

Abandoned Vehicles

Removing vehicles that appear to be abandoned within Ashford Borough.

At Ashford Borough Council, we have a duty to remove vehicles that have been abandoned without lawful authority. We will remove the vehicle from highway land (or elsewhere within the control of the council) as quickly as appropriate within the law – using the following process:

- Vehicles that are reported as abandoned will be investigated and a letter will be sent to the most recent registered keeper giving 7 days' notice of removal
- Following the expiry of this notice the vehicle becomes the property of Ashford Borough Council and will be removed
- These vehicles are stored for 14 days (or until any Road Fund Licence expires) and then destroyed.

We have the right to remove vehicles immediately under certain circumstances. E.g. if the vehicle is a danger to the health & safety of the public, or if there is no registered keeper.

If the owner wants the vehicle returned, they must pay the appropriate fees and provide proof of ownership. The vehicle has to be returned to a legal location, off road if it is untaxed.

Further information

A vehicle reported as abandoned on highway land will usually receive a visit and assessment by the end of the working day following the report. Photographs are taken and the registered keeper's details are obtained from the DVLA and recorded.

Ashford Borough Council operates a bespoke system to record and monitor all abandoned vehicle reports.

If an abandoned vehicle (not on private land) matches any of the following criteria, it will be removed as quickly as possible:

- broken windows, flat tyres
- contains materials of a dangerous nature
- excessive external or internal damage
- high risk of arson; open doors
- report by the local police authority as dangerous
- burnt out or fire damaged

It is the responsibility of the Police to move or remove vehicles that are on the highway and in a position to endanger other road users, i.e. obstruction.

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Minimum notice periods

Vehicle abandoned on the highway: immediate removal or 7 day notice (letter to registered keeper) as appropriate.

Private land: 15-day notice.

Under extreme circumstances vehicles can be removed and notice periods served elsewhere at discretion of a council officer. This may be the case for locations such as children's play areas or sheltered housing accommodation, where 'risk' or 'fear of crime' are significant factors.

Private land owners

Private land owners can have vehicles that do not belong to them removed from land within their control by making a written request to the Abandoned Vehicles Team.

This service will entail the vehicle and most recent keeper being served with a formal 15 day notice. The vehicle will be removed 15 days from the original notice. However, if there is no registered keeper, removal can be immediate.

Reporting an abandoned vehicle

If members of the public wish to report an abandoned vehicle, they can contact our Customer Service Centre or fill in the [online form](#).

They will be asked to provide the following information (if they know it):

- accurate location (postcode helps)
- condition of vehicle
- vehicle colour
- vehicle make and model
- vehicle registration
- whether the vehicle is a danger to other road users
- whether the vehicle is likely (in their opinion) to cause or create a danger to the public
- whether the vehicle displays a current tax disc, and if so the date of expiry.

Frequently asked questions

What happens when a vehicle is on private land?

The council can remove abandoned vehicles from private land using a fifteen-day notice, but only if the landowner does not object to the removal. The cost of removal can then be recovered from the landowner or registered keeper as appropriate.

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In some circumstances the landowner may contact the council to request the vehicle's removal. This is quite often the case in ex local authority or private housing developments.

How quickly will a burnt out or damaged vehicle be removed?

Damaged and obviously abandoned vehicles which have been left in a position where they are a risk or danger to the public will be removed as quickly as possible; normally that day or the following working day, as appropriate. In the case of burnt out or unidentifiable vehicles, however, the Police may need to carry out a forensic investigation before the vehicle can be removed.

How quickly are other vehicles removed?

Vehicles on the highway or verge that are reported abandoned, but pose no immediate risk to the amenity or local residents are removed after seven days. A 7 day notice is sent to the last registered keeper informing them of the council's intention to remove the vehicle and the charges for getting the vehicle back.

Why wasn't the vehicle I reported moved?

There may be a variety of reasons, including the fact that the vehicle had not been abandoned (merely broken down), the owner had been on holiday, the tax disc had not been displayed, and if on private land, the vehicle was covered by a SORN declaration. (Statutory Off Road Notification)

How much does it cost to remove an abandoned vehicle?

The amount allowed by government for councils to recover from the keeper of a vehicle known to be abandoned is currently £150 for removal, £20 a day storage and £75 for disposal. I.e. £505 per vehicle, because vehicles are stored for a minimum of 14 days.

What percentage of materials is recycled or reclaimed?

The disposal of 'end of life' vehicles is very heavily controlled by the Environment Agency. As such, all fluids, batteries and other components containing dangerous substances are removed, tyres are sent for recycling and the remaining shell shredded. 80 per cent of the total weight of the vehicle is recycled.

Can you remove untaxed vehicles?

Only if they have been abandoned. If the vehicle has not been abandoned and has been seen being driven, it can be reported to the [DVLA](#) or to Ashford Borough Council, which takes part in regular clean-ups of untaxed vehicles called [Operation Cubit](#). This operation is carried out jointly with KCC, DVLA, NSL Recovery and the Police.

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What is a SORN?

A SORN is a Statutory Off Road Notification which must be declared to the DVLA when a vehicle is not going to be used for a period of time. The vehicle must be kept away from the highway and on private land which the registered keeper owns or has permission from the owner to use for storage. For example, a driveway to a house, in a garage or on an allocated parking space.

The SORN conditions are quite often misunderstood or flaunted, even though the penalties are severe (£5000 fine and/or imprisonment). A large percentage of vehicles reported as abandoned (especially in local authority or housing association residential parking areas) have a SORN. In these cases, unless the relevant landowner specifically forbids the parking of SORNed vehicles on their land, there is nothing we can do.

Legislation

The legislation that allows us to remove abandoned vehicles is as follows:

- Clean Neighbourhoods and Environment Act 2005
- Statutory Instrument 2002 No. 746 (Removal & Disposal of Vehicles)
- Statutory Instrument 2008 No. 2095 (Charges for Removal & Disposal of Vehicles)
- Refuse Disposal (Amenity) Act 1978

Fines and charges

It is a criminal offence to abandon a motor vehicle or anything that has formed part of a motor vehicle on any land in the open air or on any other land forming part of a highway. A person found guilty of such an offence may be punished on summary conviction with a fine not exceeding £2500 or a term not exceeding three months in prison, or both.

Note: Making a false SORN declaration is an offence for which the maximum fine is £5,000 and imprisonment

Fixed penalty notices of £200 can be issued, but Ashford Borough Council does not do this.

Once the vehicle has been removed, it may only be released on proof of ownership and the payment of the following statutory charges:

Initial removal: £150, Storage: £20 per day from the date of removal

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