

PE2174/B: Stop council tax debt collection

Petitioner written submission, 1 December 2025

At the beginning of 2025 nearly £2 billion of unpaid council tax was disclosed by Scotland's 32 local authorities, accumulated over more than 30 years dating back to the introduction of council tax. The cost of administering this level of debt is unsustainable.

Today, we are in the midst of a cost of living crisis, people have to prioritise how they spend their money. Many have to choose between food or fuel before paying council tax. People simply cannot afford to pay yet the harsh enforcement regime of council tax debt collection can take that much needed money away by means of wage arrestment, bank arrestment or benefit deductions if more than one month's arrears accrue. This is forcing people into a perpetual cycle of debt and poverty.

In February 2015 this Parliament passed the Community Charge Debt (Scotland) Bill. It is a legal framework for local authorities to stop the pursuit and collection of outstanding debts related to the Community Charge, commonly known as the poll tax.

The key provisions and Impact of this Bill were:

- **Debt Extinguishment:** The Act legislated that all remaining community charge liabilities and associated liabilities were extinguished on February 1, 2015.
- **Cessation of Pursuit:** It legally enabled local authorities to cease collection efforts for these historic debts, which dated back to when the poll tax was abolished in Scotland in 1993.
- **Alleviation of Burden:** The primary goal was to relieve individuals of financial burdens from an outdated and unpopular tax system, which had been controversial since its introduction in Scotland in 1989.
- **Enforcement Halted:** Accordingly, any existing summary warrants or decrees related to these specific debts became unenforceable on that date.

This petition is a clarion call for similar emergency legislation to be brought in to extinguish all council tax debt and give the people of Scotland a clean slate to start afresh, living without the fear of sheriff officers using barbaric tactics to enforce debt collection by methods that would constitute a criminal offence if applied to other debts. Council tax debt should be treated as all other debts, not afforded priority or privileges through the Scottish court system.

Administration and enforcement of council tax in Scotland

Whilst the current legislation may read well, it is ineffective in practice as there is no Scottish equivalent to the Ministry of Housing, Communities and Local Government ensuring that the legislation is applied correctly. As council tax is administrated

locally, the Scottish Government does not have the power to intervene in the actions a local authority has taken.

The lack of impartial scrutiny and monitoring of administration of council tax leads to inconsistencies, inequalities, undetected errors, abuse of authority, abuse of process, fraud and a lack of accountability across Scotland's local authorities.

Court Process

Councils simply present a list of alleged debtors to the local court, without any proof of debt or hearing the sheriff grants summary warrants allowing enforcement to commence. At this point the alleged debt starts to incur legal costs as diligences proceed and, if sequestered, homeowners can be burdened with associated cost of the trustees who will force the sale of homes to recoup their fees, leaving no funds available to pay off the original council tax debt and placing a burden on the same council to rehouse the now homeless.

Time Limits

In England the time limits for enforcing council tax debt is 6 years. In Scotland it is 20 years, resetting when someone acknowledges or tries to make payment to the debt. This is locking people and their families into a perpetual cycle of debt and poverty, stymying financial growth and motivation.

Conclusion

There are fundamental flaws with the current debt enforcement procedures that need to be addressed by the Scottish Parliament to protect individuals and uphold their human rights.

Everybody should be treated with respect and dignity, not harassed and humiliated by unaccountable councils and sheriff officers.

People should be supported and protected not oppressed, punished and pursued for years or even decades.

The current system is not fit for purpose. End council tax debt collection now.