

FactSheet

www.islandroads.com

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Abandoned Vehicles

A guide to reporting abandoned vehicles and the processes followed by Island Roads

Abandoned cars can be a nuisance and an eyesore and can sometimes pose a safety risk to road users.

Between January 2022 and February 2023, Island Roads received 1,034 reports of abandoned vehicles. Between January and May 2024, we received 586 reports. Though many of these reports may have been about the same vehicle and while not all of the reported vehicles were abandoned, it is clear that this is an issue of concern - and a growing one - for many people.

At Island Roads, people often ask us what can be done to get abandoned cars removed. It can be a complex issue involving multiple agencies. This factsheet sets out some information on abandoned cars and the legal process we must follow, to remove such vehicles.

What can Island Roads do about vehicles left for long periods of time?

Councils and national park authorities (authorities) must remove abandoned vehicles from:

- land in the open air (including private land)
- roads (including private roads)

On the Isle of Wight, Island Roads acts on behalf of the IW Council.

There is no sole definition currently used to define an “abandoned vehicle”. The Refuse Disposal (Amenity) Act 1978 states that a vehicle is abandoned only, “where it appears to a local authority that a motor vehicle in their area is abandoned without lawful authority...”.

Island Roads officers have the freedom to use their discretion when making a decision on abandonment.



However, there are processes that must be followed before Island Roads can determine that a vehicle has been abandoned and therefore consider its removal.

Each case will therefore need to be assessed individually and this means that there isn't necessarily a specific timescale prescribed as to how long it will take to remove a vehicle, should that be the outcome.

How do I know if a vehicle is abandoned?

An abandoned vehicle, is a vehicle that either the authority or authorised Island Roads officer have reason to believe, that the registered keeper or the legal owner is **NOT** likely to return to. It is not simply a vehicle that is either untaxed or dangerously parked or one that has been left in the same location for a long period of time. It is only therefore deemed to be potentially abandoned, when the authority or authorised officer at Island Roads has, having considered at all the available evidence, decided that it is abandoned.

The following characteristics are generally common in cases of potential abandonment and one or more of the following will be taken into account when deciding whether or not a vehicle is abandoned:-

- The vehicle is untaxed
- The vehicles tyres are flat and/or its wheels have been removed
- There is litter or detritus under the vehicle suggesting that it has not been moved for some time – vehicles parked for a period of less than 21 days, unless considered a danger, would not be considered abandoned
- There is mould on the inside or the outside of the vehicle
- The vehicle contains items of waste, for example tyres, old newspapers, general rubbish
- The windows or windscreen are broken
- The vehicle has been vandalised, exterior vandalism may include dents or graffiti, interior vandalism may include seats having been slashed or removed
- The vehicle has been burnt out
- The vehicle is lacking one or more of its number plates



What do we do to establish ownership of a vehicle that has been reported abandoned?

Firstly, Island Roads will carry out a visual assessment looking for the type of features mentioned above.

If they believe a vehicle may be abandoned, they will contact the DVLA to ascertain the registered keeper. They will then write to that registered keeper to see whether the vehicle has in fact been abandoned.

If the keeper cannot be traced or has not responded to letters, we will put a sticker on the car stating that we believe it to be abandoned and asking the owner to contact us if that is not the case.



If no response is forthcoming, the vehicle may be removed. If an owner subsequently comes forward or is identified, he may be charged to reimburse Island Roads for costs incurred in the removal and/or storage.

A car that is not collected after all these processes have been followed, may be disposed of by Island Roads.

If the owner demonstrates that the car is not abandoned – and it is safely parked – then no further action will be taken.

Why do people abandon vehicles?

Unfortunately, there is no one definitive reason why people abandon vehicles. In fact, there are a wide variety of reasons why vehicles are abandoned. Some of the more usual reasons include the following:

- Changes in the value of scrap metal. Rather than receiving payment for their unwanted vehicles, under some circumstances, last registered owners may be asked to pay for the vehicle's collection and/or disposal.
- The value of used cars is decreasing
- Some drivers are not the registered owner and keeper of the vehicle, they have no road tax, no insurance, no MOT and as a result, have no legal connection with the vehicle, therefore once the vehicle becomes unwanted, abandonment is the only option.
- The high cost of motoring, including charges incurred from speeding fines, parking fines etc. Often the value of the charges is greater than the value of the vehicle itself, therefore abandonment is the cheaper option.
- The high cost of maintaining and repairing the vehicle when it is old.
- Vehicles involved in criminal activities are often abandoned once the crime has been committed.
- The increase in MOT failure rates, as some older vehicle cannot meet the standard required on exhaust emissions.
- Personal circumstances of the owner e.g. death of the owner, owner suffering ill health, owner in prison, owner moved away from the area.

Abandoned vehicles and the law

Local authorities are under a duty under Section 3 of the Refuse Disposal (Amenity) Act 1978, to remove a vehicle which is abandoned in their area, on any land in the open air, or on any other land forming part of a highway. This means that abandoned cars can be removed from private roads and private property.



Under this Act, abandoning a vehicle is a criminal offence, carrying a maximum penalty of a fine of £2,500 or three months' imprisonment, or both.

Island Roads have the power to recover costs of removal, storage and disposal from the person responsible for the abandonment of the vehicle. This can mean "the owner of the vehicle at the time when it was put in the place from which it was removed, unless he/she can show that he/she was not concerned in and did not know of its being put there."

A vehicle should not be considered abandoned solely on the grounds that it does not have valid tax. Untaxed cars that are not abandoned should be reported to the DVLA via their website <https://contact.dvla.gov.uk/report-untaxed-vehicle>.

How do I report an abandoned vehicle?

To report an abandoned vehicle, please contact our help desk on 01983 822440 or complete an online form <https://fms.islandroads.com/>.

You can visit our website for more details about any of our services www.islandroads.com