

<b>COMMITTEE:</b>	<b>Cabinet</b>
<b>DATE:</b>	<b>5 June 2002</b>
<b>SUBJECT:</b>	<b>Abandoned Vehicles</b>
<b>REPORT OF:</b>	<b>Director of Planning, Regeneration and Amenities</b>
<b>Ward(s):</b>	All
<b>Purpose:</b>	To advise Members on this Council's current response to abandoned vehicles and the potential effects of a change in legislation.
<b>Contact:</b>	Mark Probyn, Head of Amenities, Telephone 01323 415240 or internally on extension 5240.
<b>Recommendations:</b>	That Cabinet  (a) notes this Report; and  (b) requests the Director of Planning, Regeneration and Amenities to report back to a future Cabinet on implications for the Council in providing a facility that would enable all abandoned vehicles to be removed off highway at the earliest opportunity prior to disposal or being claimed by an owner.

<b>1.0</b>	<b><u>Background and current position</u></b>
1.1	There are a number of relevant background papers to this report which provide an understanding of the work undertaken by the Council, and the Council working in association with the County Council, to address an ever increasing number of reported abandoned vehicles within the Borough.

1.2	Over the last two years the Head of Amenities has worked with both the Police and officers of the County Council to streamline procedures which now enables the much faster identification/ verification of abandoned vehicles and for their removal off street. Further to this, all abandoned vehicle reports are now logged on a database and their progress in terms of identification and verification is recorded.
1.3	Additional revenue funding has enabled the employment of a part time officer within the Cleansing Group who is specifically engaged on the inspection and monitoring of potentially abandoned/ abandoned vehicles.
1.4	Statistical information on Abandoned Vehicles is at Appendix A. From this information it can be seen that although there has been an increase in the number of abandoned vehicles reported in recent years, many of those vehicles reported, upon inspection have been found to be not abandoned. That is not to say however that they have not all been parked on the highway lawfully. From the information at Appendix A it can be seen that some 286 vehicles were found to have no valid road fund licence and this information, as a matter of procedure, is passed to the Driver Vehicle Licensing Authority (DVLA). Of equal concern, many vehicles when 'ticketed' are removed, only to be reported again in some other location within the Borough. (It should be noted that a further report of such a vehicle is not treated as a new vehicle in terms of the total number of abandoned vehicles given in Appendix A.)
1.5	In terms of the current arrangements for the disposal of abandoned vehicles, the Borough is required to deliver abandoned vehicles to the County as the Disposal Authority. Prior to setting in place an agreement between the Borough and County last year, vehicles for disposal were delivered by a Contractor engaged by the Borough to the Household Waste Site in St Philips Avenue. Further to the agreement, vehicles are now taken direct to the County's Disposal Contractor under a joint funding arrangement.

1.6	<p>Both authorities are obliged to observe legislative procedures in the processing of abandoned vehicles. The due procedures are contained within The Removal and Disposal of Vehicles Regulations 1986, The Refuse Disposal (Amenity) Act 1978 and the Road Traffic Regulation Act 1984. Certain powers have more recently been introduced by The Removal and Disposal of Vehicles (England) (Amendment) Regulations 2002 which came into force on the 9 April 2002.</p>
2.0	<p><b><u>Legislation</u></b></p>
2.1	<p>Under the provisions of the Regulations referred to in 1.6 above and prior to the Regulations introduced in April 2002, when an abandoned vehicle is identified and in the Councils' opinion is in such a condition that it ought to be destroyed, the Council is required to give 7 days notice prior to removing the vehicle.</p> <p>If an authority removes a vehicle that is not in such a condition that it ought to be destroyed and when an owner is identified a period of 21 days notice is required to be given to the owner during which time the owner is required to remove the vehicle from the custody of the Council (ESCC). If the vehicle is not claimed during this period it may be destroyed.</p> <p>From the 9<sup>th</sup> April however, the periods of 7 days and 21 days have been revised to 24 hours and 7 days respectively.</p>
2.2	<p>From this it can be seen under present arrangements, although the reduction to 24 hours can assist the Borough Council in removing a vehicle that is considered to be in such a condition that it ought to be destroyed, in reality, for the greater number of abandoned vehicles reported in the Borough this would not be appropriate. For vehicles removed without notices affixed to them, the reduction of the notice period to 7 days is important in that this should enable a greater throughput of vehicles by the County's Disposal Contractor.</p>
3.0	<p><b><u>Revised Arrangements</u></b></p>

3.1	<p>The Head of Amenities has been in consultation with officers of the County Council concerning the implementation of revised arrangements that take account of the recent change in Regulations. However, at the time of writing this report the Head of Amenities regrets that he is not in a position to report fully on the changes or effects of any change may bring. Clearly under current arrangements, as the Collection Authority, the Borough is dependent upon the County's facilities for the storage and disposal of abandoned vehicles.</p> <p>When considering removing vehicles without affixing a notice, in practice and despite the notice period being reduced to 7 days, it is likely that each vehicle will require storage of between 14 to 21 days.</p> <p>This would result in a slightly different approach to the storage and disposal of vehicles to the current practice and officers of the County are currently considering the full implications of this.</p>
4.0	<p><b><u>An alternative approach</u></b></p>
4.1	<p>Clearly present arrangements for the collection and disposal of abandoned vehicles are managed jointly between the Borough and County.</p> <p>In considering the various stages of the process these can be improved but this will have financial consequences which are likely to be significant.</p> <p>In terms of the identification and processing of information on abandoned vehicles within the Council's own Cleansing Team this is dependent upon one part time officer and a heavily burdened administrative support which in last year handled over 26,000 telephone calls concerning Cleansing Services overall. In terms of vehicle identification/verification present arrangements allow for the Council to receive information direct from the Police on vehicle ownership. Unfortunately, however, due to the sheer volume of other administrative work in the Cleansing Group it is not always possible to administrate this information on a daily basis. This could be overcome by additional resource.</p> <p>On identification and monitoring, the provision of a part time post does not enable an efficient level of manpower to ensure a continuity of approach in working.</p> <p>In terms of throughput and costs to dispose of vehicles, there is a current revenue budget allocation of £5,000 in this financial year which is likely to result in a shortfall at the outturn for this year, against last years costs, of some £14,000.</p>

4.4	<p>There are no doubt alternative approaches to responding to abandoned vehicles and Cabinet may care to request the Director of Planning, Regeneration and Amenities to investigate these and to report back to Cabinet at a later date. One such an arrangement could be that the Council would take on the disposal obligation currently provided by the County Council. This would require the Council not only to provide, or arrange disposal facilities, but also resources to provide and manage secure storage for vehicles prior to collection by an owner, should there be one.</p> <p>It must be understood, however, that apart from the legal implications there are likely to be significant cost implications in providing such a service and mainly for this reason the Head of Amenities would not recommend this approach.</p>
5.0	<b><u>Consultation</u></b>
5.1	Officers of the County Council have been consulted on this report.
6.0	<b><u>Human Resource and Financial Implications</u></b>
6.1	There are no immediate human resource and financial implications arising from this report.
7.0	<b><u>Environmental, Youth and Anti-Poverty Implications</u></b>
7.1	There are no immediate environmental, youth and anti-poverty implications arising from this report.
8.0	<b><u>Summary</u></b>
8.1	This report is concerned with abandoned vehicles. It provides information on current arrangements, an indication of the effects of a recent change in legislation and seeks Cabinet guidance as to whether or not Cabinet requires a further report to be provided on alternative arrangements for the service.

<b>Mark Probyn</b>	
<b>Head of Amenities</b>	
<b>Background Papers:</b>	
The Background Papers used in compiling this report were as follows:	
Addendum to Report	
Best Value Review of Cleansing Services (Addendum to Report) -	
Scrutiny Committee, 12 December 2001	
Abandoned Vehicles	
Eastbourne Area Committee, 21 March 2001	
Minutes - Eastbourne Area Committee 17 January 2001	
Eastbourne Borough Council - Members News Item - February 2001	

**APPENDIX A**

**ABANDONED VEHICLES**

<b>YEAR</b>	<b>NOTIFICATION RECEIVED</b>		<b>SENT FOR DISPOSAL</b>	
1988/99	705		133	
1999/20	1046		277	
2000/01	1725		631	
2001/02	2024		568	
2002/03	336	(to date)	84	(to date)

**2001/02 PERFORMANCE (FROM DATA BASE)**

**Of vehicles reported the following were removed as abandoned:**

Removed within 7 days	40	
Removed within 14 days	65	
Removed within 21 days	<u>132</u>	
<b>Total within 21 days</b>	<b>237</b>	<b>237</b>
Removed over 21 days	331	<u>331</u>
<b>Total removed</b>	<b>568</b>	<b>568</b>

**Of other vehicles reported:**

Vehicles with road fund licence requiring no further action	286
Vehicles removed from reported location	836
Vehicles 'claimed'	234
Vehicles carried over into 2002/03	100

Therefore, of a total of 2024 abandoned vehicle reported, 568 were removed by the Council. On 1356 vehicles no further action was required to be taken and 100 vehicles were carried over from 2001/02 into 2002/03.