

Reference: FOI-1816

Request:

1. Legal Basis:
 - a. Kindly provide a comprehensive list of the specific acts of parliament, statutory instruments, or legal principles that establish the lawful authority for the imposition and collection of council tax.
 - b. Can you provide any legal opinions, case law, or expert analysis supporting the lawfulness of council tax under common law principles?
2. Constitutional Compatibility:
 - a. Has any legal assessment been conducted to determine whether council tax complies with constitutional principles, such as the issue of sovereignty, or the constitutional and customary freedoms of the people, or the principle of no taxation without representation?
 - b. Are there any ongoing legal discussions or challenges within the council regarding potential conflicts between council tax and constitutional frameworks?
3. Proportional Representation:
 - a. Can you provide information on how the council ensures that council tax is imposed in a manner that aligns with the principle of proportionality, particularly in relation to the services provided and the financial capacity of taxpayers?
 - b. Has any analysis been conducted to assess whether council tax burdens certain individuals or communities disproportionately? If so, please provide the findings and any actions taken in response.
4. Legal Challenges:
 - a. Have there been any legal challenges or court cases related to the lawfulness of council tax in recent years? If so, please provide details,

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including the outcomes and any implications for the council's approach to council tax.

- b. Can you disclose any internal legal opinions or advice obtained by the council regarding potential vulnerabilities or weaknesses in the lawfulness of council tax?

5. 'Freeman on the land':

On your website you have used the term freeman on the land to describe people who have questioned the lawfulness of council tax. You also claim people challenging council tax are doing so on the basis that they must consent to statutes of parliament. However, it is my belief, as well as the belief of many others, that consent is given in the coronation oath. Furthermore, it is not possible for every person to consent to each act of parliament.

It is my belief that the challenges the public have put fourth to you regarding the lawfulness of council tax are misunderstood by you, therefor I wish to know the factual basis for the argument you have published on your website which you claim originates from the 'freemen on the land', as well as the factual basis for your use of the term Freeman on the land to describe people who challenge the lawfulness of council tax? For example, you claim that the main argument put forward is that people have not consented to statutes of parliament. What I want to know is, what information do you base this on, or is this simply an assumption, or was it gathered through word of mouth?

Here is a very simple and basic challenge to the lawfulness of council tax: In the coronation oath The King and his subjects agreed to rule, and to be ruled, by ths statutes of parliament and laws agreed upon. This includes powerful contitutional instruments like the magna carta, and the bill of rights. The law is defined by parliament as the deep troden footmarks of

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history, that it to say, the traditions and customs of the Englishry. The act of settlement defines the law as the birthright of the people. Acts of parliament and the law being two separate and distinct things, they can be in conflict with one another. However, statutes of parliament cannot negate the laws which provide their standing, or they have no standing in law. Acts of parliament being born of the law. Therefore, by the simple fact that the Magna Carta outlaws any use of force unless by the law of the land, no act of parliament can have the authority to send others out to take property by force, or to create debts by the force of law and to then collect on these debts with the force necessary to do so.

There is also the issue of antitrust law, the council are given a monopoly over waste collection, clean water, energy infrastructure, highway maintenance, and so on. Where the council do contract work out, this essentially is a granting of a monopoly and this allows some companies to grow artificially. This means the work is never efficient, as corporations do not have to compete sufficiently with each other, and therefore there is no pressure for these corporations to evolve or to work harder. Rather, contracts are gained through nepotism. It is easier for the corporations to simply fulfill the minimum required by their contracts, than to do a good job. Excessive monopolies cause what's known as a zombie economy, where we end up with useless corporations that don't make any money, don't supply an income anyone can live off, and there are often 3 of the same shops within 1 mile. This eventually causes a race to the bottom where more and more public money is spent just to keep open the businesses which are supposed to drive the economy. The obvious outcome of this is that wealth decreases for the lower class and increases for the upper class.

It is due to this existential threat, that long ago, all monopolies and exclusive privileges were declared to be against the laws of the land. You

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can check this is the case by looking up the act of monopolies. To deny this is ignorance.

Could you please explain to me how council tax can be lawful given the challenges and information I have provided to you? Specifically: how can the council be granted the exclusive privilege to create debt while still complying with the act of monopolies? How can the council create monopolies in regards to waste collection, infrastructure, and so on.. and also be compliant with the act of monopolies? How can the council act against the constitution, in using acts of parliament to authorise the use of force and seizure of property, and still be acting lawfully? For, if the constitution is void, then so is any act of parliament.

I also ask that you add my challenges to your web page regarding 'freemen on the land' for ballance. I believe this is fair under the principle that we should first hear the other side, as the argument you provided has likely been confused and misrepresented.

Surely if the challenges to council tax are false, then this discussion would serve you.

Thankyou.

Here are the documents mentioned if you would like to check that what I have said is accurate:

<https://www.legislation.gov.uk/aep/Ja1/21/3/contents>

<https://www.legislation.gov.uk/aep/Will3/12-13/2>

<https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.archives.gov/files/press/press-kits/magna-carta/magna-carta->

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Coronation Oath Act 1688

Response:

1. Legal Basis:

This information is refused in answer to this request under section 21 of the Freedom of Information Act 2000, information accessible to the applicant by other means.

The reason for this is that this information is published in the Council Tax legislation section on the North Tyneside Council website here

<https://my.northtyneside.gov.uk/category/1684/freeman-land-council-tax-legality>

2. Constitutional Compatibility:

- a. No legal assessment been conducted to determine whether council tax complies with constitutional principles.
- b. There are no ongoing legal discussions or challenges within the council regarding potential conflicts between council tax and constitutional frameworks.

3. Proportional Representation:

Council Tax administration is applied as per the legislation stated in the response to question 1.

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4. Legal Challenges:

- a. Information relating to legal challenges or court cases related to the lawfulness of council tax in recent years is not held by the Authority. Instead, you should direct your question to the HM Court and Tribunal Service.
- b. No. Even if information were held, this would be exempt from disclosure under section 42 of the Freedom of Information Act 2000.

5. 'Freeman on the land':

This question is not a request for information as per section 8(1) of the FOI Act, in which it states that a valid request for information is a request which, among other criteria, "describes the information requested." Information is defined in section 84 of the Act as "information recorded in any form."