



Information Governance Team

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Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)
Request ID: FOI424261733**

Thank you for your request for information relating to Councillors and Council tax. We apologise for the delay.

You have requested the following information:

1. Between the fiscal years of 2019/20; 2020/21; and 2021;22, did any councillors fail to pay council tax? If so, how many?

14 Councillors received notices following a missed payment of council tax.

2. What was the total sum of unpaid council tax? Please can you break it down by year and councillor?

Please see the attached document which details the amounts defaulted and falling due.

3. Please can you state who the councillor(s) was?

The names of Councillors are classed as personal data. The Council confirms that it has considered the ruling of the Upper Tribunal involving a journalist and Bolton City Council (“the Upper Tribunal Ruling”) in relation to your request for personal data. The outcome of this appeal can be found at the following web page – <http://www.bailii.org/uk/cases/UKUT/AAC/2016/139.html>

We have considered the arguments for and against disclosure of the personal data of those Councillors who received reminders but cleared their accounts without a Liability Order being issued (i.e. before the matter reached court). We have concluded that disclosure of personal data about Councillors who had received a reminder(s) rather than a Liability Order would be a breach of the individuals’ privacy and that is not outweighed by the wider interest in openness and transparency.

We have therefore provided the requested information anonymously on the attached spreadsheet. We consider that the identities of the individuals who received reminders but were not subject to a Liability Order to be exempt from disclosure in accordance with Section 40(2) of the Freedom of Information Act.

The name of the Councillor meets the definition for personal data set out in Section 3(2) and 3(3) of the Data Protection Act 2018 (DPA) as:

(2) "personal data" means any information relating to an identified or identifiable living individual (subject to subsection (14)(c))

(3) "Identifiable living individual" means a living individual who can be identified, directly or indirectly, in particular by reference to –

*(a) an identifier such as a name, an identification number, location data or an online identifier, or
(b) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.*

Section 40(2) of the FOIA states that personal data relating to third parties (i.e. a party other than the person requesting the information) is exempt information if one of the conditions in section 40(3A-B) or 40(4A) is satisfied.

The information you have requested includes personal information of Councillors of Coventry City Council. The disclosure of this information would breach one or more of the Data Protection Principles in the General Data Protection Regulation (GDPR). For example, disclosure would breach the first data protection principle of fairness. This is because it would be unfair to disclose such personal data where the Councillors concerned have no expectation that their names would be released in the context of the information held. The Upper Tier Tribunal Ruling supports this position in its reasoning that although they are public servants, non-payment of Council Tax remains a private matter prior to involvement of the court.

Section 40(2) is an absolute exemption not subject to the Public Interest Test. We have concluded that disclosure of personal information would be a breach of the first data protection principle of fairness because it would be a breach of the individuals' privacy that is not outweighed by the wider interest in openness and transparency.

4. Between 2019 and 2022, how many of those who did not pay council tax were summoned to court?

2.

5. What were the results of those court trials, i.e were they fined? If so, how much?

A summons was issued in respect of Cllr Kamran Caan for the amount of £444.50. The account was cleared before the matter reached court.

A summons was issued in respect of Cllr A Masih for the amount of £1,417.44. The court issued a liability order and the amount was settled in full.

Courts do not issue fines in respect of unpaid council tax.

6. Between the aforementioned dates, did any councillors repeat failure to pay council tax after being summoned to court?

No.

7. Can the council confirm if the arrears have been paid in full, or are any outstanding, if so which councillors have outstanding arrears and what is the value of them.

All balances for fiscal years of 2019/20; 2020/21; and 2021/22 have been cleared.

The supply of information in response to a FOI/EIR request does not confer an automatic right to re-use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email icocasework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours faithfully

Information Governance

FOI424261733 Response

2019/20					
Amount unpaid	Letter type	Amount unpaid	Letter type	Amount unpaid	Letter type
£ 406.49	Reminder				
£ 448.00	Reminder				
£ 22.18	Reminder	£ 96.18	Reminder		
£ 244.00	Reminder	£ 190.39	Reminder		
£ 54.70	Reminder	£ 6.68	Reminder		
£ 133.30	Reminder				
£ 45.95	Reminder				
£ 124.49	Reminder				
£ 107.64	Reminder	£ 110.00	Reminder	£ 660.00	Final notice
£ 92.00	Reminder				

2020/21									
Amount unpaid	Letter type	Amount unpaid	Letter type	Amount unpaid	Letter type	Amount unpaid	Letter type	Amount unpaid	Letter type
£ 191.00	Reminder	£ 764.00	Reminder	£382.00	Reminder				
£ 76.70	Reminder	£ 121.63	Reminder	£212.68	Reminder	£382.00	Reminder	£144.58	Reminder
£ 189.88	Reminder								
£ 236.07	Reminder	£ 935.07	Reminder						
£ 47.51	Reminder	£ 58.51	Reminder	£ 220.00	Final notice				
£ 255.00	Reminder	£ 255.00	Reminder						

2021/22					
Amount unpaid	Letter type	Amount unpaid	Letter type	Amount unpaid	Letter type
£18.00	Reminder	£18.00	Reminder	£ 186.00	Final notice
£265.88	Reminder	£268.00	Reminder	£ 1,340.00	Final Notice
£346.94	Reminder				
£194.62	Reminder	£180.33	Reminder		

	Unpaid council tax	Court costs	
2019/20	£ 366.00	£ 78.50	Summons
2021/22	£ 1,338.94	£ 78.50	Summons