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The Rt Hon Nicholas Ridley AMICE MP  
Secretary of State for the  
Environment  
2 Marsham Street  
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SW1P 3EB

4 February 1988

*Dear Nicholas,*

#### STUDENTS AND THE COMMUNITY CHARGE

I have seen your letter of 22 January to Kenneth Baker containing your proposals for community charge registration and payment arrangements in respect of students. I understand the reasons which lead you to bring forward these proposals. I am, however, concerned that they may be criticised as discriminatory and oppressive, and I am writing to counsel caution and to ensure that, if you wish to go ahead with them for England and Wales, their presentation should not have undesirable consequences for the rather different approach I propose for Scotland.

#### Registration arrangements

As Ian Lang made clear in his letter of 3 August 1987 on community charge exemptions, we do not propose in Scotland to make the provision of information by colleges and universities about peoples' status as students a statutory requirement. The contact we have had with educational establishments suggests that they would take the view that the duty you propose would be unacceptable in principle and possibly also unhelpful in practice. Educational establishments will not necessarily have accurate and up-to-date information about students' addresses: it is difficult to see what practical advantage for registration officers there would be in the provision of information which in any case would have to be checked through some form of canvass process: and if educational establishments were in effect to be required to set up accurate records of students' addresses, they could justifiably argue that it was no part of their function to assist the registration system in this way. In addition, the duty you propose must raise difficulties relating to the extent to which registration officers may require information: we have already been criticised for the degree to which local authority information will be available to registration officers, and in my view it would simply invite further criticism to extend the provisions in this way, with the result that a more intensive registration system will be in place for students alone.

I certainly accept that it would be justified for registration officers to seek confirmation from educational establishments that particular individuals were studying there, in order to check the eligibility of those individuals for the lower personal community charge. But, as also made

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clear in Ian Lang's letter of 3 August, we envisage that this should be possible on an administrative basis: it is clearly a much less onerous arrangement than your proposed statutory duty on educational establishments to volunteer information.

I will be sending out for consultation within the next few days draft regulations defining students for community charge purposes in Scotland, and propose to consult educational institutions in Scotland on their willingness to confirm the student status of individuals in the way that I have described. While I do not wish to rule out the possibility that an arrangement of that kind might be given statutory force by means of an amendment to the Local Government Finance Bill, I would wish to keep that possibility in reserve at this stage. If in the light of what I have said you feel that amendments on the lines you have proposed must be put down now, I must ask you to ensure that nothing is done to suggest that the changes you are making will in due course apply also to Scotland.

#### Payment arrangements

I was surprised to see your proposal for separate payment arrangements for students, which has not to my knowledge been the subject of any interdepartmental consultation. I have serious reservations about this also. To the extent that a student's community charge bill will be a payment that he requires to make, in general, only 3 times a year when he receives his grant cheque, the proposal would erode the accountability of the system. It would also mean that students, and students alone, would have to pay substantial amounts of personal community charge well in advance of the period of residence to which the payment related. It will be criticised as a proposal which singles out students as a group who cannot be trusted to meet their community charge obligations in the normal way. I therefore have no proposal to follow your proposed arrangements in Scotland (which would in any case require amendment to the primary legislation). Once again I must ask you to avoid any implication that we will be following your proposals in due course.

I am sending copies of this letter to the recipients of yours.

*Yours ever,  
Malcolm*

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