

ABANDONED VEHICLES

Committee name	Public Safety and Transport Select Committee
Officer reporting	Joanne Howells – ASB & Environment Team Leader
Papers with report	None.
Ward	All

RECOMMENDATION

That the Public Safety and Transport Select Committee note the contents of the report.

SUPPORTING INFORMATION

1. The Refuse Disposal (Amenity) Act 1978 s3, 4 and 5 (as amended by the Clean Neighbourhoods and Environment Act 2005) places a duty on Councils to remove motor vehicles abandoned on land in the open air (including private land) and roads (including private roads) and can recover costs from either the owner (unless it was stolen) or the person who abandoned it. The definition of motor vehicles includes trailers.
2. A designated officer appointed by a local authority can decide whether a vehicle is abandoned and should consider the following when making this decision:
 - The vehicle is untaxed
 - No registered keeper
 - Stationary for a significant amount of time
 - Significantly damaged, run down or unroadworthy, for example has flat tyres, missing wheels, or broken windows
 - The vehicle is burnt out
 - Missing number plate

An authorised officer can legally enter land (at a reasonable time) to investigate and remove abandoned vehicles.

3. Abandoned vehicles fall within two classifications each of which have separate legal and procedural processes.
 - 3.a Class A – Taxed or untaxed with Significant damage, wreck, burnt out

Enquiries are made as to whether it is subject of a Police enquiry or Insurance claim (accident). If not, an officer will visit, take photographs, and submit for immediate removal for destruction with the Council's collection agent.



- 3.b Class B - Untaxed, unregistered, stationary for a period of 30 days, lacking one or more number plates, contains waste.

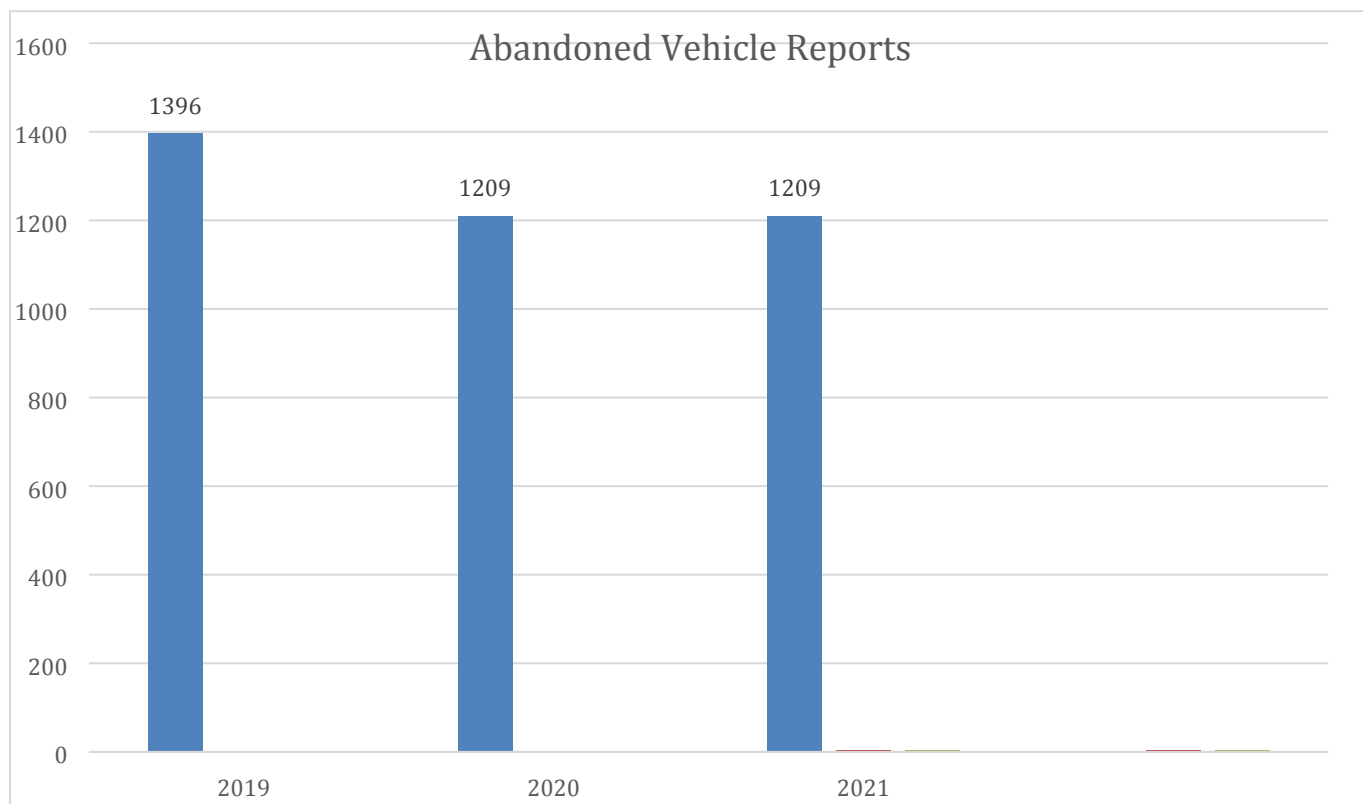
An officer will visit the location, affix a Notice to the vehicle, take photographs and submit information for DVLA enquiries. If a registered keeper is identified a letter of notification is sent with a request to remove the vehicle immediately. If there is no response to either the affixed notice or letter, removal will be arranged, and the vehicle stored for 31 days. If the vehicle is not claimed, it is then destroyed.

If a Class A or B vehicle is abandoned on private land, a private driveway or within the boundary of a property an officer will confirm the landowner and draft a statutory notice stating the Council's intention to remove the vehicle. On expiration of the notice, and provided no appeal or objections are received, details will be submitted for DVLA enquiries to ascertain registered keeper's details. The process for Class B vehicles is then followed.

4. DVLA enquiries can only be requested under specific criteria and subject to sufficient evidence. The evidence must be retained and made available for DVLA audit purposes. The Council must satisfy the DVLA that the motor vehicle is left without authority on any land in the open air, or any land forming part of the public roads or highway. An officer must visit the location to verify that the vehicle is or appears to be abandoned and take photographs of the vehicle in situ displaying the necessary enforcement notice.
5. When the officer is satisfied that the vehicle is or appears to be abandoned an enquiry can be made with DVLA to confirm vehicle keeper details. The report must contain:

- Date/time/location
- Make/model details
- Registration number
- Formal report by the investigating officer
- Photographic evidence of the vehicle with the notice attached

6. Information obtained from two separate database systems used to record reports from residents and Councillors is displayed in the below chart.



Implications on related Council policies

A role of the Select Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

How this report benefits Hillingdon residents

None at this stage, pending any findings by the Committee and any recommendations forwarded to Cabinet.

Financial Implications

It is important that the Committee considers cost effective proposals that benefit resident

taxpayers, which would ultimately be determined by Cabinet as part of the Council's broader budget planning process.

Legal Implications

None.