

Abandoned Vehicle Policy

The department's policy sets out how it will deliver its statutory duties when tackling abandoned vehicles, under the Refuse Disposal (amenity) Act 1978, as amended by the Clean Neighbourhoods and Environment Act 2005. We will follow the Statutory Guidance issued by the Department of Environment Food & Rural Affairs 'Nuisance Parking Offences and Abandoned Vehicles as applicable. The department's aim is to investigate all reported abandoned vehicle within 24 hours.

Definition of "abandoned"

There is no legal definition of "abandoned". It is down to the expert opinion of the officers to deem abandonment, however 2 or more of the following characteristics are generally common to all abandoned vehicles:

- Stationary for a significant amount of time.
- Significantly damaged, run down or unroadworthy (This would include the criteria for Hazardous abandoned vehicles in the procedures guide).
- Burned out.
- Lacking one or more of its plates.
- Containing waste.
- Not having a valid road fund licence
- Untaxed

A vehicle that is just untaxed cannot be classed as abandoned

Definition of "vehicle"

- Mechanically propelled vehicles 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 such a vehicle
- Any chassis or body with or without wheels, appearing to have formed part of such a vehicle or trailer (e.g. vehicles with flat tyres, wheels removed or broken windows)
- Anything attached to such a vehicle or trailer
- Caravans

Areas where the Council will remove abandoned vehicles

- On "roads" (i.e. a highway or road to which the public has access. This will include adopted highways, footpaths, and estate access roads)
- On land in the open air.
- On council owned land.
- On private housing association land (Where permission is granted)

Areas where the Council may remove abandoned vehicles

- Other Private land (Where a vehicle is abandoned on land that is occupied, the London Borough of Lewisham **must** give the occupier of the land 15 days' notice of our intentions to remove the vehicle before doing so. If permission is given by the occupier then no notice is required. Land that has a registered owner is land that is occupied)

It is not the Council's intention to deprive anyone of a vehicle they genuinely want and therefore under normal circumstances the Council will only remove abandoned vehicles from occupied private land when asked to do so by the occupier.

If the occupier/owner enters into a written agreement with the Council then abandoned vehicles on private occupied land will be investigated under the normal procedures detailed below and potentially will be removed. (Please note under normal circumstances the Council will not contact the owners or management agents in regards to vehicles reported to us via members of the public)

Where a vehicle is left abandoned on unoccupied land the London Borough of Lewisham will investigate it under the normal procedures below.

Advisory Notice Period

The Clean Neighbourhoods and Environment Act 2005 has removed the requirement to place notices on abandoned vehicles, however the London Borough of Lewisham will place either a 7-day advisory (AV notice) or an immediate removal notice (AVH notice) on all vehicles prior to removal.

AV notices (7-day) will be placed on all vehicles that are deemed abandoned by authorised officers of the Council and will be removed on or after the 7th day

AVH notices (immediate) which will be placed on all vehicles deemed abandoned which are in a hazardous condition. This would also include vehicles which have no number plates. Any such vehicles can be removed immediately. During pre-planned operations vehicles deemed abandoned may also be removed immediately

Vehicles will then be placed in one of the following 2 categories:

Abandoned Vehicles only fit for destruction or Abandoned Vehicles of value.

Vehicles only fit for destruction

The London Borough of Lewisham sets the value for such vehicles as below £1000. All such abandoned vehicles will be disposed of without prior warning to the owner.

Vehicles of Value

All abandoned vehicles of value will be removed at the expiry of the relevant notice and placed in secure storage for a period of not less than 7-days whilst investigations take place to find the current keeper/owner. If no keeper/owner is found the vehicle will be disposed of how we see fit.

The London Borough of Lewisham will determine the value of a vehicle using hpi.co.uk and will use either grade average or low to judge the value.