

SPSO decision report

Case: 201402112, North Lanarkshire Council

Sector: local government

Subject: council tax

Outcome: not upheld, no recommendations

Summary

After a tank in her loft burst, Ms C submitted a compensation claim to the council. They wrote to her with an offer of compensation, but said that she would not receive any money as it would be set against her council tax arrears. Ms C disputed the outstanding council tax, as she said that the council did not make her aware of it and she queried their right to offset the compensation against her council tax.

We did not uphold Ms C's complaint. The council provided clear evidence that council tax notices, reminders and warrant notices had been sent to Ms C each year, and there was evidence that they had phoned Ms C about her outstanding bill. Their procedure for compensation payments also said that they had the right to offset these against any outstanding debt, including council tax arrears. In addition the Council Tax (Administration and Enforcement) (Scotland) Regulations 1992 gave them the right to use information gathered under any other function in their council tax levying process.