



Information Governance Team

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Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)
Request ID: FOI712022326**

Thank you for your request for information relating to Legal classification and enforcement mechanisms.

You have requested the following information:

Pursuant to the Freedom of Information Act 2000, I am requesting clarification on the legal classification and enforcement mechanisms used by Coventry City Council in relation to council tax demands, Penalty Charge Notices (PCNs), and other statutory debts recorded in the council's accounts receivable.

Legal Basis for Inquiry

I refer to the following definition from Chalmers & Guest on Bills of Exchange and Cheques (16th Edition, 2005):

Documents are divided into two classes: 'financial documents,' that is to say, bills of exchange, promissory notes, cheques, or other similar instruments used for obtaining payment of money, and 'commercial documents,' that is to say, invoices, transport documents, documents of title or other similar documents, or any other documents whatsoever, not being financial documents.

Given this classification, I seek clarification on the following points:

Clarification: I am requesting any legislative provisions, internal policies, or regulatory frameworks that authorize Coventry City Council to compel debtors to settle the Council's accounts receivable through mandated transactions with financial intermediaries such as banks or the Post Office. Please provide specific legal authorities for this practice, if any.

1. Classification of Council Tax Demands, PCNs and other statutory debts

a. Does Coventry City Council recognize its council tax demands and PCNs as financial documents (e.g., bills of exchange, promissory notes, or other negotiable instruments used for obtaining payment of money)?

We are advising you as per Section 1(1) of the Act that we do not hold this information. CCC does not hold the information requested.

b. If these documents are treated as non-negotiable, what statutory or legal basis justifies this position?

We are advising you as per Section 1(1) of the Act that we do not hold this information.

c. Does the council consider its council tax demands and PCNs to be commercial documents (i.e., invoices, transport documents, or documents of title)? If so, how does this align with the absence of any contractual agreement with the debtor?

We are advising you as per Section 1(1) of the Act that we do not hold this information.

d. Can the council provide copies of any internal policies or legal opinions stating how council tax demands and PCNs are categorized under financial and commercial document classifications?

We are advising you as per Section 1(1) of the Act that we do not hold this information.

2. Statutory Debt Handling and Legal Tender Compliance

a. When Coventry City Council records statutory debts in its accounts receivable, does this change the legal nature of the debt in a way that affects how payment must be made?

We are advising you as per Section 1(1) of the Act that we do not hold this information. This is not recorded.

b. Does Coventry City Council have the legal authority to bypass legal tender laws and reject cash payments made using Bank of England notes or Royal Mint coins within statutory denominational limits?

We are advising you as per Section 1(1) of the Act that we do not hold this information. This information is not recorded.

c. Can the council mandate that a debtor must transact through its preferred financial intermediaries (such as banks or the Post Office) in order to make payment, thereby requiring the debtor to establish a contractual relationship with those entities?

We are advising you as per Section 1(1) of the Act that we do not hold this information. We do have information about what methods can be used to pay Council Tax and PCNs but not about whether the Council can mandate that debtor must transact through its preferred financial intermediaries.

d. What statutory or regulatory provisions grant Coventry City Council the authority to

restrict payment methods, if applicable?

We are advising you as per Section 1(1) of the Act that we do not hold this information. CCC does not hold the information requested.

3. Compelling Unpaid Banking Services from debtors

a. What legal authority does Coventry City Council have to require a debtor to perform unpaid banking services on its behalf when making payment demands?

We are advising you as per Section 1(1) of the Act that we do not hold this information. CCC does not hold the information requested.

b. Does the council recognize that requiring individuals to process payments through financial intermediaries without compensation effectively mandates unpaid administrative work for the council?

We are unable to respond to this question under an FOI request as this is inviting an opinion which is not recorded information.

c. Can the council provide documentation or legal guidance outlining any obligation for a debtor to facilitate payments using third-party financial entities rather than directly settling the amount owed?

No.

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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