



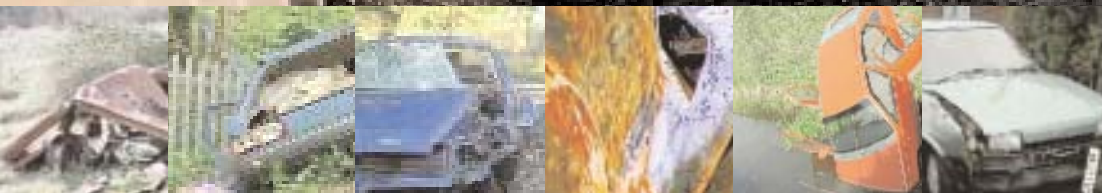
Nuisance & Abandoned


VEHICLES

A guide for the public

CONTENTS

Introduction	3
Abandoned vehicles and the law	6
What can you do to improve the problem?	7
Further sources of information	10





Introduction

Each year in the United Kingdom, approximately 2 million vehicles reach the end of their life, either through age or becoming unusable after involvement in an accident. The majority of vehicles that have reached the end of their life or are no longer of use to the registered owner are disposed of legally. However, the latest Waste Management Survey carried out by the Department for Environment, Food and Rural Affairs (Defra) estimates that around 299,000 vehicles were abandoned in England in 2002/2003.

Abandoned vehicles are expensive to remove, have a negative impact on the environment, look unsightly and can lower the quality of life in neighbourhoods. They can be the result of, or lead to crime, they take up valuable parking spaces and can quickly become dangerous when vandalised or filled with hazardous waste (they are often used as skips). There is a risk of explosion or injury, they can leak dangerous fluids, which can catch fire or run into the water stream and they are often burnt out, which can endanger lives, property and the environment.

Ultimately abandoned vehicle removal and disposal is the responsibility of local authorities and so not surprisingly the problem costs an enormous amount of money – money that could be spent on more important services in your neighbourhood. However, funds have been invested into computer links between the Driver and Vehicle Licensing Agency (DVLA) and local authorities, to make it easier to trace the owners. By removing abandoned vehicles, our streets will look less neglected and are less likely to attract other anti-social behaviour.

What is a nuisance vehicle?

Abandoned vehicles often get confused with nuisance vehicles. An abandoned vehicle is always a nuisance, but a nuisance vehicle is not always abandoned. A nuisance vehicle could be any of the following:

- Poorly parked;
- Causing an obstruction;
- Involved in residential parking disputes;
- Broken down;
- Untaxed.

What is an abandoned vehicle?

Due to the complexity and variety of problems relating to abandoned vehicles there is no sole definition currently used. The Refuse Disposal (Amenity) Act 1978 states that a vehicle is abandoned **only** *“where it appears to a local authority that a motor vehicle in their area is abandoned without lawful authority...”* As a result, a vehicle is deemed abandoned only when the authorised officer at the local authority decides that it is abandoned.

The term ‘vehicle’ in this context means any motor vehicle or trailer, or anything which forms part of a motor vehicle or trailer, including any item contained within it.

Operation Scrap-it, run by the Association of London Government suggests that *“the first sign of an abandoned vehicle will normally be that it is untaxed. As well as this, it should have been standing in the same place for a long time or be damaged in some way, for example it has flat tyres, broken windows or crash damage.”*

Do you know how to identify an abandoned vehicle?

Before you report an abandoned vehicle please collect as much information as possible. Local authorities often experience over-reporting of vehicles – many are not actually abandoned and therefore the authorities do not have the power to remove them. However, once reported, they must investigate. This takes up a lot of time and often distracts local authorities from removing those vehicles that actually are abandoned. Before you contact them, check to see if you think the vehicle really is abandoned. The following points should help you make a judgement:

- Is the vehicle untaxed i.e. no tax disc present at all or past the expiry date? (This should not be the sole consideration, but should be taken into account with the other points below.)
- Are any of the tyres flat or have any of the wheels been removed?
- Is there litter or detritus (weeds/leaves) under the vehicle, indicating that it has not moved for some time?
- Is the windscreen or any of the windows broken?
- Is there any mould on either the inside or outside of the vehicle?
- Does the vehicle contain items of waste e.g. tyres, old newspapers, general rubbish?
- Does the vehicle have number plates?
- Has the vehicle been ‘hot-wired’ i.e. driven without keys by connecting ignition wires together? (If it has, there will be wires hanging from the dashboard.)



- Has the vehicle been vandalised? Exterior vandalism might include dents in bodywork, graffiti, bumpers/spoilers being removed; interior vandalism might include radio being stolen, seat covers being slashed.
- Has a vehicle that you and your neighbours have never seen before suddenly appeared in your road and no-one is claiming ownership?

An abandoned vehicle is a vehicle which appears to have been given up or forsaken.

Do not move, enter or even touch an abandoned vehicle. They are a health and safety risk, can be classed as, or contain, hazardous waste and can often pose a fire risk. On some occasions, abandoned vehicles have been used for crime related activities such as drug dealing, prostitution and burglary, in which case the police may wish to seize the vehicle for investigative purposes.

NEVER approach a burning or burnt out vehicle. Even after they are burnt out, they are still dangerous and are a hazard to the public. Burnt paint, rubber and other materials may be toxic or corrosive and very harmful. Please contact your local authority, which will deal with the problem. However, if the vehicle is still burning, call the fire service immediately.

Why do people abandon vehicles?

Unfortunately, there is no one definitive reason why people abandon vehicles. In fact, there are a wide variety of reasons why vehicles are abandoned. Some of the more usual reasons include the following:

- Changes in the value of scrap metal. Rather than receiving payment for their unwanted vehicles, under some circumstances, last registered owners may be asked to pay for the vehicle's collection and/or disposal;
- The value of used cars is decreasing;
- The removal of leaded petrol from sale;
- Some drivers are not the registered owner and keeper of the vehicle, they have no road tax, no insurance, no MOT and as a result, have no legal connection with the vehicle, therefore once the vehicle becomes unwanted, abandonment is the only option;
- The high cost of motoring, including charges incurred from speeding fines, parking fines, congestion charges, etc. Often the value of the charges is greater than the value of the vehicle itself, therefore abandonment is the cheaper option;
- The high cost of maintaining and repairing the vehicle when it is old;
- Vehicles involved in criminal activities are often abandoned once the crime has been committed;
- The increase in MOT failure rate, as some older vehicles cannot meet the standard required on exhaust emissions;
- Personal circumstances of the owner e.g. death of the owner, owner suffering ill health, owner in prison, owner moved away from the area.

Abandoned vehicles and the law

Local authorities are under a duty under Section 3 of the Refuse Disposal (Amenity) Act 1978, to remove a vehicle which is abandoned in their area, on any land in the open air, or on any other land forming part of a highway. However, this does not cover vehicles abandoned on private land. Under this Act, abandoning a vehicle is a criminal offence, carrying a maximum penalty of a fine of £2,500 or three months' imprisonment, or both.

Notice periods effective in England

- Vehicles that the local authority considers to have **some value** can be removed immediately, although the written notice period to the last registered keeper before a vehicle can be destroyed is **seven days**;
- For vehicles that the local authority considers to have **no value** – the statutory notice period is **24 hours**;
- If a vehicle is abandoned on **private land**, the owner/occupier of the land may be served with a 15-day notice by the local authority. The notice informs them of the intention to remove the vehicle, and they have 15 days to object.

Local authorities also have the power to recover costs of removal, storage and disposal from the person responsible for abandoning the vehicle.

The **police** have powers under the Removal and Disposal of Vehicle Regulations 1986 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 to which a notice has been affixed by the local authority that has deteriorated to a dangerous wreck **immediately**.

Notice periods effective in Wales

- For vehicles that are abandoned on **public land**, the written notice period is **seven days** if the vehicle is considered to have **no value**, although vehicles that are considered to have **some value** can be removed **immediately**;
- For vehicles that the local authority considers to have **some value**, the storage period before disposal can take place (providing the vehicle is untaxed) is **21 days** from the day when the notice is served on the owner of the vehicle, or a further 14 days in the case of any subsequent notices.
- For vehicles that are abandoned on **private land**, the notice period during which the occupier of the land may object to the removal of a vehicle which has been abandoned is **15 days**;

The notice periods in Wales will be reduced to bring them into line with those in England, as soon as the necessary powers to vary Police Notice periods are devolved to the National Assembly for Wales.

What can you do to improve the problem?

As a resident or a vehicle owner, you have a role to play. Abandoning a vehicle is illegal and dangerous and it can ruin the appearance of your neighbourhood. As a **resident**, you can help by reporting vehicles which you believe to be abandoned, to your local authority. The following points will help you:

What information is needed to report an abandoned vehicle?

If you suspect that a vehicle has been abandoned, you should collect the following information about the vehicle before you report it:

- Vehicle make, model and colour;
- Vehicle registration number (if known – it may be visible on the tax disc if the number plates have been removed);
- Condition of the vehicle (detailing any vandalism, damage to the vehicle that has already occurred);
- Presence (or not) of the tax disc and whether it has expired;
- Location of the vehicle (be as specific as possible and also note if the vehicle has been left in a location that may cause obstruction or danger to others, such as on or near a pedestrian crossing, close to a road junction, in a designated garage area);

- How long the vehicle has been abandoned (if known);
- Any other information you feel is appropriate (e.g. who was the last person to be seen in the vehicle, any indication of who the vehicle may belong to, if people are congregating around the vehicle during the evening hours).

Who should you report an abandoned vehicle to?

If you believe that a vehicle has been abandoned, you should contact your local authority (you can find the telephone number in the phone book). Some local authorities have websites which contain advice for local residents on reporting an abandoned vehicle, some even provide an online reporting system. To find the website of your local authority, log on to www.ukonline.gov.uk and click on 'A-Z local authorities'.

Once a vehicle is reported, there is a process that local authorities must follow before they can remove it. Ask what will happen next and when you can expect the vehicle to be removed. Only if the vehicle has not been removed within that time or there is a change to the status of the vehicle such as vandalism, arson, etc, should you contact them again.



Who should you report an untaxed vehicle to?

A vehicle parked on the street must be taxed and insured and if it is aged three years or older it must have a valid MOT certificate. If you wish to report a vehicle that does not appear abandoned, but does appear to be untaxed then please contact your nearest DVLA local office in writing (you can find the address in the phone book). This can be done anonymously.

Details you will need to collect include:

- Make, model and colour of the vehicle;
- Registration number;
- Location of the vehicle;
- Name and address of owner (if known).

New car tax rules

If you own a vehicle, you need to be aware of the new car tax rules and you need to know what to do in the event that your vehicle reaches the end of its life. The following points provide a brief outline of what you need to know.

In January 2004, the DVLA introduced new measures to reduce the problem of abandoned vehicles:

- Registered keepers will be legally responsible at all times for making sure they have a valid tax disc. They will be liable for penalties and fines if the vehicle is untaxed, dumped or caught up in any criminal activity (automatic penalty of £80 if vehicle not taxed in time – without any need to see the vehicle – and £1,000 if taken to court);
- Responsibility for that vehicle will remain with the registered keeper until the DVLA is notified that the vehicle has been scrapped, sold, stolen or exported, unless a Statutory Off Road Notification (SORN) has been declared. Once the DVLA has been notified, they will issue a letter of acknowledgement, which should be kept as proof that the vehicle record has changed.



If I want to have an unwanted vehicle disposed of, will the local authority remove it for me?

- Some local authorities operate vehicle amnesty schemes, whereby they will collect and remove unwanted vehicles free of charge for their residents. Contact your local authority to see if they are operating a vehicle amnesty;
- Other local authorities may remove the vehicle for you, but at a charge;
- Alternatively, you will need to contact a 'vehicle dismantler' authorised to take scrap vehicles. There may be charges for collection and disposal. (In the future these will be known as 'Authorised Treatment Facilities' – Yellow Pages will contain contacts in your area.) You must make sure that the DVLA is given the correct notification regarding any change in the status of your vehicle;
- If it is a premature end of life vehicle (for example, as a result of being in a road traffic accident), your insurance company will deal with removal and disposal.

Further sources of information

ENCAMS runs the Keep Britain Tidy campaign and we have information on our website – www.encams.org. You can also get further copies of this booklet which can be ordered free of charge through the 'publications' section on the website, or via a telephone ordering line between 9am and 4pm on weekdays on 01942 612639.

Other useful contacts are shown below:

Driver and Vehicle Licensing Agency (DVLA)

Longview Road, Swansea SA6 7JL

T: 0870 240 6415 **W:** www.dvla.gov.uk

Chartered Institution of Wastes Management (CIWM)

9 Saxon Court, St Peter's Gardens, Marefair, Northampton NN1 1SX

T: 01604 620426 **W:** www.ciwm.org.uk

Department for Environment, Food and Rural Affairs (Defra)

Nobel House, 17 Smith Square, London SW1P 3JR

T: 0845 9335577 **W:** www.defra.gov.uk

Also contact:

- The officer responsible for abandoned vehicles at your local authority
- Your local police service
- Department for Transport
T: 020 7944 8300 **W:** www.dft.gov.uk
- The AA
T: 0870 600 0371 **W:** www.theaa.com

ENCAMS

Central Office for English Regions,
Elizabeth House, The Pier, Wigan WN3 4EX

T: 01942 612621 **F:** 01942 824778
E: enquiries@encams.org

Keep Wales Tidy

33/35 Cathedral Road, Cardiff CF11 9HB

T: 02920 256767 **F:** 02920 256768
E: south@keepwalestidy.org

Abandoning vehicles is illegal and dangerous and it can ruin the appearance of your neighbourhood. Don't put up with it – report it. If you report it, the vehicle can be removed and with your help the crime can be investigated.

Report the abandoned vehicle to your local authority. Use this form as a guide:

Report an abandoned vehicle

Vehicle make

Vehicle model

Vehicle colour

Vehicle registration number (if known)

Condition of vehicle

Is there a current tax disc displayed?

Location of vehicle
(please be as specific as you can)

How long has the vehicle been there?

Additional information

Your name, address and
telephone number (optional)

The local authority or the police may wish to prosecute the person(s) abandoning the vehicle. Help to beat environmental crime by making sure that it is always reported.

Cleaner Safer Greener
Communities

