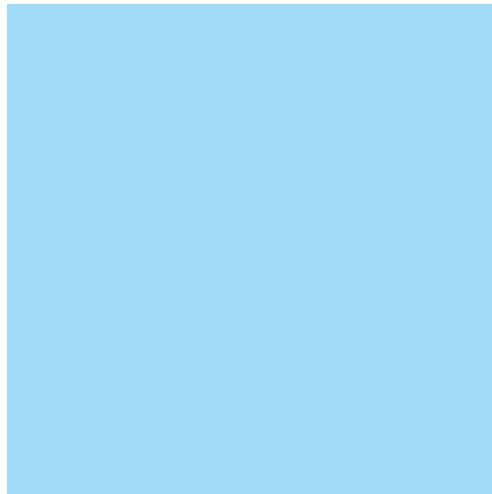




# Abandoned Vehicles and Vehicle Removal Policy Traffic & Highways



May 2022

# Abandoned Vehicles and Vehicle Removal Policy

Version	Date	Author	Rationale
V1.0	Jan 2016		New policy, replacing any previous policy in relation to Vehicle Removal
V2.0	May 2022	Lorraine Delahunty & Spencer Gray	Review and reworking of the January 2016 Vehicle Removal Policy

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# 1. Introduction

Southend-on-Sea City Council's shared ambition to transform the city by 2050 is aligned to five themes, with related desired outcomes: -

- **Pride & joy** - By 2050 Southenders are fiercely proud of, and go out of their way, to champion what our city has to offer;
- **Safe & well** - By 2050 people in Southend-on-Sea feel safe in all aspects of their lives and are well enough to live fulfilling lives;
- **Active & involved** - By 2050 we have a thriving, active, and involved community that feel invested in our city;
- **Opportunity & prosperity** - By 2050 Southend-on-Sea is a successful city and we share our prosperity amongst all of our people;
- **Connected & smart** - By 2050 people can easily get in, out, and around our city and we have world class digital infrastructure.

This policy supports the more specific desired outcomes for each theme, including: -

- Our streets and public spaces are valued and support the mental and physical wellbeing of residents and visitors. People in all parts of the city feel safe and secure at all times.
- A range of initiatives help increase the capacity for communities to come together to enhance their neighbourhood and environment.
- We are leading the way in making public and private travel smart, clean and green.

To help achieve these goals, our approach requires effective joined-up regulation and compliance.

This policy is intentionally at a high level as it cannot cover every eventually, especially where there are specific local or national standards which have to be met.

In doing so we will follow the principles of: -

- The Regulators Code [www.gov.uk/government/publications/regulators-code](http://www.gov.uk/government/publications/regulators-code);
- The Enforcement Concordant (Central and Local Government Enforcement Concordat, March 1998);
- Enforcement contained in the Legislative and Regulatory Reform Act 2006 (enforcement is proportionate, targeted, transparent consistent and accountable).

## 2. Background

Southend-on-Sea City Council (the Council), as the Traffic Authority, has a number of responsibilities and duties; it is responsible for managing the traffic network with the aim of maintaining traffic flow and safety. The Council also has a duty to remove abandoned vehicles that are genuinely abandoned on the highway. The Council does have delegated authority for enforcement action against untaxed vehicles<sup>1</sup> and this policy explains the relationship between the Council and the Driver and Vehicle Licensing Agency (DVLA). For clarity this policy also sets out the process associated with untaxed vehicles, which are often automatically thought of as an abandoned vehicle but rarely are.

This policy contributes to the Council's aims and priorities for a safe, clean, healthy and prosperous city by ensuring the removal of abandoned vehicles and the removal or relocation of vehicles contravening waiting restrictions, which can affect traffic flow and road safety, impede highways works or a special event.

## 3. Scope of the Policy

This Policy is designed to deal with vehicles that are: deemed to be abandoned by an appropriate Officer of the Council; untaxed or SORN on a public road; or that have been issued with a penalty charge notice (PCN) and deemed to be:

- Parked dangerously or causing an obstruction on the public highway;
- Vehicles which have outstanding penalty charge notices; and/or
- Vehicles that are impeding Highways works or events.

This policy sets out in a clear and transparent manner the Council's approach to vehicle removal. It applies within the boundaries of Southend-on-Sea, including but not limited to the adopted public highway and any land owned by the Council which is subject to waiting and/or loading restrictions.

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<sup>1</sup> Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 (as amended)

## Policy Definitions

**Council** - For the purposes of this policy the “Council” shall mean Southend-on-Sea City Council and/or any of its agents acting on its behalf.

**Road** - For the purposes of this policy, in most instances the meaning of “road” shall be the definition as contained in the Road Traffic Regulation Act 1984 and Traffic Management Act 2004. Where the vehicle is untaxed or SORN the meaning of “public road” shall be the definition as contained in the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997.

**Vehicle** - For the purposes of this policy a “vehicle”<sup>2</sup> is any of the following:

- Mechanically propelled vehicle(s) intended or adapted for use on roads whether or not it is in a fit state for such use;
- Any trailer intended or adapted for use as an attachment to a vehicle;
- Any chassis or body with or without wheels, appearing to have formed part of such a vehicle or trailer (eg, vehicles with wheels removed);
- Anything attached to such a vehicle or trailer;
- Motorcycles;
- Caravans.

**Vehicle Owner** - For the purposes of this policy the “vehicle owner” is presumed to be the last registered keeper of the vehicle unless that person can provide evidence to the contrary.

**Land Occupier** - For the purposes of this policy the “occupier” is deemed to be: the tenant or licensee; or anyone who has legal possession of and control over premises.

**Obstruction** - For the purposes of this policy “obstruction” is deemed to be a situation whereby a vehicle is parked in such a way that is obstructive or dangerous to other road users and/or emergency service vehicles.

**Councils Representative** - For the purpose of this policy the “Councils Representative” shall mean a member of staff or any agent acting on behalf of Southend-on-Sea City Council.

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<sup>2</sup> As defined in Section 99(5) of the Road Traffic Regulation Act 1984

## 4. Vehicles in contravention of a waiting restriction or prohibition

Parking contraventions are usually dealt with by the issue of a penalty charge notice (PCN) only. In some circumstances the vehicle may also be impeding traffic flow, affecting the safety of road users or preventing highways repair works or a planned event from proceeding. In these circumstances it may also be necessary to arrange for the timely removal or relocation of the vehicle.

This policy complies with the statutory provisions of the Traffic Management Act 2004 (as amended) and is in accordance with the Operational Guidance to Local Authorities: Parking Policy and Enforcement issued by the Department for Transport in March 2008 and revised in March 2015. The Policy has also been developed in conjunction with the following documents:

- The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (SI 2022/71).
- The Civil Enforcement of Parking Contraventions (Representations and Appeals) (England) Regulations 2007 (SI 2007/3482).
- Statutory Guidance from the Department for Transport (DfT).
- The Removal and Disposal of Vehicles (Amendment) (England) Regulations 2007 (SI 2007/3484).
- The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 (SI 2007/3487).
- The Removal and Disposal of Vehicle Regulations 1986 (as amended).

### Circumstances for vehicle removal when in contravention

A parking contravention involves the parking of a vehicle contrary to a prohibition or restriction. Where this occurs, a PCN will be issued in respect of that vehicle. The PCN has a relevant contravention code assigned to it when issued and specific definitions of contraventions and nationally used codes can be found detailed under the Parking Enforcement Protocols section on our website:

<https://www.southend.gov.uk/parking-2/information-parking-protocols>

Where the vehicle is in contravention of a waiting restriction or prohibition and is deemed to be causing a hazard or physical obstruction the Council may in addition to the issue of a PCN arrange to remove the vehicle to a secure compound. The vehicle will be liable for removal after 30 minutes from the issue of the PCN. The process for removal is set out in [Table 1](#) and a diagrammatical representation is shown as [Diagram 1](#). Example of obstructions can be seen in [Appendix 2](#).

The final decision to authorise the removal of a vehicle is taken with the authority of the Council or authorised contractors.



## **‘Persistent Evader’**

A ‘persistent evader’ is identified as a vehicle which:

- Has three or more recorded contraventions for which the PCNs are not paid in full, represented or appealed against within the statutory time limits or any such representation(s) and/or appeal(s) have been rejected but its owner(s) have not paid the penalty charge.

A persistent evader may also be a vehicle that has been issued with multiple PCNs and the vehicle keeper’s details are found to be absent or incorrect or a Notice to Owner has been returned as not known at the registered keeper’s address. For examples of Persistent Evaders see [Appendix 4](#).

Where a persistent evader is in contravention of any waiting restriction or prohibition and has been issued with a PCN the vehicle will be liable for removal after 15 minutes from the issue of the PCN. Even if the persistent evader is in a designated parking place, if a PCN is issued, the Traffic Management Act 2004 allows the enforcement authority to remove the vehicle after 30 minutes have elapsed from issue of the PCN.

## **Vehicles displaying an invalid Blue Badge**

Vehicles that have had a PCN issued to them and are displaying an invalid Blue Badge will be reported to the Council’s Fraud and Investigation Team.

Invalid Blue Badges include:

- A fraudulent or an unauthorised copy;
- Has had the badge details changed;
- Is no longer valid because the Blue Badge holder is deceased or is no longer authorised to use the Blue Badge
- Has been reported as stolen.
- Has expired

## **Circumstances for vehicle relocation when in contravention**

Where a vehicle is in contravention of a temporary prohibition of waiting and/or loading which has been implemented to facilitate an event or works on the highway and the vehicle could impede or prevent the event or highways maintenance work taking place, it will be necessary to urgently relocate the vehicle rather than removing it to a secure storage compound.

In these circumstances, any vehicle (including those displaying a valid Blue Badge) will be issued with a PCN and the vehicle will be relocated to the nearest available street after 5 minutes have elapsed from the issue of the PCN. However, if the vehicle is impeding an event it will be relocated immediately. No costs are charged for the relocation of a vehicle. The process for relocation is set out in [Table 2](#) and a diagrammatical representation is shown as [Diagram 2](#).

The final decision to authorise the removal of a vehicle is taken with the authority of the Council or authorised contractors.

## Reclaiming vehicles removed to storage

To reclaim a vehicle that is removed due to a contravention of a waiting restriction or prohibition the following documents must be produced:

### Proof of ownership:

- Vehicle registration document (V5); and
- a valid insurance document (electronic version is acceptable)

and

### Proof of identity – one of the following:

- a current valid Driving Licence; or
- Passport

Where one of the supplied documents does not contain the owner's current name and address (or there is a different address on the two documents or no address on one document) then the following is also required:

- Utility Bill (must be dated within the last three months); or
- Bank Statement (must be dated within the last three months); or
- Telephone/Mobile Bill (must be dated within the last three months); or
- Benefits letter (must be dated within the last three months).

Electronic versions of these are acceptable

### Supporting evidence

In addition, if the vehicle has been removed for being untaxed, before your vehicle can be reclaimed:

- The vehicle must show as taxed on the DVLA website; or
- You must provide a receipt showing the vehicle tax has been paid

Before release of the vehicle, all costs associated with the removal and storage must be paid by the vehicle owner or keeper.

## Associated costs for vehicles removed to storage

There are prescribed charges<sup>3</sup> that apply to removal, storage and disposal of vehicles that are impounded due to a contravention of a waiting restriction or prohibition. The current charges applicable at the time that this Policy was produced are shown in [Appendix 1](#).

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<sup>3</sup> Section 9, Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007

## Disposal of vehicles

If the vehicle is not collected within 28 days from the date of removal, the Council will write to the vehicle owner as registered with the DVLA to inform them that if the vehicle is not collected within 7 days the vehicle will be disposed of.

# 5. Abandoned Vehicles

In practice very few vehicles that are reported are abandoned; they are more likely to be untaxed, without an MOT, or causing minor obstructions, or parked irresponsibly, or have become the object of neighbour disputes.

Where it appears that a vehicle is abandoned it is the duty of the Council<sup>4</sup> to remove the vehicle from any land in the open air or on any other land forming part of a highway (highway is defined as a way over which all members of the public have a legal right to pass and re-pass, including carriageways, footways, verges, footpaths, bridleways and cycle tracks). Failure to remove an abandoned vehicle would be a breach of the duty. This does not necessarily cover vehicles abandoned on private land. A local authority shall not be required to remove a vehicle situated otherwise than on a carriageway, if the cost of removing an abandoned vehicle is unreasonably high, this duty is removed<sup>5</sup>. This is decided on a case-by-case basis.

This policy complies with and has been developed in conjunction with the following legislation and documents:

- The Refuse Disposal (Amenity) Act 1978 (as amended);
- The Road Traffic Regulations Act 1984 (as amended);
- The Removal and Disposal of Vehicles Regulations 1986 (as amended);
- The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008;
- The Clean Neighbourhoods and Environment Act 2005;
- Nuisance Parking Offences and Abandoned Vehicles, Guidance on Nuisance Parking and Abandoned Vehicle Legislation, Defra, 2006.

It is an offence<sup>6</sup> to unlawfully abandon any vehicle in the open air, punishable by a fine of up to Level 4 on the standard scale (£2,500) and/or three months in prison, or on any other land forming part of a highway. As an alternative to prosecution the Council has the power to issue a fixed penalty of up to

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<sup>4</sup> Section 3(1) of the Refuse Disposal (Amenity) Act 1978, as amended by the Clean Neighbourhoods and Environment Act 2005

<sup>5</sup> Section 3(3) of the Refuse Disposal (Amenity) Act 1978

<sup>6</sup> Refuse Disposal (Amenity) Act 1978

£200<sup>7</sup> to the vehicle owner. Local authorities also have the power to recover costs of removal, storage and disposal from the person responsible for abandoning the vehicle.

## When is a vehicle 'abandoned'?

There is no legal definition of "abandoned", but for the purposes of this policy; the Council considers that any vehicle that has been left 'without lawful authority'<sup>8</sup> on any land in the open air or any land forming part of the highway is potentially abandoned.

The Council will form an opinion by reviewing information provided to them and/or gathered through inspection of the vehicle. The Council will consider factors during inspection that will help them determine whether to consider a vehicle 'abandoned'. Factors used to determine if a vehicle is abandoned include, but are not limited to:

- The vehicle being significantly damaged, run down or being un-roadworthy (this can include vehicles with flat tyres, wheels removed or broken windows);
- The vehicle being burnt out;
- The vehicle lacking one or more of the registration number plates;
- The vehicle containing waste materials;
- The vehicle not having a valid road fund licence (untaxed for longer than 2 months and 1 day);
- The vehicle is SORN;
- The vehicle having no current registered vehicle keeper on record;
- The vehicle being unsecure or unlocked.

The following will be taken into consideration when looking at the factors listed above:

1. The inspected vehicle does not have to display the full list to be considered abandoned, but it should not be considered abandoned solely on the grounds that it is untaxed<sup>9</sup>.
2. The inspected vehicle can have an owner and still be considered abandoned. It should be noted that the registered keeper has a legal responsibility to keep untaxed, SORN (statutory off-road notification) or damaged or dangerous vehicles off the public highway. If a vehicle is removed to storage, the owner will be required to demonstrate that they have legal entitlement to the vehicle and to meet release costs before the vehicle may be re-claimed.
3. Taxed vehicles can be deemed abandoned by the inspecting officer in certain circumstances, and providing the Council takes reasonable steps to find and inform the last registered keeper of it being deemed abandoned, can remove the abandoned vehicle after the notice period has expired.

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<sup>7</sup> Clean Neighbourhoods and Environment Act 2005, amendment 2A of the Refuse Disposal (Amenity) Act 1978

<sup>8</sup> Refuse Disposal (Amenity) Act 1978

<sup>9</sup> Nuisance Parking Offences and Abandoned Vehicles, Guidance on Nuisance Parking and Abandoned Vehicle Legislation, Defra, 2006

## Areas where abandoned vehicles can be removed

For clarity, in respect of abandoned vehicles, the areas that the Council will apply this policy will be:

- Roads This includes adopted highways, footpaths, and estate access roads but not private roads;
- Land in the open air (which means to which the public have access);
- Council owned land;
- Housing association land (where relevant checks have been undertaken and a request received from the housing association);
- Land managed by South Essex Homes on behalf of the Council (where relevant checks have been undertaken and a request received from South Essex Homes) – see [Section 6](#),
- Private land (where a vehicle is abandoned on land that is occupied, the Council will give the owner/occupier of the land a 15-day notice of intention to remove the vehicle).

## Reporting abandoned vehicles

Abandoned vehicles need be reported to the Council online <https://www.southend.gov.uk/report-parking-roads-problem/abandoned-untaxed-vehicles>. Vehicles are deemed to be newly reported at the time they are received and entered into the Councils electronic recording system. Where possible the following information will be sought at the reporting stage:

- Make, Model and Colour;
- Vehicle registration number;
- Exact location of the vehicle;
- How long it has been at the location;
- Reasons why the vehicle is believed to be abandoned (eg, wheels missing, broken window etc.);
- Name and contact details (this information is held in the strictest confidence and in-line with UK GDPR).

Where there is a failure to provide all the requested information about a potentially abandoned vehicle, this may affect the ability of the Council to investigate in a timely manner.

## Vehicle categories

For the purposes of this policy vehicles reported to the Council as “abandoned” will be categorised as either:

- Vehicles that are immediately deemed not to be abandoned;
- Vehicles that are potentially abandoned (and may be deemed abandoned after inspection and enquiries);
- Vehicles that are immediately deemed to be dangerously abandoned;
- Vehicles that may be untaxed, causing minor obstructions, parked irresponsibly or are the object of neighbour disputes.

## Investigating a potentially abandoned vehicle

The Council reserves the right to make an initial judgment as to whether the vehicle is 'potentially abandoned' based on the information provided at the public reporting stage. Vehicles believed to be untaxed for a period (currently 2 months and 1 day) and stationary on land that allows enforcement will be passed to the contractor dealing with untaxed vehicles, but they cannot be processed as abandoned vehicle reports without further supporting information that indicates they may be potentially abandoned.

Potentially abandoned vehicles that are reported to the Council will be inspected and investigated within a timely manor.

The point at which the Council is legally entitled to remove the vehicle is the point that the Council deems the vehicle is 'abandoned', which will usually be at the conclusion of the enquiry period to establish whether or not the vehicle has been genuinely abandoned. The enquiry period will include any timescales for notices served or issued as part of the investigation process.

During inspection, the Councils representative will record the following information on the Inspection Form:

- Date and time;
- Exact location and type of land the vehicle is on;
- Make, model and colour;
- Registration number, if any;
- Any obvious reason for the vehicle being parked at the location;
- Identification of reasons for why the vehicle may be abandoned (eg, wheels missing, broken window etc.);
- Whether the vehicle is considered dangerously abandoned (and may need immediate removal) or just dangerous (in which case this may be passed to police);
- Photographs taken of the vehicle showing evidence of why it is deemed 'abandoned', photo of registration number (if any), photo of any notice affixed, photo of road tax (if applicable);
- Whether a notice needs to be sent to the occupiers of the land (private land);
- Whether a notice is affixed to the vehicle;
- Any further information that may be used as support for the decision that the vehicle is deemed genuinely abandoned.

If a 7-day notice<sup>10</sup> is affixed to the vehicle, a further inspection/review will be undertaken on the 14th day and further information will be recorded:

- Date and time of second visit;
- Whether the vehicle has moved or is still present;
- If the vehicle is deemed 'abandoned' and removal is now necessary.

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<sup>10</sup> Regulation 10 of the Removal and Disposal of Vehicle Regulations 1986

In the event the Council's representative is unable to conclusively deem whether the vehicle is 'abandoned' or 'not abandoned', a final judgment on abandonment - based on all the information available and the balance of probability - will be made by the Council.

If judged abandoned the vehicle will be authorised for removal and arrangements for the removal to be made at the earliest opportunity.

The process for vehicles abandoned in the open air or any land forming part of the highway is set out in [Table 3](#) and a diagrammatical representation is shown as [Diagram 3](#).

## **Vehicles considered to be 'dangerously abandoned'**

Vehicles which are 'dangerously abandoned' will be considered priority cases for inspection and immediate removal. Dangerously abandoned vehicles are such that the manner of their abandonment is deemed to present an immediate danger to the public. In this situation there is no responsibility to contact the owner or person responsible for the vehicle before the removal, however, checks will be undertaken with the Police in case it has been reported stolen or is a vehicle of interest. Once the vehicle is removed steps will be taken to trace the owner/person responsible and inform them of the vehicle's removal.

Vehicles considered 'dangerously abandoned' will include:

- Burnt out vehicles;
- Vehicles balanced on bricks or other temporary supports;
- Vehicles that have a fuel, oil, coolant leak or fuel caps missing;
- Vehicles that have contents that have the potential to cause harm (eg, sharps, weapons etc.);
- Vehicles that are in a dangerous condition and/or position.

Examples can be seen in [Appendix 3](#).

In the event a vehicle is judged by the Council's representative to be simply dangerous, rather than 'dangerously abandoned', it will fall outside the scope of this policy. The vehicle details will be passed to the police to potentially arrange removal, but this would not be part of the policy.

## **Vehicles that are not deemed abandoned**

Vehicles that are not deemed abandoned will receive no further action as part of this policy unless they are:

- parked on the public road and untaxed or SORN, (in which case they will be passed to the contractor dealing with enforcement); or
- the vehicle is in contravention of a parking prohibition or restriction.

Vehicles inspected and not deemed abandoned will not normally be considered for reinspection unless 3 months have passed since the first inspection and the vehicle has remained in the same position.

## Abandoned vehicles that are not covered by the policy

Abandoned vehicles that would not normally be covered by this policy are:

- Vehicles inside private buildings and garages; and
- Vehicles on land that is located at such a distance from the carriageway that the cost of removal to the carriageway would be unreasonably high – in this situation the Council has the legal right to refuse to move any vehicle.

## Abandoned vehicles on privately owned land

A vehicle can be deemed abandoned on land that is not in public ownership. The Council has powers of entry onto private land to investigate reports of abandoned vehicles<sup>11</sup>. Any person authorised by the Council may at any reasonable time enter land for the purpose of investigating the need to carry out their functions in relation to the removal and disposal of abandoned vehicles.

After inspection the Council will serve a 15-day notice<sup>12</sup> of intention to remove the vehicle on the landowner or occupier of the land if the vehicle is deemed abandoned<sup>13</sup>. Where it is not possible to serve the notice on the landowner or occupier the notice will be affixed to both the vehicle and the land.

If the landowner/occupier contacts the Council and objects to the removal of the vehicle after the 15-day notice has been served, this objection **must** be in writing to the Council, and within 15 days from the day when the notice is first served<sup>14</sup>. In this event no further action can be taken<sup>15</sup>.

If there has been no response from the landowner or occupier after the 15-day notice served upon them has expired, then the vehicle can be legally removed.

If an abandoned vehicle report is received directly from the landowner or occupier, they must provide written consent for removal and complete any removal request process required by the Council. Where this is supplied the vehicle will be inspected as usual, if it is considered potentially abandoned the 15-day notice will not apply but a 7-day notice will be affixed to vehicle. This is in recognition that reports may be generated because of a neighbour dispute. The Council will usually seek confirmation that the landowner or occupier has enquired about the vehicle locally and has been unable to locate or identify the vehicle owner.

The processes for vehicles abandoned on private land are set out in [Table 4](#) and [Table 5](#), and a diagrammatical representation is shown as [Diagram 3](#).

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<sup>11</sup> Section 8 of the Refuse Disposal (Amenity) Act 1978

<sup>12</sup> Section 99(3) of the Road Traffic Regulation Act 1984

<sup>13</sup> Removal and Disposal of Vehicle Regulations 1986

<sup>14</sup> Manner and period are prescribed by Regulation 9 of the Removal and Disposal of Vehicles Regulations 1986

<sup>15</sup> Section 99(3) of the Road Traffic Regulation Act 1984



## Vehicle disposal

For the purposes of this policy disposal of abandoned vehicles (selling, breaking up or crushing) will usually be undertaken at any time after the Council has taken steps to find the person appearing to them to be the owner of the vehicle and either:

- The Council has failed to find such a person; or
- The vehicle owner has failed to comply with a notice served on them by the Council requiring them to remove the vehicle within the prescribed period from their custody. This would usually mean disposal after 14 days of the owner being informed that the vehicle has been removed to a storage site. In the event the Council is advised that the vehicle has recently been sold, additional time to reclaim the vehicle may be provided.

## Reclaiming an abandoned vehicle

In order to reclaim a vehicle that is removed as 'abandoned' the following documents must be produced:

### **Proof of ownership:**

- Vehicle registration document (DVLA V5, or equivalent for foreign registered vehicles); and
- a valid insurance document (electronic version is acceptable)

and

### **Proof of identity** – one of the following:

- A current valid Driving Licence; or
- Passport

Where one of the supplied documents does not contain the owner's current name and address (or there is a different address on the two documents or no address on one document) then the following is also required:

- Utility Bill (must be dated within the last three months); or
- Bank Statement (must be dated within the last three months); or
- Telephone/Mobile Bill (must be dated within the last three months); or
- Benefits letter (must be dated within the last three months).

Electronic versions of these are acceptable

### **Supporting evidence**

In addition, before the abandoned vehicle can be reclaimed:

- The vehicle must show as taxed on the DVLA website; or
- You must provide a receipt showing the vehicle tax has been paid
- If a foreign registered vehicle, proof it can be legally driven on UK roads.

## Associated costs for vehicles removed to storage

There are prescribed charges<sup>16</sup> that apply to removal, storage and disposal of vehicles that are impounded as an abandoned vehicle. The current charges applicable at the time that this policy was produced are shown in [Appendix 1](#).

## Surrender of unwanted vehicles

The Council will arrange for free removal of unwanted vehicles in the City from a residential dwelling. To qualify, the vehicle must be accessible and must not contain waste. Enquiries for surrendering a vehicle should be made by emailing [council@southend.gov.uk](mailto:council@southend.gov.uk).

## Vehicles that are untaxed, without an MOT, causing minor obstructions, parked irresponsibly or are the object of a neighbour dispute

These types of vehicles may not be genuinely abandoned; vehicles cannot be considered 'abandoned' simply because they are untaxed or without an MOT.

The Council does have delegated authority to take enforcement action on behalf of the DVLA against vehicles that are not taxed. Vehicles can have their status checked at: [www.gov.uk/check-vehicle-tax](http://www.gov.uk/check-vehicle-tax) and, if found to be untaxed, they can be reported to: [www.gov.uk/report-untaxed-vehicle](http://www.gov.uk/report-untaxed-vehicle) but they cannot be processed as abandoned vehicles without further supporting information that indicates they are potentially abandoned. Enforcement action against vehicles that are untaxed and on the public road or public highway can only take place if the vehicle has been untaxed for a period of 2 months and 1 day after expiry of the tax. Enforcement action can be taken immediately against vehicles that have a SORN (statutory off road notification) and are on the public road or public highway as this is not permitted.

The Council is not responsible for vehicles without an MOT, these are dealt with by the police and can only be reported to the police if it's being used or parked on the public highway. [Check the MOT status of a vehicle](#).

The Council is not responsible for mediation of neighbour disputes or parking disputes. Other parking or traffic offences cannot be processed as abandoned vehicles but may be in contravention of parking restrictions and therefore may be enforceable under this policy.

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<sup>16</sup> Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008 (as amended)

## Vehicles outside the scope of the policy

This Policy deals with vehicles in contravention of a parking restriction, vehicles that are abandoned and vehicles that are untaxed. Vehicles that are broken down or causing an obstruction should be reported to the police for removal. The police have powers<sup>17</sup> to remove any vehicle that is in breach of local traffic regulations, causing an obstruction, likely to cause a danger, broken down or abandoned without lawful authority. The police can remove a vehicle that has had a notice affixed by the local authority that has deteriorated to a dangerous wreck immediately. The vehicle owner may be liable for costs incurred by the police for the removal, storage, and disposal of the vehicle.

## Vehicles for sale on the Highway

As long as you are selling as a private individual, and not running a vehicle sales business, then you are able to advertise your vehicle for sale while parked on the highway. Of course, the vehicle must be taxed and insured, have an MOT if it requires one and not parked illegally.

It is an offence for a business to sell vehicles parked on the highway. If anyone wishes to report suspicious activity with regard the sale of cars parked on the highway, then should do so via My Southend. Any reporting will be picked up by highways enforcement officers who will investigate, engage, educate and if necessary enforce.

## Removal of non-motorised vehicles from the highway

On-street parking in many areas of the city is at a premium and it is incumbent on the Council to maintain traffic flow and safety. The storage of non-motor vehicles and structures on the highway has an impact on the quantity of on-street parking available to residents and can interfere with traffic flow. It is also an offence to store non-motor vehicles and structures such as caravans, trailers and boats on the public highway and the Council has powers for their removal<sup>18</sup>. When the Council receives a report from the public the non-motor vehicle or structure will be inspected. During inspection, the impact on local on-street parking, traffic flow, and highway safety will be assessed. An example of a non-motor vehicle can be seen in [Appendix 5](#).

The Council will endeavour to identify the owner of the non-motor vehicle or structure and request that it is removed from the public highway. The Councils approach will be reasonable but if it is not possible to identify the owner or the owner refuses to comply with the legislation, a legal notice will be placed on the offending non-motor vehicle or structure and sent to the address of the owner (where it is identified). The Notice will advise that it will be removed into storage if it is not removed from the highway within 28 days. If the property is removed to storage and is not claimed within 14 days of removal it will then be liable for disposal. If the owner seeks to reclaim items taken into storage, then any charges associated with the removal and storage must be paid before the property can be released.

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<sup>17</sup> Road Traffic Regulation Act 1988

<sup>18</sup> Highways Act 1980

## 6. Vehicles on land managed by South Essex Homes

South Essex Homes is an arm's length management organisation (ALMO) of the council owned housing estates. The Council requires within its tenancy conditions that tenants must not park vehicles on any shared parking area if the vehicle does not have road tax, a MOT, or insurance – even if the vehicle is declared SORN.

If a vehicle is believed to be abandoned, is untaxed or is in a dangerous condition in a shared car parking area on land managed by the ALMO, the process for dealing with the untaxed, potentially abandoned, or dangerously abandoned vehicle is diagrammatically represented in [Diagram 4](#). This process diagram mirrors the processes for abandoned and untaxed or SORN vehicles on the public highway. For clarity, and in recognition of the specific challenges that the ALMO face with nuisance vehicles, the process is set out in a separate diagram.

Vehicles parked within the shared car parking area of land managed by the ALMO will be identified by that organisation and in the first instance, where the vehicle is found to be owned by a tenant or member of the tenant's household, compliance with tenancy conditions will always be sought. If written requests are not responded to or the tenant fails to take the required action the process set out in the policy will be initiated.

Where evidence indicates that the vehicle is not owned by a tenant or a member of their household, or it is not possible to identify the Registered Keeper, the ALMO will still write to the last registered keeper and/or affix a notice on the vehicle's windscreen. The priority is to encourage the vehicle owner to remove it from ALMO managed land as quickly as possible. Where the owner ignores requests for the vehicle to be removed the process set out in the policy will be initiated.

Vehicles that are reported by the ALMO as being 'dangerously abandoned' on land in the open air, ie, vehicles that because of the manner of their abandonment are deemed to present an immediate danger to the public, will be processed as priority cases for inspection and removal. Whilst the ALMO will seek to contact the registered keeper of the vehicle prior to removal, this may not be possible in some circumstances.

## 7. Untaxed vehicles

Untaxed vehicles are often reported as 'abandoned vehicles' or often confused as an abandoned vehicle. A vehicle being untaxed does not necessarily mean that the vehicle is abandoned – likewise if a vehicle is taxed it does not automatically mean that it is not abandoned. A vehicle being untaxed will be considered as a factor at the point of inspection and may result in the Council deeming the vehicle as genuinely abandoned but not solely on the grounds that it is untaxed. There is a separate enforcement process for untaxed vehicles that is set out in this policy.

The Council has delegated authority<sup>19</sup> to take enforcement action against vehicles that are untaxed. A 'memorandum of understanding' and a 'Code of Practice and Explanatory Guide for those authorised by the DVLA to action unlicensed vehicles' ensures the rules are applied fairly within the underpinning legislation.<sup>20</sup>

Checking on the status of a vehicle and reporting an untaxed vehicle

The tax status of a vehicle can be checked at: [www.gov.uk/check-vehicle-tax](http://www.gov.uk/check-vehicle-tax) and, if parked on a public road and found to be untaxed for a **period of two months and one day** or longer, they can be reported to: [www.gov.uk/report-untaxed-vehicle](http://www.gov.uk/report-untaxed-vehicle)

## Areas of untaxed vehicle enforcement

Areas where untaxed vehicles are the subject of enforcement action will generally be on adopted highways. In 2008, the original regulations<sup>21</sup> were amended to include untaxed vehicles kept off the public road, for example "off-road areas such as un-adopted roads, commons, public car parks and roads maintained by Housing Associations" where the keeper is seeking "to place themselves beyond the reach of the enforcement authorities". Off- road areas where enforcement can be undertaken now include:

- Car parks – store/supermarket, works, and Council car parks, public house car parks;
- Roads - private and un-adopted roads, Housing Association and Trust roads;
- Other land – Housing Association and Trust Land (that is not 'associated with a dwelling), waste ground, parks, common ground, and open spaces.

## Circumstances where untaxed vehicles cannot be removed

In certain circumstances it is not possible to remove a vehicle identified as untaxed or SORN. These include where:

- The vehicle's tax has not elapsed sufficiently to allow enforcement to take place (currently two months and one day);
- The vehicle is parked on land 'associated with a dwelling' (this can be a private driveway or garage, parking bays and parking areas regardless of whether allocated to specific dwellings), and any land provided as parking for residencies (regardless of whether maintained by Council, Housing Associations/Trust or private);
- The vehicle is kept by a motor trader or vehicle tester at business premises (or land rented to trade from);
- The vehicle is being kept off-road with a valid SORN in force. If the SORN has been breached, ie, the vehicle is stationary on a public road, the vehicle can be clamped and/or removed.

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<sup>19</sup> Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 (as amended)

<sup>20</sup> Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997

<sup>21</sup> Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 (as amended)

## Untaxed vehicle process and enforcement

The process for untaxed vehicles is provided in [Table 6](#) and in a diagrammatical representation shown as [Diagram 5](#).

## Fees and charges applied to untaxed vehicles

There are prescribed charges laid out in the Regulation<sup>22</sup> that apply to vehicle removal and to vehicle storage for each day or part of a day during which the vehicle is impounded. The current fees applicable at the time that this policy was produced are shown in [Appendix 1](#). In certain situations, a surety (deposit) may be required if vehicle tax has not been acquired for the vehicle.

## Appeals

As the enforcement authority the Council must deal with complaints that relate to removal of untaxed vehicles. When dealing with complaints, the Councils approach in the first instance will be to check whether the vehicle subjected to enforcement action was on the 'public highway'. The definition of a "public highway" is "a road which is repairable at the public expense"<sup>23</sup>. This can include verges, footways, lay-bys, and parking bays on the public road.

In the event the area is not part of the public highway the Council will consider if the vehicle was removed from land 'associated with a dwelling', ie, explicitly allocated to dwellings to use as parking either collectively or allocated to specific properties. Where the land is part of the public highway but is incidentally, but not exclusively, used as parking for local residences, ie, it is available for parking use by others, it would not generally be considered as land 'associated with a dwelling'.

In the event the complainant is unsatisfied with the Councils response to the complaint the registered keeper of the vehicle may then appeal to the DVLA but only in instances if the keeper:

- has paid the charges to recover a vehicle (either from clamp or from a pound); and
- claims that the vehicle was taxed when it was clamped, or that the Regulations<sup>24</sup> were not met when the enforcement action was taken.

Unless the strict criterion set out above is met the appeal is unlikely to succeed.

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<sup>22</sup> Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997

<sup>23</sup> Vehicle Excise and Registration Act 1994

<sup>24</sup> Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997

## 8. Policy Review

This policy shall be enforced from the date of its adoption and shall remain in force until formally revoked or superseded. This policy is a living document and will be reviewed and updated if/when statute or national standards or best practice requires it. This policy will be reviewed after 12 months of operation and then every 3 years.

### Policy Review

Version	When Reviewed	Summary of Changes Made
V1.0	May 2022	<p>Section 4: Updated the civil enforcement of road traffic contraventions general regulations to the 2022 legislation.            Added weblink to location of parking enforcement protocols            Persistent evaders can be removed after 15 minutes            Updated to say use of an invalid Blue Badge will be reported to the Council's Fraud and Investigation Team.            Vehicles relocated immediately in the case of blocking events.            Updated authorisation of vehicle removal to the council and authorised contractors.            Updated the details for reclaiming a removed vehicle.</p> <p>Section 5: Added details regarding vehicles with no MOT and removal on private land.            Updated to state you can only report abandoned vehicles online            Added contact details regards thew surrender of unwanted vehicles            Added details regarding vehicles for sale on the highway            Tables: wording updates to reflect the changes made to the policy            Diagrams: updated to reflect the changes made to the policy            Appendix 1: updated with weblinks and current fees and charges            Appendix 3: updated with new example photographs            Throughout: minor text amendments and update to city status</p>

# Tables

Table 1 - Summary of process for removal of vehicles in contravention of a waiting restriction or prohibition

Table 2 - Summary of process for relocation of vehicles in contravention of a temporary waiting restriction or prohibition

Table 3 - Summary of process for abandoned vehicles on any land in the open air or any land forming part of the Highway

Table 4 - Summary of process for abandoned vehicles on private land that are not reported by the landowner or occupier

Table 5 - Summary of process for abandoned vehicles on private land that are reported by the landowner or occupier

Table 6 - Summary of process for untaxed or SORN vehicles found stationary on a public road



**Table 1**

Summary of process for removal of vehicles in contravention of a waiting restriction or prohibition	
Issue of Penalty Charge Notice (PCN)	Civil Enforcement Officer issues PCN for contravention of waiting restriction or prohibition.
Allow time for vehicle to depart	Where vehicle is a hazard or causing an obstruction allow 30 minutes. Where a persistent evader, the vehicle will be liable for removal after 15 minutes. Vehicles with invalid blue disabled badges will be processed immediately.
CEO contacts authorised officer	If the vehicle is still present after the time has elapsed Civil Enforcement Officer (CEO) will contact the authorised officer and photograph the vehicle prior to removal.
Council approval	The authorised officer seeks approval for removal, once authorised by the Council the removal can commence.
Police informed	The Police will be advised that the vehicle will be removed.
Remove to compound	Vehicle will be taken to secure storage compound.
Contact Keeper	Where the Registered Keeper is identifiable they will be contacted as soon as practicable after the vehicle is removed to storage and they will be liable for any costs incurred.

**Table 2**

Summary of process for relocation of vehicles in contravention of a temporary waiting restriction or prohibition	
Issue of Penalty Charge Notice (PCN)	Civil Enforcement Officer issues PCN for contravention of temporary prohibition.
Allow time for vehicle to depart	Where vehicle is impeding highways maintenance work from being undertaken allow 5 minutes. Where vehicle is impeding an event relocate immediately.
CEO contacts authorised officer	If the vehicle is still present Civil Enforcement Officer (CEO) will contact the authorised officer and photograph the vehicle prior to relocation.
Police informed	The Police will be advised that the vehicle has been relocated.
Relocation	Vehicle will be relocated in the immediate area as close to the original parking location as possible, but outside the area affected by the event or the planned Highways works.

**Table 3**

Summary of process for abandoned vehicles on any land in the open air or any land forming part of the Highway	
Report of potentially abandoned vehicle	Received and logged by the Council
Review report	Initial judgment on whether vehicle is potentially abandoned
Registration check	Check whether the vehicle is taxed and if the Police have any interest in the vehicle.
First inspection	Councils Representative (CR) will make initial inspection and begin enquiries, inspection form completed, photographs taken, and where suspected abandoned but not considered 'dangerously abandoned' a 7 day notice affixed to vehicle.
Second inspection	CR will revisit as close to 8th day as feasible (but no later than 14 days after notice affixed) and if still present and no contact from the owner further checks, including if there is any Police interest in the vehicle. The vehicle can then be deemed 'abandoned'.
Vehicle considered 'dangerously abandoned'	If the vehicle is considered 'dangerously abandoned' a 24 hour sticker will be applied for immediate removal. The Police will be contacted to check whether the vehicle is reported stolen or they have an interest in the vehicle.
Removal	Once deemed 'abandoned' it is removed to storage usually within 24 hours
Registered keeper contacted	Once the abandoned vehicle is removed the last registered keeper will be written to and advised that the vehicle will be destroyed unless collected within 14 days.

**Table 4**

Summary of process for abandoned vehicles on private land that are not reported by the landowner or occupier	
Report of potentially abandoned vehicle	Received and logged by the Council
Review report	Initial judgment on whether vehicle is potentially abandoned
Registration check	Check on whether the vehicle is taxed and if the Police have any interest in the vehicle.
First inspection	Councils Representative (CR) will make initial inspection and begin enquiries, inspection form completed, photographs taken. If it is deemed to be located where the cost of removal to the carriageway would be reasonable and where suspected abandoned but not considered 'dangerously abandoned' a 15 day notice is issued to the landowner or occupier (or affixed to vehicle/land).
Second inspection	CR will revisit as close to 16th day as feasible (but no later than 21 days after notice affixed) and if still present and no contact from the owner, further checks, including if there is any Police interest in the vehicle. The vehicle can then be deemed 'abandoned'.
Objection to removal	In the event the landowner or occupier objects in writing to the removal of the vehicle the process will cease and no further action can be taken by the Council
Agreement to removal	In the event the landowner or occupier gives permission in writing for the vehicle to be removed (ie, the vehicle is on the land owner's land without their permission) and have completed any removal request process required by the Council then the vehicle may be deemed abandoned.
Removal	Once deemed 'abandoned' it is removed to storage usually within 24 hours
Registered keeper contacted	Once the abandoned vehicle is removed the last registered keeper will be written to and advised that the vehicle will be destroyed unless collected within 14 days.

**Table 5**

Summary of process for abandoned vehicles on private land that are reported by the landowner or occupier	
Report of potentially abandoned vehicle from landowner	Received and logged by the Council. The landowner or occupier advised they must provide written consent for removal and complete the removal request process required by the Council.
Review report	Initial judgment on whether vehicle is potentially abandoned.
Registration check	Check on whether the vehicle is taxed and if the Police have any interest in the vehicle.
First inspection	Councils Representative (CR) will make initial inspection and begin enquiries after landowner provides written consent for removal and completes the removal request process required by the Council. CR will complete inspection form, take photographs. If it is deemed to be located where the cost of removal to the carriageway would be reasonable and where suspected abandoned but not considered 'dangerously abandoned' a 7 day notice is affixed to vehicle.
Second inspection	CR will revisit as close to 8th day as feasible (but no later than 14 days after notice affixed) and if still present and no contact from the owner, further checks, including if there is Police interest in the vehicle. The vehicle can then be deemed 'abandoned'.
Removal	Once deemed 'abandoned' it is removed to storage usually within 24 hours.
Registered keeper contacted	Once the vehicle is removed the last registered keeper will be written to and advised that the vehicle will be destroyed unless collected within 14 days.

**Table 6**

Summary of process for untaxed or SORN vehicles found stationary on a public road	
Report or identification of vehicle	Stationary untaxed/SORN vehicles are identified on public roads <sup>25</sup> or public highway.
Check vehicle status	Check with the DVLA that the vehicle has been untaxed for a period of 2 months and a day or has an invalid Statutory Off-Road Notification (SORN) in place.
Enforcement begins	Contractor may immobilise (clamp) or remove vehicle. Tax check and enforcement action should be within 30 minutes of each other.
Vehicle logged	Photographs are taken of the untaxed/SORN vehicle and a vehicle inspection report completed. Offence Reports are also completed and passed to the DVLA. (There is also a requirement on the contractor to notify the DVLA of any action on individual vehicles at the end of each working day).
Clamping	Where the vehicle is clamped, the Regulations <sup>26</sup> state that the vehicle must be left in situ for a minimum of 24 hours before the vehicle can be removed to a storage pound. Where no fees are paid to release the vehicle it must be impounded within 48 hours of being clamped. Where a vehicle keeper wishes to pay prior to the vehicle's removal, an immobilisation device must be fitted before a release fee can be charged. When fees are paid clamps must be removed within two working hours.
Removal	Vehicles may be removed to storage pounds immediately (the Regulations do allow for the instant removal of vehicles to storage pounds).
Storage	Vehicles of value <sup>27</sup> (£500 or more) will be stored for a minimum of 14 days and vehicles of no economic value will be stored for a minimum of 7 days.
Registered	The DVLA will write to the registered keeper within 24 hours of notification

<sup>25</sup> a public road is defined as a "road which is repairable at the public expense"

<sup>26</sup> Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997

<sup>27</sup> Section 10 of the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997

# Diagrams

Diagram 1 - Process for removal of vehicles in contravention of a waiting restriction or prohibition

Diagram 2 - Process for relocation of vehicles in contravention of a waiting restriction or prohibition

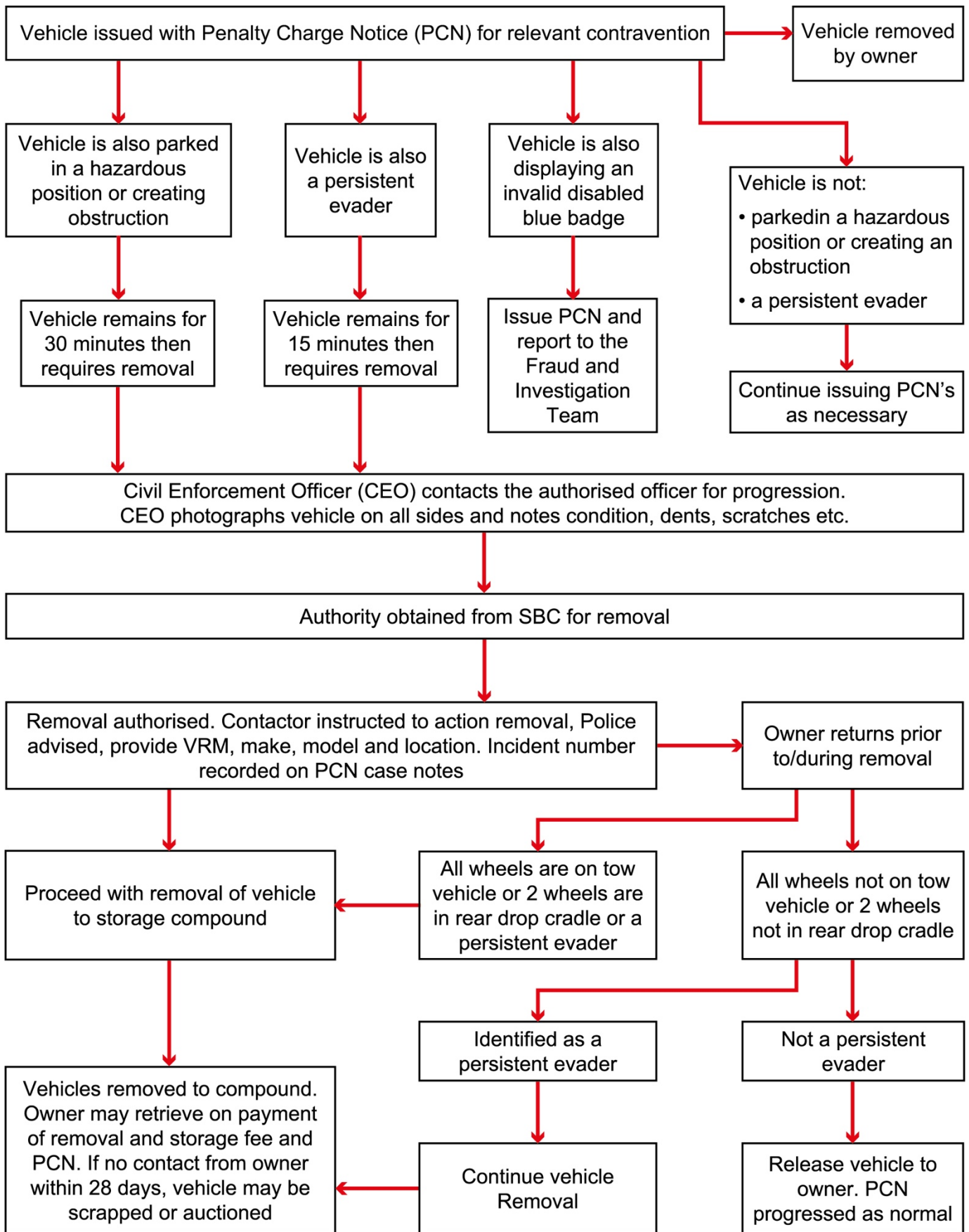
Diagram 3 - Abandoned vehicle process

Diagram 4 - Process for vehicles on land managed by South Essex Homes (ALMO)

Diagram 5 - Untaxed vehicle process

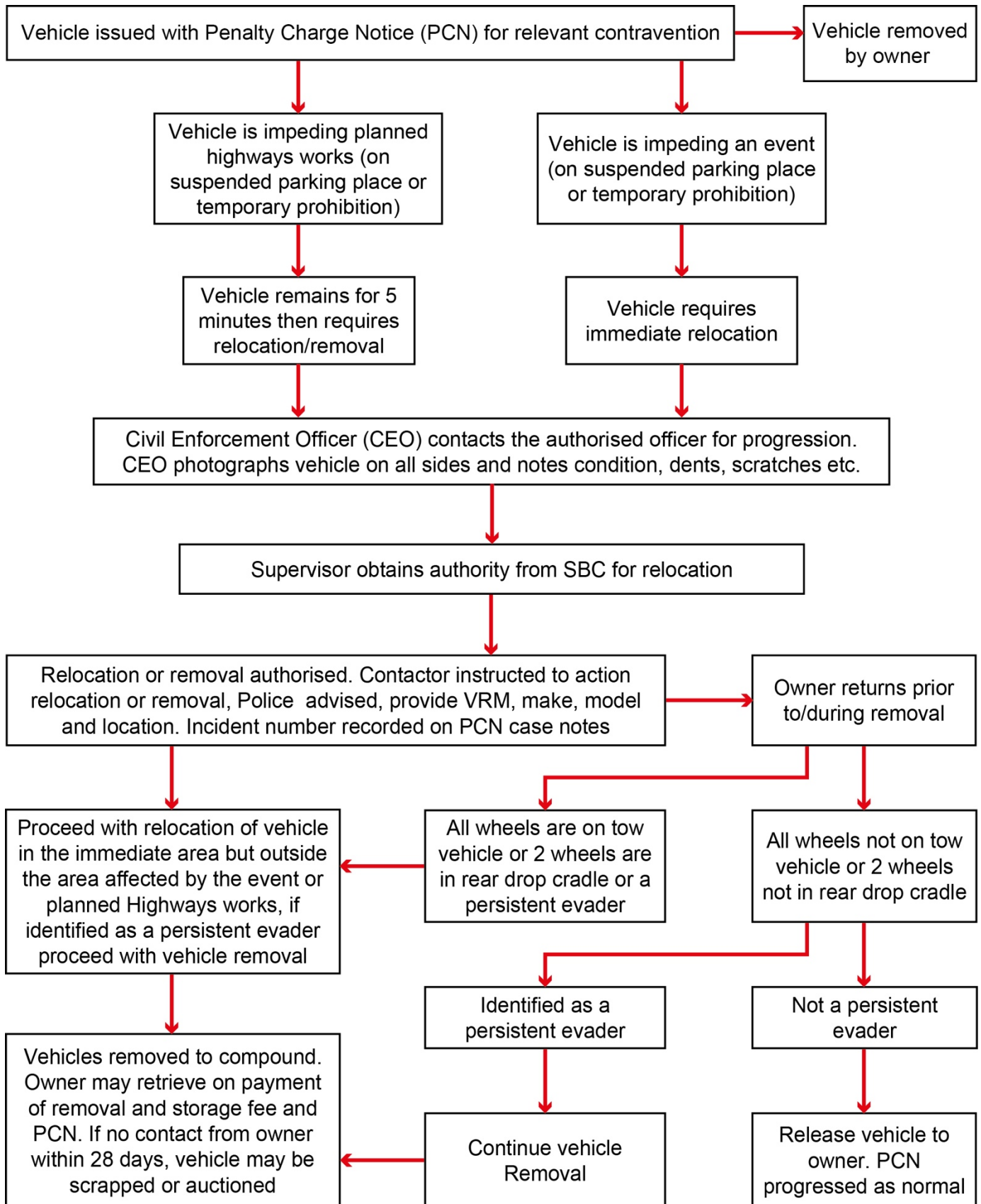
## Diagram 1

### Process for removal of vehicles in contravention of a waiting restriction or prohibition



## Diagram 2

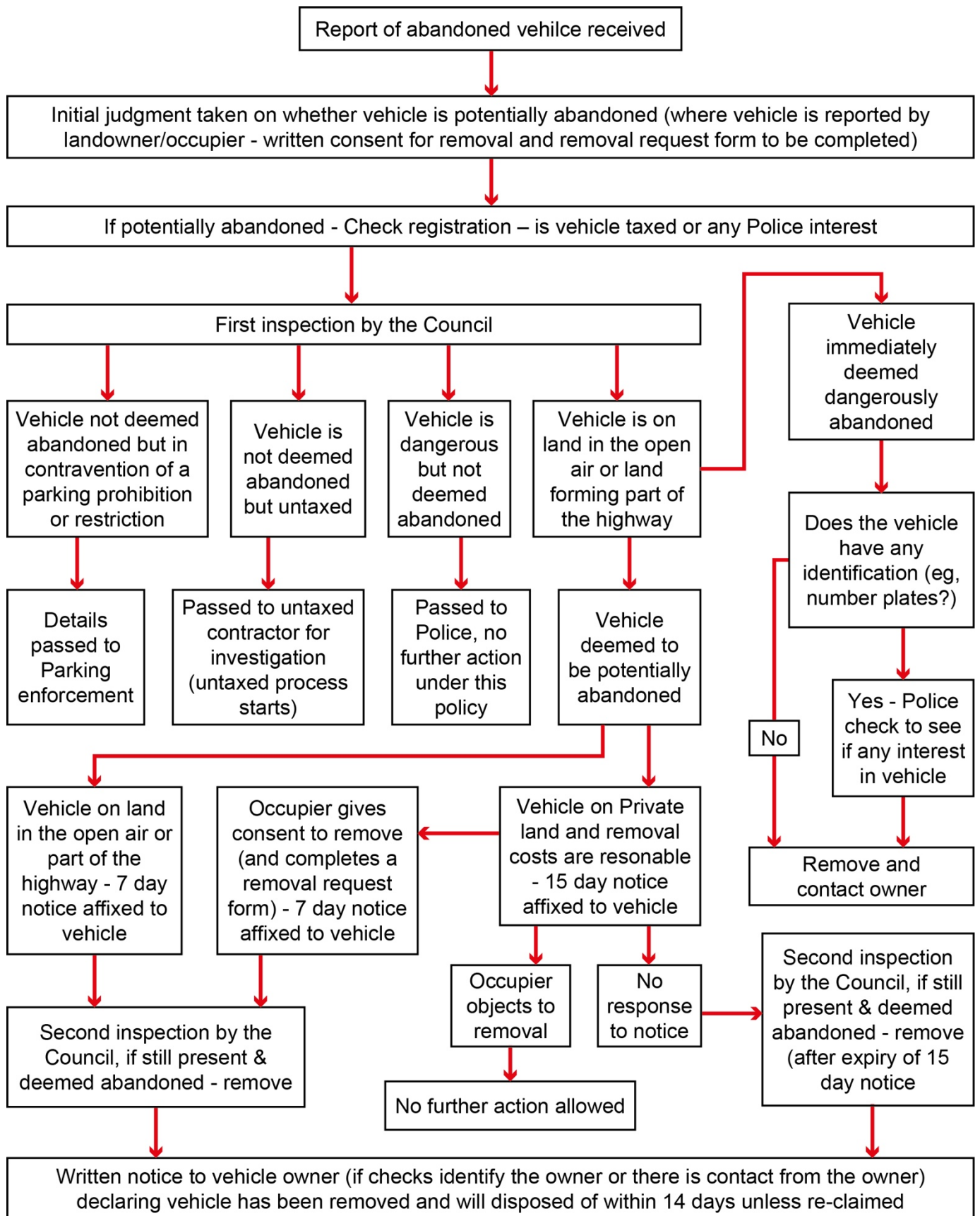
### Process for relocation of vehicles in contravention of a waiting restriction or prohibition





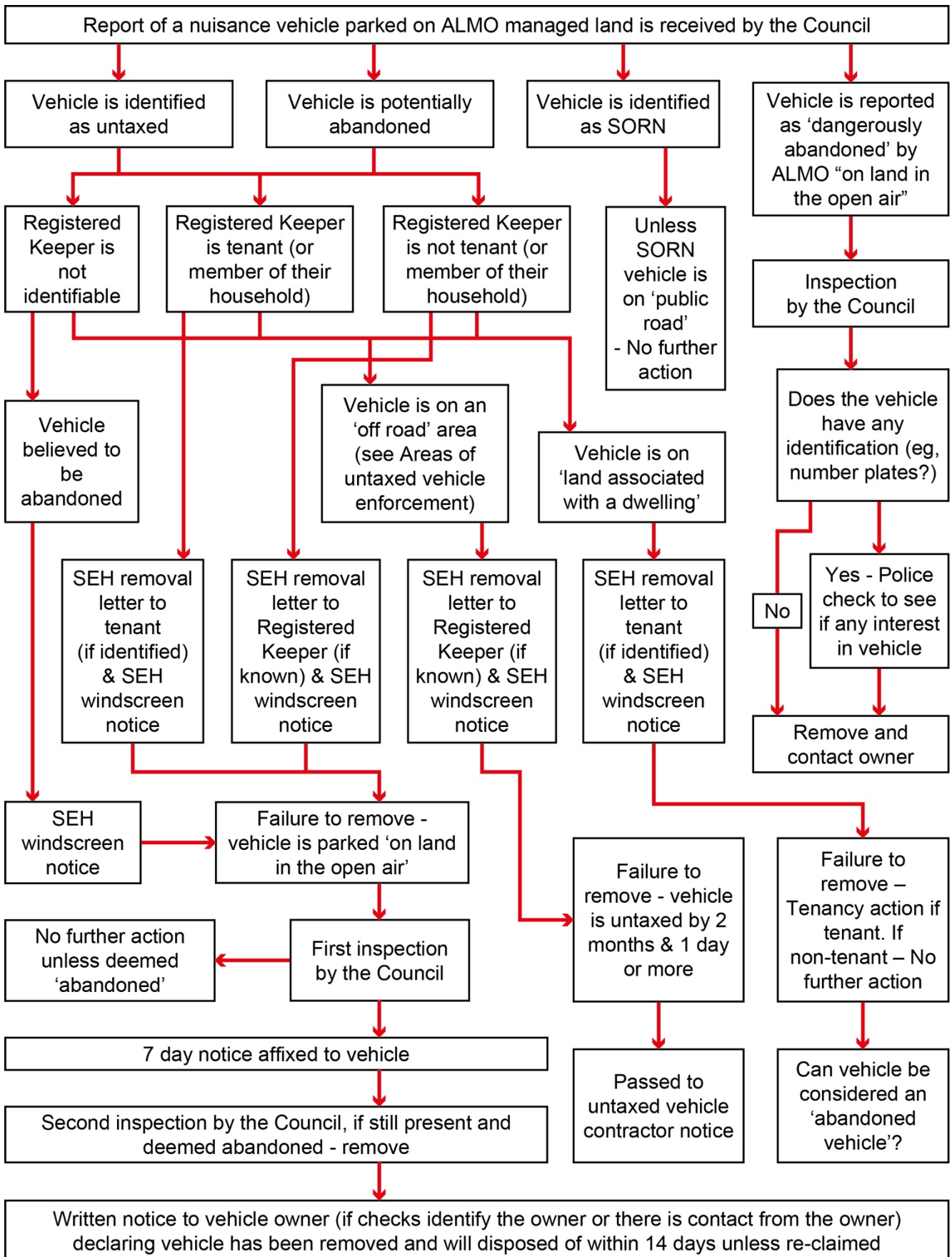
### Diagram 3

#### Abandoned vehicle process



## Diagram 4

### Process for vehicles on land managed by South Essex Homes (ALMO)

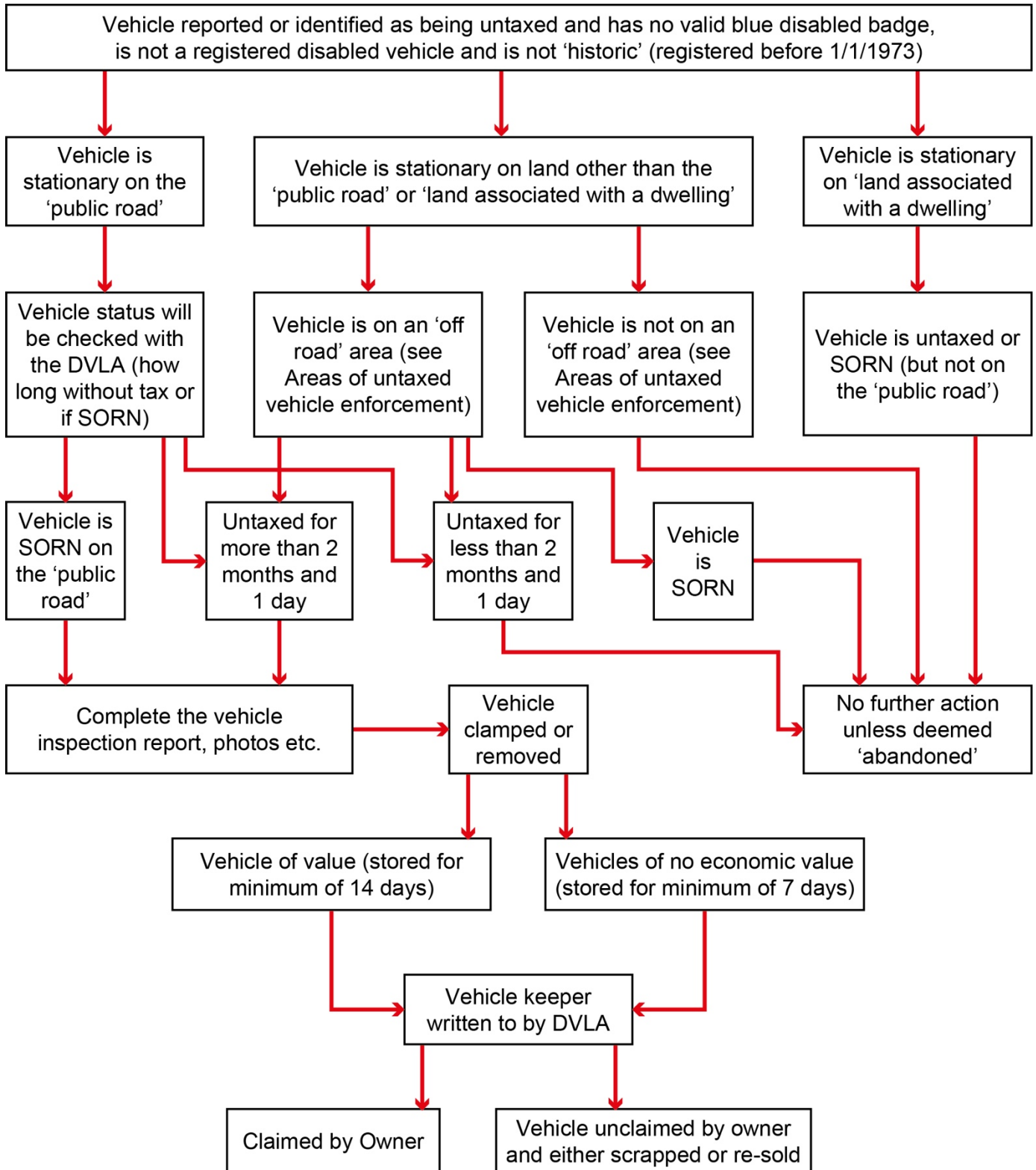


South Essex Homes (SEH) is an Arm's Length Management Organisation (ALMO) of Southend-on-Sea City Council (the Council).

## Diagram 5

### Untaxed vehicle process

(Code of Practice and Explanatory Guide for those authorised by DVLA to action unlicensed vehicles)



# Appendices

Appendix 1 - Fees and Charges

Appendix 2 – Examples of Obstructions

Appendix 3 – Examples of Dangerously Abandoned Vehicles

Appendix 4 – Examples of Persistent Evader

Appendix 5 – Example of Non-motor vehicles or structures can be removed from the highway

## Appendix 1

### Fees and Charges

Fees and charges are not set by the Council; they are statutory and set by the Government unless indicated otherwise.

#### Vehicles in contravention of waiting restrictions or prohibitions

Charges in relation to the removal, storage and disposal of vehicles in contravention of waiting restrictions or prohibitions\*. <https://www.legislation.gov.uk/ukxi/2022/71/schedule/3/made>

Type of charge	Amount of charge	Notes
Vehicle Immobilisation	£40	Where vehicle is clamped and then removed to storage the clamp release fee cannot be charged to the driver
Vehicle removal	£105	
Vehicle storage	£12 per day or part of day the vehicle is impounded	Storage charges not applied until midnight on the day following removal
Vehicle disposal	£50	

\*Section 9, Traffic Management Act 2004 provides for the setting of levels of charges and the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 governs the charges that are currently set.

#### Abandoned Vehicles

Charges in relation to the removal of abandoned vehicles\*.

<https://www.legislation.gov.uk/ukxi/2008/2095/regulation/4/made>

Vehicle position and condition.	Vehicle equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes MAM	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 MAM	Vehicle exceeding 18 tonnes MAM
Vehicle upright and not substantially damaged or any 2 wheeled vehicle whatever its condition or position on or off road.	£150	£200	£350	£350
Vehicle, excluding a 2 wheeled vehicle, on road but either not upright or substantially damaged or both.	£250	£650	Unladen - £2000	Unladen - £3000
			Laden - £3000	Laden - £4500
Vehicle, excluding a 2 wheeled vehicle, off road, upright and not substantially damaged.	£200	£400	Unladen - £1000	Unladen - £1500
			Laden - £1500	Laden - £2000
Vehicle, excluding a 2 wheeled vehicle, off road, either not upright or substantially damaged or both	£300	£850	Unladen - £3000	Unladen - £4500
			Laden - £4500	Laden - £6000

Charges in relation to storage of abandoned vehicles\*.

<https://www.legislation.gov.uk/uksi/2008/2095/regulation/5/made>

Two wheeled Vehicle	Vehicle, not including a 2 wheeled vehicle, equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes MAM	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 MAM	Vehicle exceeding 18 tonnes MAM
£10	£20	£25	£30	£35

Charges in relation to the disposal of abandoned vehicles (RTRA removals only)\*.

<https://www.legislation.gov.uk/uksi/2008/2095/regulation/6/made>

Charges in relation to the disposal of abandoned vehicles (RTRA removals only)*				
Two wheeled Vehicle	Vehicle, not including a 2 wheeled vehicle, equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes MAM	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 MAM	Vehicle exceeding 18 tonnes MAM
£50	£75	£100	£125	£150
"MAM" means maximum authorised mass as defined in regulation 3(1) of the Motor Vehicles (Driving Licences) Regulations 1999				

*"MAM" means maximum authorised mass as defined in regulation 3(1) of the Motor Vehicles (Driving Licences) Regulations 1999*

*\*The Road Traffic Regulation Act 1988 and Refuse Disposal (Amenity) Act 1978 allow charges to be prescribed for the removal, storage or disposal of vehicles that are illegally, dangerously or obstructively parked, or broken down, or abandoned. These powers are exercised through the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008.*

## Untaxed Vehicles

Charges in relation to Car Tax Enforcement\* . <https://www.cartaxenforcement.co.uk/>

	Release fee	Storage	Notes
Vehicle release within 24 hours	£100	n/a	If vehicle tax is not purchased and valid when the vehicle is collected a 'surety' (deposit) of £160 is required for a car or motorcycle. Other vehicle types will require a larger 'surety'.
Vehicle release after 24 hours	£200	£21 per day	If vehicle tax is not purchased and valid when the vehicle is collected a 'surety' (deposit) of £160 is required for a car or motorcycle. Other vehicle types will require a larger 'surety'.

\* *Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997*

## Appendix 2

### Examples of Obstructions



Example of an obstruction



Vehicles in contravention and causing an obstruction will be removed

## Appendix 3

### Examples of Dangerously Abandoned Vehicles



Dangerously abandoned vehicles will be removed within 24hrs.



## Appendix 4

### Examples of Persistent Evader



'Persistent evader' vehicles where repeat Penalty Charge Notices are issued – will be liable for removal



'Persistent evader' vehicles in public car parks – will be liable for removal

## Appendix 5

Example of Non-motor vehicles or structures can be removed from the highway



Non-motor vehicles or structures can be removed from the highway.

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