



Abandoned Vehicle Procedure

June 2024

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1. Introduction

1.1. This procedure sets out clear guidance for staff about how to:

- Effectively manage abandoned vehicles on the Stockwell Park Estate
- Organise external companies to remove vehicles where necessary
- Serve Tort Notices on abandoned vehicles where applicable

1.2. This procedure applies to all tenures across the estate.

2. How to identify an abandoned vehicle

Although there is no legal definition of an abandoned vehicle, there are indicators used to identify them:

- Untaxed, with no current vehicle keeper on the Driver and Vehicle Licensing Agency (DVLA) records
- Stationary for a significant amount of time
- Significantly damaged, run down or un-roadworthy (this could include vehicles with flat tyres, wheels removed or broken windows)
- Burned out
- No numbers plate
- Containing waste

2.1. This is not an exhaustive list. If the outcome of the investigation is that the car has not been abandoned or is not on our land, update the resident and close the case.

3. Record the description of the vehicle

3.1. Abandoned vehicles may be identified on inspections or routine visits or reported by residents. In all cases the following details should be recorded on Customer Hub:

- Precise location of vehicle
- Colour, make and model
- Registration number
- Condition

3.1.1 Before taking any other action, you should establish whether the vehicle poses a health and safety risk, e.g. leaking fuel or oil, causing damage to an SW9 property, harbouring vermin, attracting vandals, or with broken glass.

3.1.2 If a resident reports a suspected abandoned vehicle that is not on our land, they should be advised to contact the police, if they suspect it is stolen, or the local authority.

4. Who is responsible for abandoned vehicles?

4.1. Where the car park or parking space is private land, the owning party is required to deal with the abandoned vehicle. Where the abandoned vehicle is on a car park or private area owned and maintained by SW9, we are required to arrange its removal.

4.2. In some areas, local authorities take responsibility for removing all abandoned vehicles in accordance with the Clean Neighbourhoods and Environment Act 2005. Local authorities should always remove vehicles if the road is a public highway that they are responsible for, in such instances the vehicle can be reported via <https://www.fixmystreet.com/>.

4.3. Officers should check with the police to see whether vehicle description matches that of any that have been reported stolen or is subject to any other issue. Where the vehicle is in breach of local traffic regulation orders, is causing an obstruction or is likely to be a danger,

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the police have powers to remove it.

- 4.4. If the car has been abandoned, the contractor who runs the scheme should be alerted. The contractor should be requested to remove the vehicle in accordance with standard procedure set out in their agreement with SW9.
- 4.5. It is useful to build a good relationship with the local police station, especially the officers in the 'Safer Neighbourhood Team', in regard to abandoned vehicles.

5. Dealing with abandoned vehicles

5.1. Abandoned vehicle causing a hazard

- 5.1.1. If after visiting site you are unsure whether the car is causing a hazard, speak to your Manager or the estates team for further guidance.
- 5.1.2. If the car is causing a hazard, in the first instance report this to Lambeth Council who may accept responsibility for removing the car. If Lambeth do not accept responsibility, serve a TORT notice and arrange for removal. Refer the case to the contractor and request a quote to have the vehicle removed.
- 5.1.3. A member of the Neighbourhoods Team responsible for the scheme must make every possible effort to contact the owner of the vehicle and establish whether the vehicle is abandoned.

5.2. Abandoned vehicle not causing a hazard

- 5.2.1. If the vehicle is not causing a hazard and belongs to a resident, grant them 3 months to make sure that the vehicle is roadworthy and taxed provided there is a SORN certificate.
- 5.2.2. If the resident does not tax the vehicle or register it as SORN, or the vehicle does not belong to a resident, serve a TORT notice giving the owner 14 days to remove the vehicle.
- 5.2.3. Meanwhile, complete a DVLA request form and request for a cheque to be raised. Once you receive the cheque send this, along with the form and a cover letter with the SW9 letter head, to the DVLA.
- 5.2.4. If the DVLA informs you that the car is taxed, then it cannot be removed. Inform the resident of the outcome of the investigation and close the case.
- 5.2.5. If you have instructed the parking company, they should be able to serve the vehicle with a TORT notice. Speak to the individual Parking Control Company for further details.

5.3. Arranging for Removals

- 5.3.1. If the DVLA informs you that the car is not taxed, send a letter to the owner informing them to remove the vehicle within seven days. Also send them a copy of the TORT notice (if the date on the notice has expired, serve another notice)
- 5.3.2. Request a quote from the contractor to have the car removed.

5.4. Where SW9 is responsible for removals

- 5.4.1. Where it has been established that we are responsible for dealing with an abandoned vehicle and it is not considered to be a health and safety hazard, the Estate Services Officer should issue an 'Abandoned Vehicle Notice (Tort)' and place it on the drivers' side window of the vehicle, in a plastic pocket to protect it.
- 5.4.2. A copy of the notice should be kept, plus a photograph of the vehicle with the notice clearly displayed and an 'Abandoned Vehicle Report Form' should be completed.

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- 5.4.3. If after 14 days the vehicle has not been removed and ownership of the vehicle is unknown or uncertain, a member of the Neighbourhood Team should request details of the vehicle owner from the DVLA, by sending the relevant fee (currently £2.50) plus:
- A DVLA Ownership Enquiry cover letter on headed paper
 - The relevant ownership enquiry form (V888/2, unless details needed to enforce charge as vehicle in area of parking scheme, in which case V888/3)
 - The DVLA Company CV (printed on headed paper)
- 5.4.4. Once ownership details are received the owner should be written to, giving them 14 days' notice to remove the vehicle. Included with this letter should be the DVLA information leaflet Certification of Destruction which should assist the owner to dispose of the vehicle responsibly (and often for free).
- 5.4.5. If after 14 days, the vehicle has still not been removed then the Estate Services Officer should appoint the contractor to remove it.
- 5.4.6. At any point during this process the owner may approach us. If they are a resident the Neighbourhood Officer should discuss the situation and, if appropriate, agree that the resident should license their car or get a SORN (Statutory Off-Road Notice), where this is likely to solve the problem.

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Policy owner:	Property Services Manager	
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	Initial or full EIA	

Change Record

Date	Reviewed by (name and title)	Version	Summary of changes