

Facilities Management from A to Z

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Abandoned Vehicles

Abandoned Vehicles can be a real problem for some facility managers. Suddenly finding a car with no apparent owner somewhere on your site can be a serious nuisance creating access, safety and appearance issues.

Section 2 of the Refuse Disposal (Amenity) Act 1978 (RDAA) makes it a criminal offence to abandon a motor vehicle¹ or anything that has formed part of a motor vehicle on any land in the open air or on any other land forming part of a highway.

A person found guilty of such an offence may be punished on summary conviction with a fine not exceeding level 4 on the standard scale (currently £2,500), or a term not exceeding three months imprisonment, or both.

If a car is on private land then normally it is the landowner's responsibility to remove it. However, it cannot be moved straight away. A notice must first be displayed on the vehicle stating that if the car is still there in 14 days time then it will be removed.

If there are number plates on the vehicle, Police advice is to send a recorded delivery letter to the registered keeper giving the same information, keeping the proof of postage and a copy of the letter. A Form V888 will generate registered details from the DVLA so long as the request is considered legitimate.

Giving reasonable notice that the car will be towed away prevents against the owner subsequently claiming theft or damage to the vehicle. If the car is sold for scrap, the landowner can keep the costs of removal, but any surplus should go to the proven owner if they ever make themselves known.

The police can move cars on land in open air in limited circumstances. The power is discretionary and they are unlikely to remove a rusty old car which has been rotting on the land for several years.

However if the car looks stolen (i.e. it has damage to the locks) then the police should be informed. Local authorities will usually remove abandoned vehicles from private land and dispose of them once the notice period has expired. A fee may be charged for this.

Further guidance is available on the Direct.Gov website in the Home and Community section