
REPORT TO:	COMMUNITY SCRUTINY COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	002 24th March 2003	CATEGORY: DELEGATED
REPORT FROM:	ENVIRONMENTAL HEALTH MANAGER	OPEN PARAGRAPH NO:N/A
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SUBJECT:	ABANDONED VEHICLE REPORT	REF: c:\myfiles\scrutiny/aban doned vehicles3
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Committee endorses the work undertaken on Abandoned Vehicles by the Environmental Health Licensing Section

2.0 Purpose of Report

- 2.1 To describe the legislative provisions that have been brought in to improve the situation of abandoned vehicles and describe the improvements that have been put in place since the last report.

3.0 Detail

IMPROVEMENTS MADE BY SDDC FOLLOWING COUNTY AGREEMENT

- 3.1 A working group of all Derbyshire Local Authorities, Police and Fire Service have held meetings to agree procedures of dealing with Abandoned Vehicles throughout Derbyshire. The meetings agreed that the following matters should be implemented:-
1. A written procedure on dealing with Abandoned Vehicles has been produced as is now in use within SDDC.
 2. All burnt out vehicles which have no number plates or methods of identification are removed immediately and destroyed.
 3. Vehicles that are burnt out or have no value but have identification numbers are served with the New 24Hr notice and then removed.
 4. Vehicles that have identification numbers and some residual value are served with a 7-day notice, however a check is necessary through the DVLC to determine any ownership details. This slows the whole process down and the Government proposals to supply information via the Internet are slow in coming.

5. A County agreement has agreed that vehicles on private land can now be dealt with following a written request by the landowner. Previously the vehicles on private land were not dealt with except on a very adhoc basis.

IMPROVEMENTS MADE SPECIFICALLY AT SDDC

- 3.2 A committee report was taken to the Environmental Services Committee on the 11th July 2002 (Annex 1) removing the delegation of Abandoned Vehicles from the Chief Executive and placing it with the Environmental Health Manager. The same report also authorised Environmental Health Officers, Technicians and Licensing Enforcement Officers the ability to serve notices directly on to abandoned vehicles without the need for a senior officer's signature or facsimile stamp.
- 3.3 Coupled with this carbonated notices have been produced allowing Officers to carry them in their vehicles. This allows them to initially visit the site, assess state of vehicle and serve the appropriate notice on one visit. The previous method often required 2 visits. First visit to assess state of vehicle and the second to serve a statutory notice following obtaining an appropriate signature.
- 3.4 An information leaflet has been produced which will be forwarded to all complainants informing them how the council will deal with abandoned vehicles - this will be introduced in April 2003.
- 3.5 A customer questionnaire will be introduced in April 2003, which will be forwarded to all complainants at the conclusion of their enquiry. This will facilitate customer feed back and potentially guide us on ways of improving the service.
- 3.6 A direct complainant Internet access will be made available in April 2003. This will allow members of the public to request service of the Council in regard to Abandoned Vehicles directly through the Internet, Information is also available via the Internet as to how the Council deals with Abandoned Vehicles.

FUTURE IMPROVEMENTS

- 3.7 We are now close to the installation of direct Internet access with the DVLA so that keeper information can be obtained almost immediately. Recent discussions are indicating that this should be a reality within the next calendar month - but this does rely on the DVLA.

SHORT TERM GOVERNMENT PROPOSALS FROM PREVIOUS REPORT

- 3.8 The Government believes that Local Authorities are best placed to deal with local concerns and respond to local circumstances in dealing with abandoned vehicles. In the short term the Government intends to enhance the powers of the Local Authorities to remove abandoned vehicles more quickly. It proposes to do this by: -

Reducing the notice period on highways and private land after which it is possible for L.A's to remove vehicles.

- 1) In the case where the vehicle has no value i.e. *it is such a condition that it should be destroyed* the notice period be reduced from 7 days to 24 Hrs.

(Completed by the Government and fully operational within SDDC)

2) For vehicles abandoned on the highway but with some value it is proposed to reduce the notice period from 21 days to between 7 and 14 days. .
(Completed by the Government and fully operational within SDDC)

3) The government further proposes to bring in line the removal of vehicles from private land to the same time periods as 1 and 2 immediately above.
(No Government action on this yet but local agreement in force)

3.9 It is also proposing to empower local Authorities to act as contractors to remove vehicles which are unlicensed, by, clamping them and impounding them. The time periods for destruction of these vehicles will also be reduced and charges for the release of vehicles from clamping or impounding will be levied.
(No Government action on this yet)

3.10 The government will make it easier and faster for local authorities to access DVLA records for vehicle ownership prior to service of notices.
(Government Action on this hopefully completed within the month)

LONGER TERM GOVERNMENT PROPOSALS

3.11 The Government believes that stringent measures are needed to ensure that all vehicles can be associated with a registered keeper who has clear responsibility for ensuring that the vehicle is operated legally and disposed of correctly. The key element in such an approach would be the continued fiscal responsibility of the former keeper. The keeper will maintain that responsibility unless they can demonstrate that they have notified DVLA of the transfer or destruction of the Vehicle. Under the current system it has been relatively easy for the keeper to disown responsibility for the vehicle, claiming he no longer has the vehicle in his possession.
(Discussed this matter with Department of Transport - no action likely for 12 - 18 months)

3.12 The United Kingdom should move to a system of continuous registration.
(No Government Action on this yet)

4.0 RISE IN NUMBERS OF ABANDONED VEHICLES

4.1 The rise in abandoned seems to have levelled out showing only a slight increase this year. I have attached a break down of the number of vehicles for the period 2001/2002 and 2002/2003 (ANNEX 2).

4.2 The rise in the number of abandoned vehicles could be reduced dramatically if the Government introduced one of their long-term objectives namely the system of continuous registration. This means that unless the seller has notified the DVLA of the formal transfer then the fiscal responsibility for the vehicle would remain with the seller.

4.3 An additional factor would be if the cost of scrap metal rose thus making it a financial benefit to sell the scrap vehicle rather than abandoning it.

5.0 Financial Implications

There are no additionally costs as a consequence of this report

6.0 Background Papers

6.1 ANNEX 1 Environmental Services Committee Report 11th July 2002 –Scheme of Delegation of Officers for Abandoned Vehicles.

6.2 ANNEX 2 Abandoned Vehicles 2001/2002 and 2002/2003