

# POLICY: ABANDONED VEHICLES

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## 1.0 Introduction

- 1.1 It is Thames Valley Housing (TVH) policy to ensure that all schemes are kept free from abandoned, untaxed vehicles and those not road worthy that may present a health and safety risk to those living and visiting TVH schemes.
- 1.2 In all cases of reported abandoned vehicles, action will be taken to contact the registered owner within the timescales described below.

## 2.0 Background Legislation

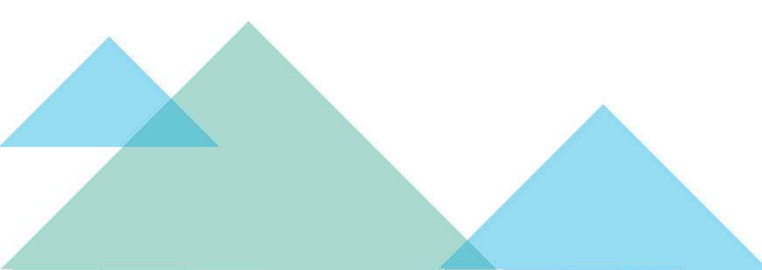
- 2.1 Sections 11–13 and 15–17 of the Clean Neighbourhoods and Environment Act 2005 on abandoned vehicles.

## 3.0 Definitions

- 3.1 Unroadworthy vehicles are those that would cause danger to the driver, passengers, other road users or pedestrians.
- 3.2 The terms ‘stickered vehicle’/’stickering a vehicle’ mean that the vehicle has had a sticker put on it with a 28 day notice informing the owner that TVH intend to remove the vehicle if it is not removed, re-taxed or repaired.

## 4.0 Reporting of Abandoned/Untaxed/Un-roadworthy Vehicles

- 4.1 Methods of reporting abandoned vehicles:
  - From residents and other members of the public, via our Housing Advice Team, the TVH Website, or directly to their Housing Officer/Property Manager
  - By Surveyors, Resident Inspectors, or Cleaning and Grounds Contractors
  - Through the Abandoned Vehicle Reporting link on the TVH website.
- 4.2 In order to deal with vehicles reported under this policy, the following information is required:
  - Vehicle Registration
  - Make and model
  - Colour
  - Location of vehicle
  - Any outstanding features such as distinguishing marks, logos etc.
  - Whether it is a Health & Safety risk and why
  - Whether it has been stickered and if so the date.



## 5.0 Process for Dealing with Abandoned Vehicles

5.1 Attached as appendix 1.

## 6.0 Contacting the Police

6.1 The Housing Officer/Property Manager will contact the Local Safer Neighbourhoods Team as checks can be made to establish if the vehicle was involved in any crime.

6.2 If a resident believes a vehicle may be of interest to the Police, for example because of its condition, he/she is free to contact a local Police Station for their own 'peace of mind'.

## 7.0 Contacting the DVLA for Registered Owner Details

7.1 The Housing Officer or Property Manager will attempt through the TVH database to ascertain the vehicle owner.

7.2 Before stickering a vehicle, the Housing Officer/Property Manager will check to identify whether the vehicle is taxed or has a valid SORN and will then make the decision whether to complete DVLA registered keeper check.

## 8.0 Replies from the DVLA and Contacting the Registered Keeper

8.1 Step 3: It takes the DVLA approximately 4 - 6 weeks to reply to a request for information. Once the 28 days sticker has expired the Housing Officer/Property Manager will place a 7 day sticker on the vehicle, during which time in the majority of cases they will have received the registered keeper information.

8.2 In exceptional circumstances UKIP will be contacted to speed up the process, but this is expensive, and sometimes not as quick as contacting the DVLA through the normal channels.

8.3 Steps 3 & 4: The registered keeper will be informed that they must address the issues relating to the vehicle.

8.4 Failure to receive a response, then the vehicle will be removed as soon as possible, or in 14 days of the issue of a Notice of Disposal Notice being placed on the vehicle.

## 9.0 Removing Vehicles from the Scheme

9.1 Step 4: If the vehicle ownership details are acquired the owner will be informed of the removal of the vehicle and any cost implications of the removal they are liable for.

9.2 If the owner does not remove the vehicle TVH will remove it and re-charge the owner.

9.3 Step 5: If ownership cannot be established the vehicle will be removed by an appointed TVH contractor.

## 10.0 Tenancy Clauses and Leaseholders Clauses

10.1 More recent TVH tenancy and leasehold agreements state that no untaxed/abandoned or unroadworthy vehicles are to be parked on TVH schemes.



10.2 Many of the older tenancy/leasehold agreements do not have this clause; however, if necessary, we will use the nuisance clause, and/or health and safety legislation and legal guidelines as a basis for requesting the vehicle's removal.

## 11.0 Statutory Of Road Notification (SORN)

11.1 TVH appreciates that not all residents can afford to tax their car immediately after the old tax expires and will, at the discretion of the Housing Officer/Property Manager, allow a vehicle to remain on site on condition that it has a valid SORN. These exceptions will be granted on the following basis:

- If you are parked in your own bay
- It does not become a Health and Safety hazard (vandalism, fire risk etc.)
- There is no shortage of spaces for the other residents to park on the scheme
- It is registered to a resident of a property on the scheme
- A vehicle will be removed after 1 SORN (12 consecutive months)
- If in doubt, legal advice will be sought from a TVH solicitor

## 12.0 Vehicles Presenting a Health and Safety Risk

12.1 Where a vehicle has been reported as a Health and Safety hazard, the Housing Officer/Property Manager will make a judgement on the level of risk within 5 days (Steps 1 and 2) of the abandoned vehicle being reported.

12.2 Where the risk is thought to be of sufficient danger to present a hazard to residents and members of the public the process (appendix 1) may be by-passed and the vehicle removed immediately.

12.3 Risks may include:

- Fire and health and safety risk due to condition or contents
- Fire and health and safety risk due to vehicle blocking escape routes
- Fire and health and safety risk to residents and members of the general public
- Fire and health and safety risk to children

12.4 This list is not exhaustive and the Housing Officer/Property Manager will assess all potential risks.

## 13.0 Recharging Registered Keepers

13.1 Where possible, TVH will seek to recover any costs of removing/storing vehicles from the Registered Keeper(s). Where we have been unable to identify the registered keeper(s), the Local Authority (LA) will be contacted in the first instance to see if they are able to remove the vehicle free of charge.

13.2 If the above is not possible, costs will be charged against the TVH Abandoned Vehicle Budget.



## 14.0 Other useful links

14.1 The Parking Management Policy.

## 15.0 Equality Impact Assessment

15.1 No impact.

## 16.0 Policy Information

**Policy owner:** Area Housing Manager

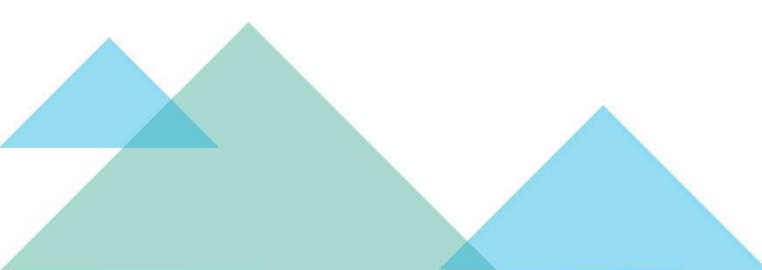
**Approved by:** Deputy Director of Housing

**Last review date:** January 2014

**Next review date:** January 2017

**Equality assessment:** Yes

**Resident consultation completed:** Yes



# Appendix 1

