received a summons related to this matter. She is my partner and is a co-signatory to this response.

This response relates to our previous Response to Notice Issued on 27th April 2021. (enclosed)

Account number: xxxxxxxxxx

Hearing number: 1044

Summons number: 219658

Other documents:

- 1st October 2020 – Letter to Nesil Caliskan (encl.)
- 21st April 2021 – Letter to Nesil Caliskan (encl.)
- Council Tax Bill 2021/22 schedule pages 1 and 3 (encl.)

Statement of facts:

We attended Court on 24th June 2021 to answer the first summons issued on 27th April 2021. In the event, after waiting for two hours for the case to be heard, it was adjourned to 29th July 2021.

In the week ending 2nd July 2021, we received the summons dated 22nd June 2021, in respect of the current financial year. Enfield Council is applying for a Liability Order, with a hearing date of 22nd July 2021, for the full amount of Council Tax for 2021/22 plus costs.

The amount referred to in the Summons is £2,593.46 plus £75.50 (costs) making a total of £2,668.96.

When the second summons was issued, we had already paid £173.79 on 21st April 2021 being one third of the April and May monthly payments scheduled in Enfield Council Tax Bill 2021/22 dated 5th March 2021. See enclosed pages of the Bill schedule in question. We notified Nesil Caliskan, Mrs Y Brown and Geoff Waterton in my letter of the same date (21st April 2021, encl.) that we had paid this amount.

Subsequently, we paid one third of the instalments for June and July 2021 on 2nd July as marked on the reverse of the enclosed schedule referred to in the previous paragraph. Both amounts have cleared through my bank account.

Consequently, we've fulfilled our commitment to pay one third of Council Tax as referred to in our response to the first summons and our letter of 21st April 2021.

We've had no answer from Enfield Council, Councillors or Officers to the questions we've repeatedly raised with them other than the Summonses referred to in this response.

Our dispute with Enfield Council now spans two financial years 2020/21 and 2021/22.

Complaint:

The amount of the Liability Order application doesn't reflect the amounts paid both before and after its issue.

The facility to pay monthly has again been arbitrarily withdrawn as it was for the previous financial year by notice from Enfield Council to which I responded in my letter of 1st October 2021.

We have incurred considerable costs in answering these summonses and in view of the Council's inability to communicate in any way to resolve this dispute, not only the Court's costs but ours are the Council's liability. Thus far, we have incurred at least 4 hours time cost at £108.00 per hour in dealing with this current Summons.

Offer:

As Enfield Council have issued an erroneous application in respect of the amount of the Liability Order and that we are already in dispute in respect of the previous Council Tax year, we propose this matter be deferred until after the first summons is resolved.

If, however, Enfield Council wish to pursue this matter in Court on Thursday 22nd July 2021, we request that we can attend court to answer the Summons in respect of 2021/22.

Furthermore, we will apply to the Court for Enfield Council to cover our costs to date including attendance at Court. Thus far, our costs amount to £432.00 (4 hours) and we estimate at least another 2 hours to attend Court this coming Thursday, making a total of £648.00