

Parking Services Abandoned Vehicle Policy



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1. INTRODUCTION

1.1. Purpose

This policy aims to establish a clear and comprehensive framework for the management of abandoned vehicles within the jurisdiction of Haringey Council. The primary purposes of this policy are:

- **Public Safety:** To ensure the prompt removal of abandoned vehicles that pose a safety hazard to road users, pedestrians, or the surrounding environment.
- **Environmental Protection:** To minimize the negative environmental impact of abandoned vehicles, such as fluid leaks and debris.
- **Community Well-being:** To maintain the aesthetic appeal of public spaces and prevent abandoned vehicles from becoming a blight on the community.
- **Legal Compliance:** To ensure that the Council's actions comply with all relevant legislation and regulations governing the removal and disposal of abandoned vehicles.
- **Fairness and Transparency:** To provide a fair and transparent process for dealing with abandoned vehicles, including clear guidelines for reporting, investigation, enforcement, and appeals.

1.2. Scope

This policy applies to all vehicles that are suspected of being abandoned within the Council's jurisdiction, including:

- **Public Highways:** Roads, pavements, and other publicly accessible areas.
- **Council-owned Land:** Parks, car parks, and other properties owned or managed by the Council.
- **Private Land:** In certain circumstances, the Council may have the authority to remove abandoned vehicles from private land without the landowner's consent or if the vehicle poses a risk to public safety or health.

This policy does not normally apply to:

- **Vehicles parked in accordance with regulations:** Vehicles parked legally, taxed and have MOT certificates are not normally considered abandoned.
- **Vehicles reported stolen:** Stolen vehicles are the responsibility of the police, not the Council.

- **Vehicles involved in accidents:** Vehicles involved in accidents are handled by the police (In instances where there is an obstruction to the highway or road) or insurance companies, depending on the circumstances.

2. LEGAL FRAMEWORK

This policy is formulated in accordance with the following legislation:

- Refuse Disposal (Amenity) Act 1978
- Clean Neighbourhoods and Environment Act 2005
- The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008

3. DEFINITION OF AN ABANDONED VEHICLE

While there is no legal definition of 'Abandoned', a vehicle is considered abandoned when it has been left unattended for a period and meets certain criteria that indicate it is no longer wanted or cared for by its owner. The Council uses the following criteria to determine if a vehicle is abandoned:

Primary Criteria:

- **Unattended for a significant period:** The vehicle has been stationary in the same location for a prolonged period, without any apparent reason.
- **Untaxed:** The vehicle does not display a valid tax disc or has not been registered for road tax through the DVLA's online system.
- **No Valid MOT Certificate:** The vehicle does not have a valid MOT certificate, indicating that it is not roadworthy and may be unsafe to drive.
- **Unroadworthy Condition:** The vehicle is in a state of disrepair with significant damage, such as flat tyres, missing wheels, broken windows, or major body damage.
- **Missing Number Plates:** The vehicle is missing one or both registration plates, making it difficult to identify the owner.
- **Burned Out:** The vehicle has been severely damaged by fire and is no longer functional.

Secondary Criteria:

- Full of Rubbish: The vehicle is filled with waste or debris, suggesting it is not being used or maintained.
- Obstructing the Highway: The vehicle is parked in a way that obstructs traffic flow, pedestrian access, or emergency services.
- No Registered Keeper: The DVLA has no record of a registered keeper for the vehicle.
- If a vehicle meets one or more of the primary criteria, it is highly likely to be considered abandoned. The secondary criteria can further strengthen the case for abandonment, especially when combined with a primary criterion.

The Council's enforcement officers will assess each reported vehicle on a case-by-case basis, considering all available evidence and using their professional judgment to determine if it meets the definition of an abandoned vehicle.

Please note that this definition is for guidance purposes only, and the final decision on whether a vehicle is abandoned rests with the Council.

4. REPORTING AN ABANDONED VEHICLE

Members of the public can report suspected abandoned vehicles to the Council through the following designated channels:

- Online reporting: (LBH Abandoned Vehicles reporting form)
- Telephone
- Email
- In person at the Council's nuisance vehicle pound
- Love Clean Streets App

Providing details such as:

- Vehicle location
- Make, model, and colour
- Registration number (if visible)
- Any other relevant information

5. INVESTIGATION AND REMOVAL

Upon receiving a report, the Council will investigate to verify the vehicle's status and determine appropriate action. The Abandoned Vehicle Officer (AVO) will normally attend within 24 hours of the report being received.

There are circumstances where the Council may remove an abandoned vehicle immediately e.g. if the vehicle is burnt out or has no number plates displayed.

If deemed abandoned, an informal 7-day notice may be attached to the vehicle, informing the owner of the Council's intention to remove it unless claimed within the specified period.

In cases where the vehicle is located on private land, the Council may serve a 15-day notice on the landowner informing them of the Council's intention to remove.

If the vehicle remains unclaimed after the notice period, or the landowner does not object, the Council may arrange for its removal and storage and add prescribed fees where applicable.

6. RECLAIMING AN ABANDONED VEHICLE

In order to avoid the Council disposing of the vehicle, owners must reclaim their vehicle from the Council's storage facility within a set time frame (10 days if the vehicle has no VRM, and 35 days where a vehicle is in good condition (but still meets the abandoned criteria)) upon providing proof of ownership and paying any applicable removal and storage fees.

Read "[The Removal, Storage and Disposal of Vehicles \(Prescribed Sums and Charges\) Regulations 2008](#)"

7. DISPOSAL OF UNCLAIMED VEHICLES

Unclaimed vehicles will be sold at auction, scrapped, or otherwise disposed of in accordance with legal requirements and the Council's discretion. Council policy is always to remain fully compliant with [DEFRA Guidance](#).

8. ENFORCEMENT

The Council is committed to enforcing its Abandoned Vehicle policy effectively and fairly to maintain the safety and amenity of the borough. Enforcement actions will be proportionate to the severity of the offence and the circumstances involved.

Upon confirming that a vehicle is abandoned, the Council may initiate enforcement action by:

- **Affixing a Notice:** A 7-day notice may be affixed to the vehicle, informing the owner of the council's intention to remove it unless claimed within the specified period. The notice will include details on how to reclaim the vehicle and associated fees.
- **Issuing a Fixed Penalty Notice (FPN):** In cases where the abandonment is considered a minor offence, the Council may issue a Fixed Penalty Notice (FPN) of up to £200 to the owner. Payment of the FPN within the specified period will discharge the owner's liability.
- **Removal and Disposal:** If the vehicle remains unclaimed after the notice period or the FPN remains unpaid, the Council will arrange for its removal and disposal in accordance with legal requirements and the Council's discretion. The owner will be liable for all costs incurred in the removal, storage, and disposal process.
- **Prosecution:** In more serious cases, such as repeat offences or where the vehicle poses a significant risk to public safety or the environment, the Council may pursue prosecution through the courts. If convicted, the owner may face a fine of up to £2,500 and/or imprisonment for up to three months.

The Council will maintain accurate records of all enforcement actions taken, including details of reported vehicles, notices issued, removal and disposal actions, and any associated costs. These records will be made available for inspection upon request, subject to data protection and subject access regulations.

The Council's parking enforcement team and nuisance vehicle contractor will work collaboratively with other relevant authorities, such as the police and the Driver and Vehicle Licensing Agency (DVLA), to ensure effective coordination and information sharing (for the detection and prevention of crime). This will help to deter and help address the issue of abandoned vehicles comprehensively.

9. APPEALS AND COMPLAINTS

Appeals and complaints about the handling of an abandoned vehicle case will be logged and progressed in accordance with the Council's formal complaints process using information obtained from the Council's nuisance vehicle contractor. First line (stage 1) responses may be provided by the contractor and subject to review by the Council.

10. POLICY AND REVIEW

This policy will be reviewed annually or more frequently if deemed necessary due to changes in legislation, operational procedures, or emerging issues related to abandoned vehicles.

10.1. Performance monitoring

includes tracking key performance indicators (KPIs) including speed of response to reports, quantity of vehicles removed, and feedback from those who have reported vehicles.