

PRIVATE

DISPUTE PROCESS

STEP BY STEP GUIDE TO
CHALLENGING COUNCIL TAX

PROVE MY OBLIGATION^{v1}





CONSTRAINTS OF AUTHORITY OVER THOSE GOVERNING

It is indisputable that The Coronation Oath Act 1688 affirms 3 things restricting the authority of those governing, Statutes (today known as primary legislation), the Law and Customs.

“Will You solemnly Promise and Sweare to Governe the People of this Kingdome of England and the Dominions thereto belonging according to the Statutes in Parlyament agreed on and the Laws and Customs of the same?”

The Queens promise unambiguously expresses the intent is our Laws and Customs...

“Will you solemnly promise and swear to govern the Peoples of..., according to their respective laws and customs?”

This is affirmed in the Bill of Rights 1688 that those governing can do **nothing to the prejudice** of the people and affirms Parliament Assembled is only sovereign (the source of authority) of HM Government.

This further affirms by admission the PEOPLE are sovereign (the source of authority).

..
As we the people create governance by impossibility those governing do not have authority to create obligations on the people.



OBLIGATION

It is your choice whether you pay council tax. You are under **no obligation** to pay, that is an illusion.

An **obligation** is a moral or legal requirement or duty, it is created by contract.

Contract is made by the mutual consent of two or more persons by their own free will through which duties, rights and **obligations** are created. An **obligation** is a legally enforceable agreement to perform some act, especially to pay money, for the benefit of another party and so on.

No one can create an **obligation** for another, to do so is an act of force and is unlawful.

As there is **no contract** between you and the council there can be no **obligation**, nor consequence for your lawful challenge to their claim on your money.

THE DISPUTE PROCESS

This step-by-step guide provides the tools and knowledge to lawfully dispute your council tax demand.

You create a dispute when you challenge their claim of council tax. That challenge, simply put is, **No Contract, No obligation**.

Disputing their claim creates a cease and desist (withhold-payment) until their claim is settled either privately or publicly (in court).

- Any person or local council making a claim merely believes they have right of enforcement, and that another is under an obligation to perform (make payment).
- As soon as the respondent (you) disputes the claimants (council) right of enforcement with 'reasonable grounds', that removes the right of enforcement claimed.
- The claimant (council) must cease any believed rights they have and desist enforcement until the dispute is resolved, failing which they are breaching the peace, your peace!
- This is why a lawfully binding contract which sets out the party's duties, rights and **OBLIGATIONS** are so important.



WHAT EXACTLY ARE YOU DISPUTING?

All acts require **CONSENT** to be given the force of law, they are merely rules and regulations. They are **NOT** law.

There is **NO** law requiring anybody to pay tax of any kind.
The dispute is with the following part of Legislation:

The Council is under a legal obligation to prove that we are under an obligation to comply with the councils command, as detailed in

“section 34(6) of The Council Tax (Administration and Enforcement) Regulations 1992”

which requires the council to satisfy the courts the following two presumptions:

- 1) The sum has become payable by the defendant (you) and
- 2) That any obligation has not been paid.

Therefore the burden of proof is on the council to prove the **OBLIGATION** exists.

There has never been an obligation to pay, now is the time to settle this claim once and for all...

By withholding payment until the Council **“prove our obligation to pay?”**

IT'S TIME FOR ACTION



YOUR NOTICE PROCEDURE



IMPORTANT

Withholding your payment, guarantees staying in honour, good faith and clean hands proving you are not just trying to avoid paying!





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1

COUNCIL NOTICES what to expect

Expect the following bill and notices from your council once you dispute their claim..

1.1 COUNCIL TAX BILL - THEIR CLAIM

approx. 6 weeks

1.2 INSTALMENT REMINDER NOTICE

approx. 1 week

1.3 FULL AMOUNT FINAL REMINDER NOTICE

approx. 4 week

1.4 SUMMONS

See **RESPONCE TO SUMMONS** ebook for further instructions



You must appreciate the councils do not understand legal disputes, so will just send out automatted responses.



2

NOTICES - YOUR PROCEDURE

28 day process

Duties, rights and obligations can only be lawfully created following a meeting of minds (a contract) following by which consenting there by binding oneself there to as all equal under the law and no one is above the law.

i.e. No one can create an obligation for you with out your consent.

2.1 SEND 1st LETTER + DSAR

This letter places the council's claim into dispute, removing any lawful rights they believe they have unless they provide reasonable evidence for the creation of duties, rights, and obligations (contract) to support their claim.

You are simply stating your belief that their claim is unlawful and are asking them to prove otherwise. Remember, we are all innocent until proven guilty.

CANCEL DIRECT DEBIT AND WITHHOLD PAYMENT

Wait 7 Days

2.2 SEND CAUTION NOTICE

If they fail to provide the proof of your obligation then the CAUTION NOTICE is served.

This puts them with the fact they have failed to prove the obligation and offers them further opportunity to to do so.

This keeps you in honour, good faith and clean hands.

Wait 7 Days

2.3 SEND WARNING NOTICE

If they continue to dishonour you by failing to provide the proof of your obligation requested in your CAUTION NOTICE, then the WARNING NOTICE is served, offering them further opportunity to do so.

This keeps you in honour, good faith and clean hands.

Wait 7 Days



2.4 SEND LETTER BEFORE ACTION

If they still continue to dishonour you by failing to provide the proof of your obligation as requested in your WARNING NOTICE, then the LETTER BEFORE ACTION is served, offering them further opportunity to do so.

This keeps you in honour, good faith and clean hands.

Wait 7 Days

2.5 THIS CREATES YOUR COURT RECORD

You now have your evidence of honourably attempting to settle their claim by having put them with the facts and exposing their dishonour bad faith and unclean hands by not settling the dispute.

This grants you lawful excuse to withhold payment honourably.

Also they must declare this when applying for a summons and should they fail to do so then they are knowingly and recklessly misleading the court.

WITH OUT YOUR RECORD YOU HAVE NO CASE

It is unlikely you will receive a meaningful response. If anything, they may respond with the following...

“Section 6 of the Local Government Finance Act 1992 sets out the personal liability to pay Council Tax. The enforcement regime is established by the Council Tax (Administration and Enforcement) Regulations 1992.”



THIS IS UNACCEPTABLE AS IT DOES NOT PROVE YOU ARE UNDER ANY OBLIGATION, IT IS OBFUSCATION



2.6 INFORMATION REQUIRED

Visit your local council website or call them and ask for the following details.

Once you have these details, please save them for future reference.

- **Monitoring Officer** full name, their office and email address

- **Head of your Council** full name, their office and email address.

- **Head of Revenue** full name, their office and email address.

- **Council** name, address from your bill and their email address.

- **Last bill** reference number
(or summons ref number if starting process later)

- **Council Data controllers** full name. (for DSAR)

You can print this page and add the details above for your reference.



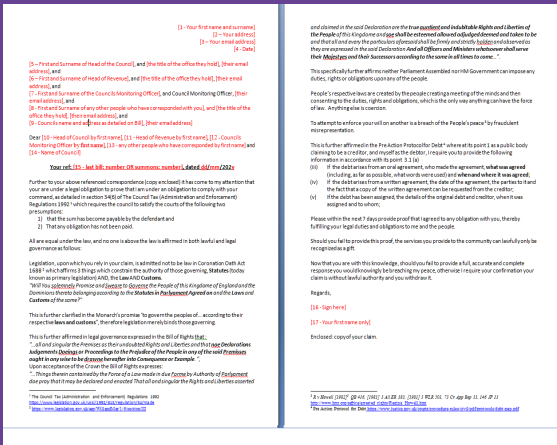
2.7 BUILDING YOUR CASE

Council Tax withholding Process - Responding to the Bill

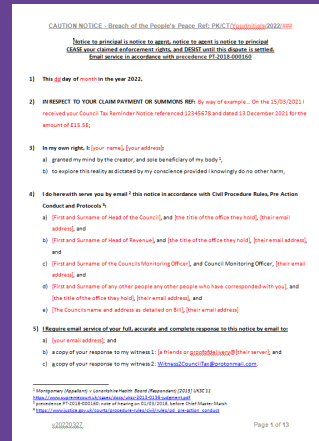
**At all times withhold the amount that is due.
DO NOT PAY UNTIL THEY PROVE THEIR CLAIM...**

that is your guarantee of honour and proof you are not just trying to avoid paying!

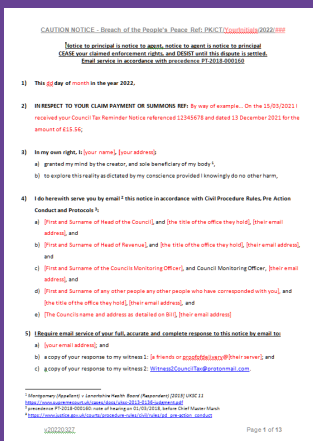
1st LETTER AND DSAR PROCESS CLICK HERE



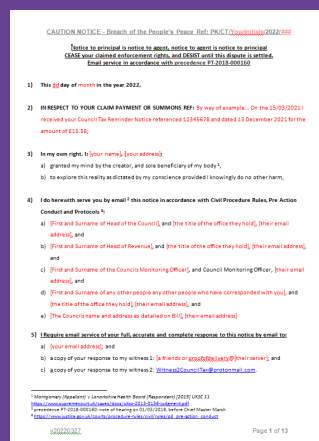
CAUTION NOTICE PROCESS CLICK HERE



WARNING NOTICE PROCESS CLICK HERE



LETTER BEFORE ACTION PROCESS CLICK HERE





3

FAILURE TO RESPOND TO DSAR further action ADVICE ONLY

These are optional. This is merely advice and we do not provide a manual at this time.

Under Data Protection Act 2018 and GDPR 2018 you have the following rights if they do not respond within 1 month (§ 54 (2))

3.1 YOUR RIGHT TO COMPENSATION

Under section 168 you have the right to be compensated should they not be able to show reasonable excuse to have not provided the requested information within the obligated time.

3.2 PRIVATE CRIMINAL PROSECTUTION

Should they fail to show lawful excuse to hold your data, this is a criminal offence under §173 (3).

3.3 APPLICATION FOR INJUNCTION

If they have no lawful excuse to hold your data, then they have no reason to contact you again. And should they do so then you can apply for an injunction which will make them liable to the courts which can include imprisonment, fines and damages can be claimed by yourself.



4 COUNCIL FAILURE TO RESPOND TO YOUR NOTICES

further action

In your CAUTION NOTICE you have detailed there obligation as claimant to prove your obligation to pay.

Should they obfuscate by not giving you a full, accurate and complete response proving your obligation then they have breached your peace which is a common law trespass, which creates your right to remedy.

You have told them such a breach of your peace will be charged at £500 per hour or part hour per incident

SEE INVOICING BOOK

4.1 BILLING - BREACH OF YOUR PEACE

As soon as you receive a notice (reminder/final/summons etc) from your council, you should send them an invoice for no more than £500 for Breaching Your Peace.

Council Tax Instalment Reminder Notice

BILL £500

Council Tax Final Notice

BILL £500

Council Issue Summons

BILL £500



Provided you have followed the procedure you now have all the evidence to lay your claim against them which is following the same procedure they have followed which resulted in you being summons to the court. If it's good for them it's good for us!

The mirror effect. We are merely following the same procedures they do.



5

PUBLIC AUDIT holding them to account

This process has been specifically designed to incorporate a public audit, which creates the record exposing the misuse of power in our courts.

It is an obligation that all officers of the court (clerks, solicitors, barristers and QC's) must follow the professional standards of the due process of Law at all times.

Please make sure you print the public audit sheet and complete at every stage of the dispute process.

Keep copies of all documents including the public audit sheets. This may be used as evidence.

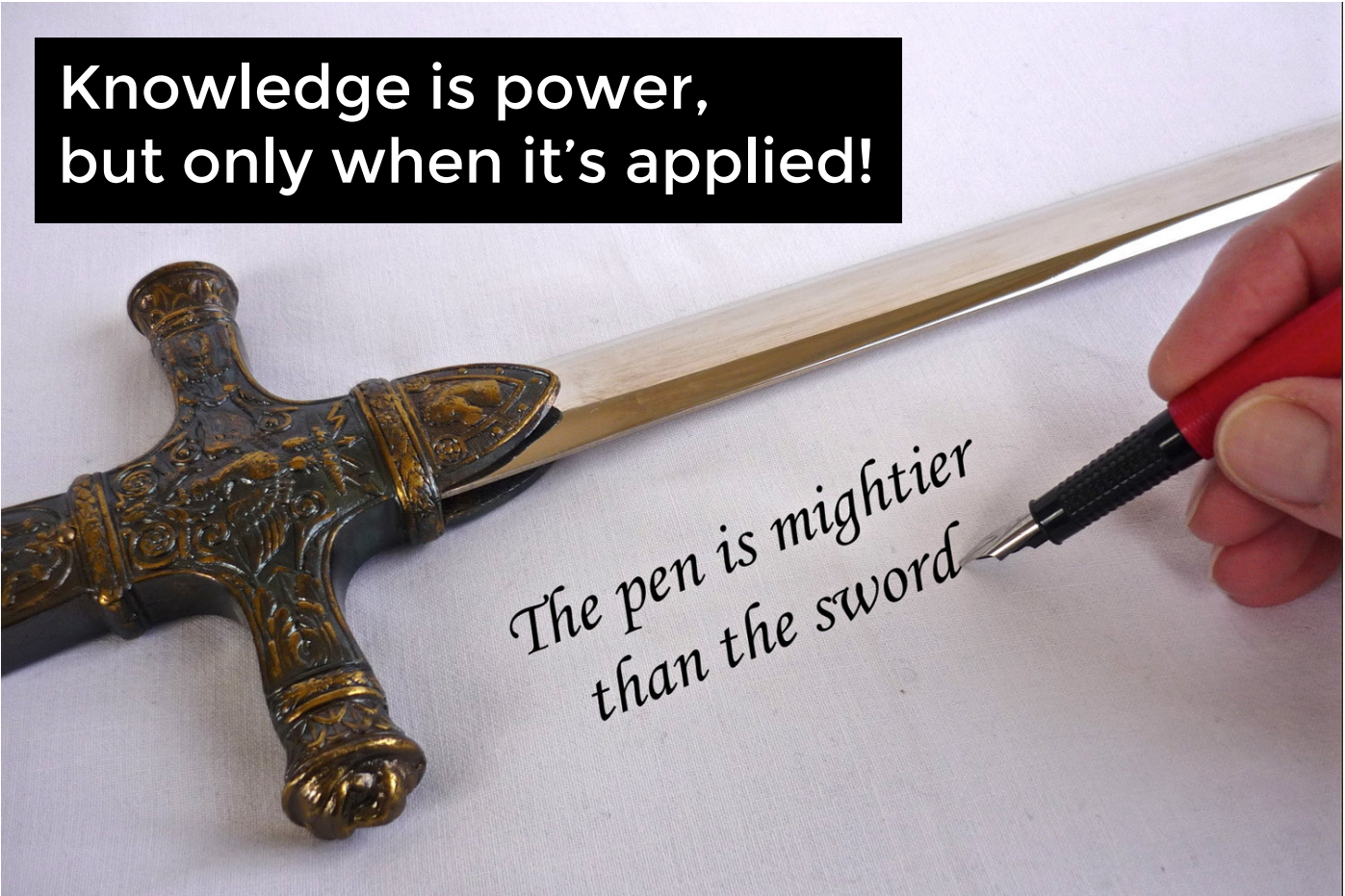
SEE PUBLIC AUDIT BOOK

SUMMARY

By the end of this process you should have sent the following notices and invoices to your Council.

- 1st LETTER + DSAR
- CAUTION NOTICE
- WARNING NOTICE
- LETTER BEFORE ACTION
- BILLING FOR BREACH OF YOUR PEACE £500

**Knowledge is power,
but only when it's applied!**



*The pen is mightier
than the sword*



<https://peacekeepers.org.UK/equity/>