



**Information Governance Team**

Postal Address:  
Coventry City Council  
PO Box 15  
Council House  
Coventry  
CV1 5RR

[www.coventry.gov.uk](http://www.coventry.gov.uk)

E-mail: [infogov@coventry.gov.uk](mailto:infogov@coventry.gov.uk)

Phone: 024 7697 5408

12 February 2024

Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)**

**Request ID: FOI569994777**

Thank you for your request for information relating to Council tax.

You have requested the following information:

**I am writing to you under the Freedom of Information Act 2000 to request information relating to council tax in Coventry.**

**I am requesting information from the current and previous five years, i.e. 2023, 2022, 2021, 2020, 2019, 2018. The request covers the period between 01/01/2018 and 17/12/23.**

**My request is as follows:**

- 1) How many Coventry City Council councillors failed to pay their council tax and were in arrears during the 2018-23 period?**
- 2) What was the total sum of council tax unpaid by councillors in each year during the 2018-23 period?**
- 3) Can you break down the total sum of council tax unpaid by each councillor in each year during the 2018-23 period? And can you name each of these councillors?**
- 4) Can you tell me how long these councillors were in arrears, and whether they paid up in full or partially, in each year during the 2018-23 period?**

**5) Can you tell me what actions were taken against councillors regarding non-payment of council tax, including but not limited to court action, during the 2018-23 period? If court action was taken, can you tell me the outcomes of those proceedings?**

**6) Section 106 of the Local Government Finance Act 1992 bars a councillor from voting on the council's budget if they have an outstanding council tax debt of over two months. How many councillors disclosed they were not able to vote on the council's budget for this reason during the period? And can you name those councillors?**

**I know some of the data requested here was already made available in response to a request on 08/07/22. Can you provide this data along with the information not released as part of the previous disclosure in a PDF please.**

**I know the council is aware of and will take into consideration the Upper Tribunal decision Kate Markus QC in DH v Information Commissioner and Bolton Council: [2016] UKUT 139 (AAC), which found that the councillors' names who were in council tax arrears should be disclosed.**

**The ruling said: "There is a compelling legitimate interest in the public knowing whether a particular councillor has failed to pay the council tax, at least in the circumstances where they have remained in default for over two months with the result that section 106 applies. In most cases this compelling interest will outweigh the councillor's personal privacy. The public interest in knowing the information is central to the proper functioning and transparency of the democratic process. The identification of a defaulting councillor involves an intrusion into his private life but it is an intrusion that a councillor must be taken to have accepted when taking office."**

**The decision also said information of this kind should only be withheld in "exceptional cases" in which "the personal circumstances of a councillor are so compelling that a councillor should be protected from such exposure". You'll be aware that that is a bar that has not been reached in other cases where councils have decided to release such information.**

**If it is not possible to provide the information requested because the information exceeds the cost of compliance limits identified in Section 12, please provide advice and assistance, under the Section 16 obligations of the Act, as to how I can refine my request.**

**If you can identify any ways that my request could be refined, I would be grateful for any further advice and assistance.**

For Questions 1 to 6, please see the attached document.

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 –<https://www.gov.uk/administrative-appeals-tribunal-decisions/dh-v-1-information-commissioner-2-bolton-council-2016-ukut-139-aac>

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.

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](mailto: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](mailto:icocasework@ico.org.uk).

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

Yours faithfully

**Information Governance**

Councillor	Amount of arrears	Period of arrears (days)	Paid in full or part by end of tax year	Default notice type	Prevented from voting
------------	-------------------	--------------------------	---	---------------------	-----------------------

2018/19

A	£133.21	33	Full	Reminder	No
B	£248.00	29	Full	Reminder	No
C	£124.15	19	Full	Reminder	No
D	£10.00	20	Full	Reminder	No
	£515.36				

In addition, during 2018/19, Cllr R Ali was served with a summons and a liability order was obtained for £995.37. The amount was paid in full and they were not prevented from voting on the Council's budget

2019/20

A	£54.70	195	Full	Reminder	No
A	£6.68	20	Full	Reminder	No
B	£22.18	18	Full	Reminder	No
B	£96.18	16	Full	Reminder	No
B	£417.18	9	Full	Reminder	No
C	£133.30	19	Full	Reminder	No
D	£45.95	22	Full	Reminder	No
E	£92.00	16	Full	Reminder	No
F	£190.39	105	Full	Reminder	No
G	£448.00	68	Full	Reminder	No
	£1,506.56				

In addition, during 2019/20, Cllr K Caan was served with a summons and a liability order was obtained for £444.50. The amount was paid in full and they were not prevented from voting on the Council's budget

2020/21

A	£191.00	93	Full	Reminder	No
A	£191.00	63	Full	Reminder	No
A	£382.00	32	Full	Reminder	No
B	£382.00	18	Full	Reminder	No
C	£189.88	22	Full	Reminder	No
D	£255.00	22	Full	Reminder	No
D	£255.00	20	Full	Reminder	No
D	£510.00	23	Full	Reminder	No
E	£2,333.07	125	Full	Reminder	No
F	£47.51	20	Full	Reminder	No
F	£58.51	27	Full	Reminder	No
F	£220.00	47	Full	Reminder	No
	£5,014.97				

2021/22

A	£154.56	117	Full	Reminder	No
A	£176.56	55	Full	Reminder	No
B	£107.64	29	Full	Reminder	No
B	£110.00	30	Full	Reminder	No

In addition, during 2021/22, Cllr A Masih was served with a summons and a liability order was obtained for £1,417.44. The amount was paid in full and they were not prevented from voting on the Council's budget

B	£660.00	58 Full	Reminder	No
C	£265.88	22 Full	Reminder	No
C	£268.00	17 Full	Reminder	No
C	£1,340.00	17 Full	Reminder	No
E	£194.62	21 Full	Reminder	No
E	£180.33	22 Full	Reminder	No
F	£18.00	24 Full	Reminder	No
F	£18.00	15 Full	Reminder	No
F	£186.00	99 Full	Reminder	No
	£3,679.59			

In addition, during 2022/23, Cllr R Thay was served with a summons and a liability order was obtained for £344.18. The amount was paid in full and they were not prevented from voting on the Council's budget

2022/23

A	£369.47	27 Full	Reminder	No
B	£95.72	23 Full	Reminder	No
C	£2,075.46	96 Full	Reminder	No
D	£87.63	28 Full	Reminder	No
D	£25.63	22 Full	Reminder	No
D	£836.63	20 Full	Reminder	No
E	£242.68	27 Full	Reminder	No
E	£35.68	16 Full	Reminder	No
E	£540.68	33 Full	Reminder	No
	£4,309.58			

2023/24

A	£163.08	26 Full	Reminder	No
B	£237.90	19 Full	Reminder	No
B	£238.00	20 Full	Reminder	No
B	£238.00	11 Full	Reminder	No
C	£170.00	32 Full	Reminder	No
C	£170.00	18 Full	Reminder	No
D	£145.96	24 Full	Reminder	No
D	£146.00	35 Full	Reminder	No
D	£876.00	34 Full	Reminder	No
	£2,384.94			