

ABANDONED AND UNAUTHORISED VEHICLES POLICY

Responsible Officer

Director of Customer Services

Aim of the Policy

The aim of this policy is to ensure:

- Our estates are well maintained and free from vehicles that are abandoned, unauthorised or that may cause a health and safety risk.
- We remove abandoned vehicles from our estates quickly to provide maximum parking space for our residents.
- Tenants and lessees keep their vehicles in line with their tenancy agreement or lease.

Scope of the Policy

This policy applies to all our housing estate roads, paths and parking bays in accordance with current tenancy agreements and leases. Most of these agreements and leases have a clause which prohibits untaxed, abandoned, unroadworthy and dangerous vehicles from being parked on our estates. For older tenancy agreements and leases without this clause, we will apply this policy based on the nuisance clause or government guidance on abandoned vehicles.

Heavy Goods Vehicles (HGV's), Buses, Minibuses, Caravans, Quad Bikes and Large Vehicles should not be parked on Phoenix estate roads, paths and parking bays.

The Policy

We regularly inspect our estates for vehicles that do not appear to be in use, are illegally parked and which could pose a health and safety risk. We may check these vehicles on the DVLA website to confirm if the vehicle is taxed or registered as off road (Statutory Off Road Notification – SORN).

If the vehicle is on your property and is:

- **On your personal driveway but presents a health and safety risk** – for example, is burnt out, on blocks or significantly damaged – we will work with Housing Management or Home Ownership to contact you about repairing or removing the vehicle.
- **In your garden** – we will work with Housing Management or Home Ownership to contact you about removing the vehicle.

If the vehicle is elsewhere on our estates and is:

- **Taxed but presents a health and safety risk** – for example, is burnt out, on blocks or significantly damaged – we will report the vehicle to the Police and Local Authority to arrange for removal.
- **Not taxed or registered as off road (SORN)** – we will report it to the Local Authority who will investigate the vehicle.

- **Not taxed and is registered as off road (SORN)** – we will take the following steps:
 1. **First Notice** – We will leave a notice on the vehicle, asking the owner to contact us within seven days.
 2. **Second Notice** – If there is no response to the First Notice, we will leave another notice on the vehicle, giving the owner an additional seven days to contact us. At the same time, we will apply to the DVLA for the registered keeper's details. Once we have these details, we will also send the Second Notice to the registered keeper.
 3. **Vehicle Removal** – If the owner has not contacted us by the deadline on the Second Notice, we will consider the vehicle to be abandoned and remove it from the estate. If the vehicle is valued at:
 - **£1,000 or less**, it will be demolished without further notice.
 - **more than £1,000**, it will be held in storage for four weeks and the owner will be advised of this. If the owner has not claimed the vehicle within the four weeks, it will be demolished without further notice.

If an owner contacts us after the first or second notice, we will give them a date by which the vehicle must be either taxed or removed. If the vehicle is still there and untaxed after this date, we will proceed with vehicle removal as described above.

Any costs incurred for removal, storage and demolition will be recharged to the owner.

Permission for off road (SORN) vehicles

If you have registered your vehicle as off road (SORN) with the DVLA, you must ask us for permission to keep your vehicle on our estates (housing estate roads, paths and bays). You can request permission by writing to us with the following vehicle information:

- Make, model and colour
- Registration number
- Location
- Length of time it is expected to be off road
- Reason for it being off road
- A copy of the SORN

The maximum length of time we will permit you to keep a SORN vehicle on our estates is 4 weeks from the tax expiry date. If your vehicle is not removed or taxed after the agreed period, we will send you a Second Notice and possibly remove your vehicle as outlined above.

Monitoring and review

We will review this policy every three years or sooner if there are changes to legislation, good practice or other learning.

Legislation

- Clean Neighbourhoods and Environment Act 2005
- Data Protection Act 2018
- Coronavirus Act 2020

Associated documents, policies and procedures

- First and Second Notices
- London Borough of Lewisham Abandoned Vehicle Policy
- Department for Environment, Food and Rural Affairs guidance on Nuisance Parking Offences and Abandoned Vehicles
- Your Tenancy Agreement
- Your Lease

Definitions

Term/acronym	Description
Abandoned and unauthorised vehicles	Common characteristics include a vehicle that is illegally parked, untaxed, stationary for a significant amount of time, unroadworthy, significantly damaged or run down, dangerous, burnt out or containing waste.
DVLA	Driver and Vehicle Licensing Agency.
Owner	Owner or registered keeper.
Resident	Includes tenants and lessees.
SORN	Statutory Off Road Notification, required if you want to stop taxing and insuring a vehicle.
Unroadworthy	Vehicles that present a danger, health and safety risk or a nuisance to the driver, passengers, other road users or pedestrians.
Vehicles	Includes all motor vehicle classifications and trailers. Mobility vehicles, such as mobility scooters are excluded.
We/us/our	Refers to Phoenix Community Housing.
You/your	Refers to Phoenix tenants and lessees.

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