



Ministry
of Justice

Mike Freer MP
Minister for Courts and
Legal Services

Sir Robert Neill KC (Hon) MP
Chair of the Justice Select Committee
House of Commons
London
SW1A 0AA

MoJ ref: Sub 114739

13 May 2024

Dear Sir Bob,

THE MAGISTRATES' COURT FEES (AMENDMENTS) ORDER 2024

I am writing to inform you that today the Government has laid the above affirmative Statutory Instrument ("the SI") to restate the Council Tax Liability Order (CTLO) fee under the Lord Chancellor's 'enhanced' power, which allows the fee to be set above its underlying cost, whilst retaining its current £0.50p value for now.

High volumes of CTLO applications are made by local authorities each year to demand payment of council tax arrears. Given the low level of the fee and the administrative processes involved, the cost of this service can regularly fluctuate by just a few pence. Our latest assessment of its cost suggests that it has fallen below the current £0.50p value, which means that if we do not make it an "enhanced" fee, we will be unlawfully over-recovering costs from users. Setting this fee above the cost of its service will avoid the additional cost to the taxpayer of regularly adjusting the value of the fee and laying a separate SI each time that it changes to ensure that the fee is kept at cost. We will retain the current fee value of £0.50p at this time.

The restatement of the CTLO fee under the Lord Chancellor's 'enhanced' power is one of the outcomes of a full public consultation, which ran from 10 November to 22 December 2023. All responses that were put forward were carefully considered by the Ministry of Justice. Of the responses received pertaining to this proposal, most had no view. Of those that agreed, they stated that enhancing the CTLO fee would not have a negative impact on users. Our full response to the consultation was published on 01 April and can be found here: [Implementing increases to selected court and tribunal fees - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/consultation-on-increasing-council-tax-liability-order-fees)

The SI will come into force in **July 2024**, subject to approval by both Houses of Parliament.

Any questions regarding this SI can be addressed to the Ministry of Justice Fees Policy Team (mojfeespolicy@justice.gov.uk).

Yours ever,

MIKE FREER MP