

Respondent Information Form

Providing your response

If you have chosen to provide a separate written response, then please complete the first page of this Respondent Information Form and attach it to your response.

If you wish to include your responses within this Respondent Information Form, please insert your responses to each consultation question in the (expandable) boxes below:

Proposal 1 - Consolidation

Question 1 – Do you agree that the 2 existing sets of regulations from 2002 should be replaced with 1 new consolidated instrument? If not why not?

No. To avoid confusion there should be separate fee schedules for Sheriff Officers and Messengers-At-Arms.

Proposal 2 – Adopting unit based charging:

Question 2 – Do you agree that a change to “unit based charging” can provide improved transparency on the level of fee being charged? If not why not?

Yes

Question 3 – Do you agree that the baseline “monetary value” should start at £5.40 and that 1 unit of time should be fixed at 6 minutes? If not why not?

No. the base limit is far too low and does not take in to account the increased staff costs, especially with firms who have contracts which require the real living wage to be paid staff

Question 4 – Do you agree that the proposed changes to the general regulations will support the adoption of unit based charging?

Yes

Question 5 – With regard to annex 4, do you have a view on whether any of the current 60 line items shown are no longer required, or whether any of the baseline unit of work should be amended? If so why?

Arranging Auctions and Reporting Auctions fees should be increased considerably as this is quite complex and in no way reflects the time and effort involved in this process.

Question 6 – Do you have a view on any unintended consequences that might arise from implementing a change to unit based charging?

This may increase scrutiny on fees by clients and result in queries on an exact timelines. Also, with a unit base increase, lower fees and higher fees would become further apart if it is a percentage increase, not giving a true reflection on the cost incurred by a Sheriff Officer from receiving to serving an instruction.

Proposal 3 - Adjusting for inflation in advance:

Question 7 – Do you have a view on the proposed change to the Council progressing inflation adjustments in advance?

This would assist firms in planning their budgets for the next financial year.

Question 8 – Do you have a view on which indices (*CPI, CPIH or a combination of both*) should be use when forecasting inflation?

Both may be the best way forward, however this should be calculated from the same day each year to provide stability and consistency in planning

Other

Question 9 – Are you aware of any other opportunities to modernise how these regulated fees are set by the courts and charged to end users?

Although this plans for an annual increase, there should be a contingency to allow a half yearly review if required if unexpected circumstances arise, such as an above inflation rise in the minimum wage or changes in legislation, etc.