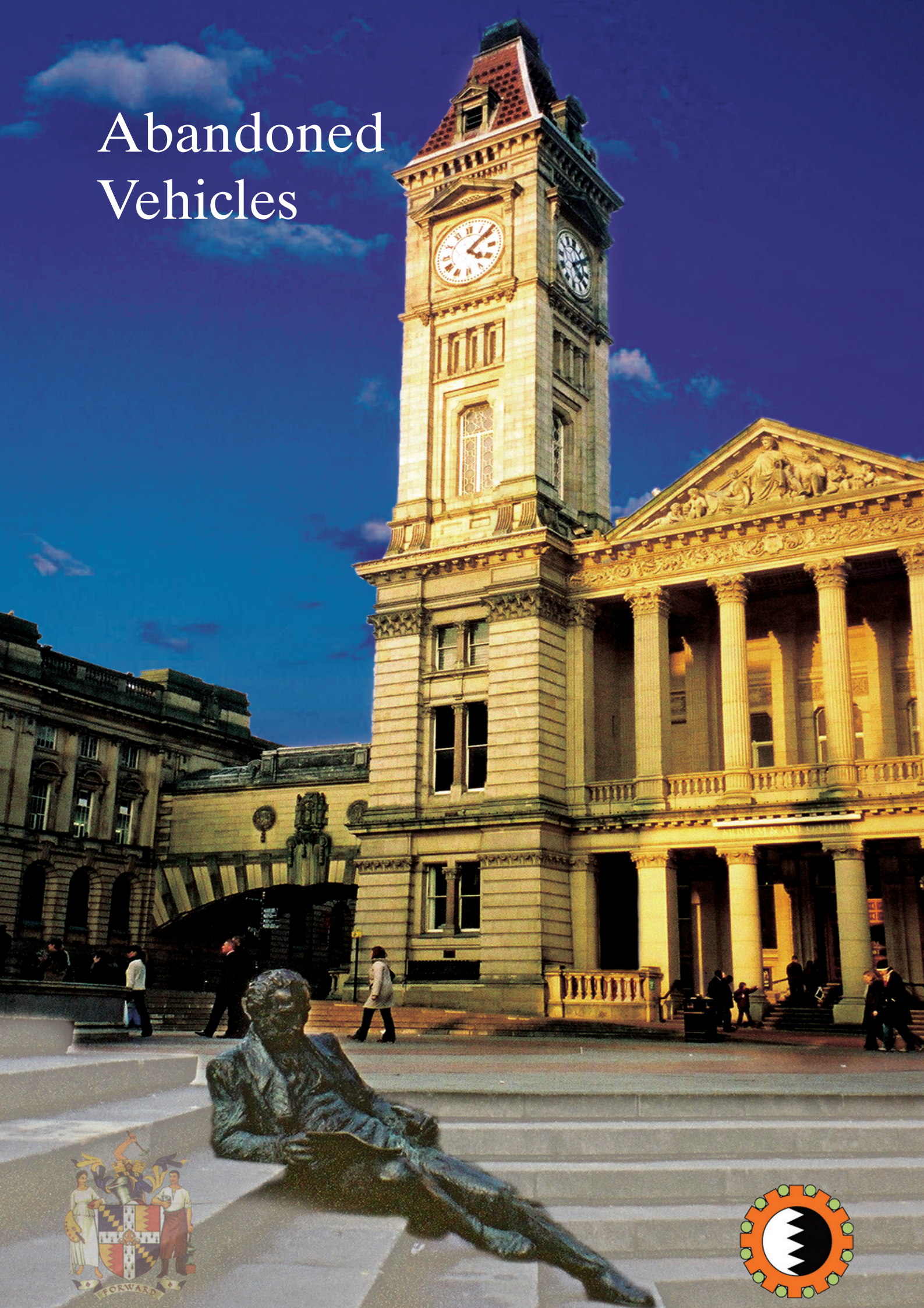


Abandoned Vehicles





Abandoned Vehicles

04 November 2003

Report of the Street Services Overview and
Scrutiny Committee

Abandoned Vehicles



Abandoned car in Aston, January 2003

Further copies of this report can be obtained from:

Scrutiny Support Officer: **Ann D'Arcy**

☎: **0121 303 1729**

E-mail: ann.d'arcy@birmingham.gov.uk

Reports that have been submitted to full Council can be downloaded from
www.birmingham.gov.uk/scrutiny.



Abandoned Vehicles

Contents

1:	Summary	4
2:	Summary of Recommendations	5
3:	Introduction	8
	3.1 Background	8
	3.2 Terms of Reference and Methodology	9
	3.3 Underlying Factors	9
	3.4 Changes in UK Legislation	10
	3.5 The End of Life Vehicle Directive	12
4:	Abandoned Vehicles in Birmingham	13
	4.1 What is an 'Abandoned Vehicle'?	13
	4.2 How the Council Deals With Abandoned Vehicles	14
	4.3 Inspecting Vehicles	14
	4.4 The Contract for Removal and Disposal	16
	4.5 Where Vehicles Are Abandoned	16
	4.6 How the Service Performs	17
	4.7 Other Departments	19
	4.8 The Free Removal Service	21
	4.9 The Protocol With West Midlands Police	22
5:	Examining Other Options	23
	5.1 Different Kinds of Solutions	23
	5.2 Working Together	23
	5.3 Contracts for Removal and Disposal	25
	5.4 Partnerships in Enforcement Operations	27
	5.5 Adopting 'Devolved DVLA Powers'	28
6:	Findings and Recommendations	29
	6.1 Improving Service Performance	29
	6.2 Improved Information	29
	6.3 How BCC Deals With Problem Vehicles	31
	6.4 Working With DVLA	33
	6.5 Revising the Contract	35
	6.6 Progress on Implementation	37
	Appendix 1: Who Deals With Vehicles?	38
	Appendix 2: Abandoned Vehicles by Ward	39
	Appendix 3: Operation Cubit	41



Abandoned Vehicles

Preface

Councillor John Lines

Chairman, Street Services Overview and Scrutiny Committee



Councillor Mike Nangle

Lead Review Member



It is clear that there has been an escalating problem both locally and nationally with abandoned vehicles over recent years. As Councillors we receive many requests to deal with problem vehicles, and are often frustrated when processes cannot resolve the problems as quickly as we would wish. This, and the clear cost implications to the City Council of dealing with the problem, was one of the key factors behind this review.

Yet it was also clear that a significant part of the problem that we see as Councillors cannot actually be dealt with by the City Council alone. One of the factors emerging from this review was the necessity of having clear systems and arrangements to tackle the issues involved. This applies across the City Council and also with the agencies and organisations that we must work in partnership with.

It would be unrealistic for us to expect the issues to be resolved overnight. However, we hope in conducting this review that we have identified approaches that will enable practical measures to be introduced so that we can see demonstrable progress.

A handwritten signature in black ink, appearing to read "John Lines".

A handwritten signature in black ink, appearing to read "M P Nangle".



Abandoned Vehicles

1: Summary

- 1.1.1 Birmingham has faced an increasing number of vehicles reported as abandoned over recent years. This has caused increased cost for the City Council in dealing with the problem.
- 1.1.2 Other kinds of 'problem vehicle' are frequently reported to the Council as abandoned. This includes cases such as untaxed vehicles with an owner, which the City Council currently has no powers to deal with. However, the Council must still inspect all reported vehicles to ascertain whether they actually are abandoned.
- 1.1.3 Other authorities deal with the issue of abandoned vehicles in different ways. This variation in approach is dictated by the nature of the vehicle problems that they face, as well as the size of authority and how they are organised. These factors understandably differ from one authority to another.
- 1.1.4 The Council's abandoned vehicle removal operation is relatively effective at removing hazardous abandoned vehicles from the street. Further improvement can always be sought in the speed that abandoned vehicle cases are resolved overall.
- 1.1.5 A greater level of partnership working and liaison with the Police and DVLA will promote greater enforcement of untaxed vehicles. This should be expected to result in fewer vehicles reported as abandoned.
- 1.1.6 Other approaches have also been examined in the course of this review, such as the processes by which the Council inspects and removes vehicles. Seeking greater synergy between Waste Management and other departments of the Council can also deliver service improvements.



Abandoned Vehicles

2: Summary of Recommendations

	Recommendation	Responsibility	Completion Date
R1	<p>The key managerial indicators for performance in dealing with abandoned vehicles should be determined.</p> <p>These indicators should form the basis of regular (at least monthly) monitoring reports on the removal of abandoned vehicles.</p> <p>The indicators should form the basis of the performance criteria included in any revised contract for removal (see recommendation R8).</p> <p>The resource implication to set up the necessary reporting mechanisms is expected to be contained within the existing budget.</p>	Cabinet Member for Transportation and Street Services	30 November 2003
R2	<p>Opportunities to extend the reporting and inspection / stickering of abandoned vehicles by staff in departments other than Waste Management are identified.</p> <p>This should also include opportunities with staff of contractors (such as Parking Attendants).</p> <p>These opportunities should be considered for implementation on a department by department basis. In each case, to aid consideration, a detailed financial appraisal should be conducted.</p>	Cabinet Member for Transportation and Street Services	30 April 2004



Abandoned Vehicles

Recommendation	Responsibility	Completion Date
<p>R3 Consideration should be given to the benefits of working with DVLA on an operation similar to 'Operation Cubit'.</p> <p>This should consider methods of</p> <ul style="list-style-type: none"> • Obtaining the £35,000 funding for an operation across the City as soon as possible • Making clear the process for wards / constituencies to decide to enter into locally-targeted follow-up operations in the future • Working with neighbouring authorities to share the cost where possible <p>The outcome of this consideration should be reported back to the Street Services Overview and Scrutiny Committee, with a decision on future action.</p>	<p>Cabinet Member for Transportation and Street Services</p>	<p>31 January 2004</p>
<p>R4 An evaluation should be conducted as to the projected cost to the City Council of working in partnership with the DVLA to collect Vehicle Excise Duty.</p> <p>This should be adequate to inform whether a decision to adopt this approach would be of benefit to the City.</p> <p>The outcome of this decision should be reported to the Street Services Overview and Scrutiny Committee. The resource implication to set up the necessary reporting mechanisms is expected to be contained within the existing budget.</p>	<p>Cabinet Member for Transportation and Street Services</p>	<p>30 April 2004</p>
<p>R5 There should be a robust process for ensuring that details of untaxed vehicles that the Council cannot deal with are communicated to DVLA and / or the Police as appropriate.</p> <p>This should enable such reports to be followed up if necessary.</p>	<p>Cabinet Member for Transportation and Street Services</p>	<p>31 December 2003</p>



Abandoned Vehicles

	Recommendation	Responsibility	Completion Date
R6	<p>When the re-tendering process for the contract for removal of abandoned vehicles is scheduled to begin, a modular process should be used.</p> <p>This should allow bidders to bid for a combination of the inspection, removal and disposal / storage elements of the process.</p>	Cabinet Member for Transportation and Street Services	30 June 2004
R7	<p>When the abandoned vehicle contract is revised, the contract should include clear, performance-related incentives for the contractor.</p> <p>Such incentives should financially reward the contractor for exceeding our targets and penalise if the targets are not met.</p>	Cabinet Member for Transportation and Street Services	01 May 2005
R8	<p>Detailed consideration should be given to the ability to incorporate the following elements of the Council's operations under one contract or structure of contracts:</p> <ul style="list-style-type: none"> • Inspection, removal and disposal / storage of abandoned vehicles • Removal and disposal / storage of vehicles parked in contravention of Traffic Regulation Orders • Removal and disposal / storage of nuisance vehicles 	Deputy Leader (as an overall Procurement matter)	30 April 2004
R9	<p>Progress towards achievement of these recommendations should be reported to the Street Services Overview and Scrutiny Committee by 01 June 2004.</p> <p>Subsequent progress reports will be scheduled by the Committee thereafter, until all recommendations are implemented.</p>	Cabinet Member for Transportation and Street Services	01 June 2004



Abandoned Vehicles

3: Introduction

3.1 Background

- 3.1.1 Abandoned vehicles pose a variety of problems. At the most basic, aesthetic, level they are an eyesore, giving areas an appearance of deprivation and decline. They can also be the object of arson or vandalism, often leaving the wreck in a hazardous condition. Since such wrecks can be tempting for children to play on, the problem can often lead to multiple adverse consequences.
- 3.1.2 The Council has a statutory duty under the *Refuse Disposal (Amenity) Act (1978)* to remove vehicles that 'appear to be abandoned'. The process by which the City Council deals with abandoned vehicles has recently been the subject of change, both in terms of the applicable legislation and how the Council responds to the problem.
- 3.1.3 There have been changes in the wider economy that have had an impact upon the number of abandoned vehicles dealt with by the Council. These changes have resulted in a significantly increased number of vehicles being abandoned in Birmingham – a problem also experienced in other parts of the country.
- 3.1.4 Organisations outside the Council share our interest in dealing with the abandoned vehicle problem. These include
- The Driver and Vehicle Licensing Agency (DVLA) because the vehicles are often untaxed or unregistered but kept on the public highway
 - The Police because the vehicles may be wanted as evidence in connection with a crime, may be causing an obstruction or may be untaxed
 - The Fire Service because the vehicles are frequently the object of arson



Abandoned Vehicles

3.2 Terms of Reference and Methodology

- 3.2.1 The Local and Street Services Overview and Scrutiny Committee expressed concern over the rising cost to the Council of disposing of abandoned vehicles. As a result, the Committee instigated this review of how the Council responds to the problem, to examine
- The scale, causes and nature of the problem
 - The performance of the existing service
 - How the service can improve
 - Future plans and legislation
- 3.2.2 Evidence for this review has been gathered from
- Officers in Waste Management, and in the Housing and Highways departments
 - Carrying out first-hand inspections of vehicles reported as abandoned
 - Other local authorities (the London Borough of Waltham Forest, who have undertaken a similar Scrutiny Review, and Southampton City Council)
 - Charles Trent Ltd, an automotive recycling company (Poole, Dorset)
 - Discussions with the DVLA about the partnership solutions they have and are implementing with councils
- External research, regarding the End of Life Vehicle Directive

3.3

Underlying Factors

- 3.3.1 As might be expected, there is no single issue that has driven the change in the nature of the problem that the Council has with abandoned vehicles. We do however know that this is a national problem. It is felt to be a combination of a number of supply and demand factors, including:
- More / newer cars on the road
 - The price of scrap metal in the global economy
 - Changes to the way vehicles must be disposed of



Abandoned Vehicles

- 3.3.2 More cars have meant that the price and value of used cars has fallen, as well as the profitability of scrapping the vehicle. Scrapping a vehicle is most profitable when the car is broken down into spare parts. However, if the demand for those spares falls, so does the scrap price. This has changed the market position radically from
- 1997/8: Birmingham scrap dealers were (generally) **paying** the owner for taking a vehicle
 - 2001/2: Birmingham scrap dealers were (generally) **charging** owners to dispose of a vehicle
- 3.3.3 The price of scrap metal from vehicles has also fallen in the global economy. There is a highly stratified market for recycled ferrous metals, due to the varying levels of contaminants that must be removed. Vehicle steel is generally quite highly contaminated, and therefore costly to recycle.
- 3.3.4 Changes in the legal requirements placed upon scrap metal dealers are continuing to drive an increase in the cost of disposing of vehicles. The changes involve requirements principally to protect the environment. An example is the requirement to store / process scrap vehicles in areas with an impervious floor surface and adequate drainage.
- 3.3.5 Such required capital expenditure in a business with small margins has naturally led to an increase in costs. This is passed on to the consumer and the Council has seen the cost of removing and disposing of vehicles escalate from £5 per vehicle in April 2000 to £25 per vehicle in May 2003.

3.4 Changes in UK Legislation

- 3.4.1 The process of bringing a prosecution for abandonment of a vehicle is fraught with difficulty. To prosecute successfully means that the Council must prove beyond reasonable doubt that the vehicle was abandoned intentionally. In many cases it is problematic in itself establishing who the keeper of the vehicle is.
- 3.4.2 Along with the growth of problems relating to vehicle crime, there have been a number of recent changes in UK legislation. These measures have been targeted predominantly at reducing the issue of vehicle crime generally, of which abandonment is a part.



Abandoned Vehicles

3.4.3

Recent changes include:

- From April 2002, a reduction in the time that local authorities must wait before removing an abandoned vehicle to seven days if the vehicle has a value, 24 hours where it has no value.
- Register of Number Plate Suppliers: From 01 January 2003 all number plate suppliers in England and Wales must be registered with DVLA.
- Form V5 (Logbook): From 01 February 2003, you must have the logbook for a vehicle in order to purchase a tax disc.
- Vehicle Identity Checks (VICs): From 07 April 2003, any car written off or scrapped must undergo a VIC if repaired.

3.4.4

Forthcoming changes in legislation also include:

- Introduction of the End of Life Vehicle Directive into UK law (expected in 2003)
- From January 2004 enforcement action may be taken against those keepers who allow their vehicles to become unlicensed
- Registered keepers will be responsible for the vehicle until they have formally discharged their requirement to notify DVLA (i.e. a transfer in vehicle keeper)
- Enforcement action in the form of financial penalties will be taken direct from DVLA records, without the need to sight the vehicle on a public road
- The Government is consulting upon a reduction in the period of time required to remove a vehicle from private land

3.4.5

These changes will make it harder for the registered keeper to dispute ownership, evade paying vehicle tax and avoid their responsibilities to dispose of the vehicle properly.



Abandoned Vehicles

3.5 The End of Life Vehicle Directive

- 3.5.1 It is likely that there will be a further impact in the area of abandoned vehicles when the Government eventually implements the End of Life Vehicle (ELV) Directive into UK Law.
- 3.5.2 This Directive requires EC member states to ensure that only authorised dealers meeting strict environmental controls can scrap vehicles at the end of their life. The Directive places the cost of this on motor manufacturers from 2007.
- 3.5.3 The current problem and the scale at which it is experienced is therefore likely to diminish from 2007. However, until this time current Government proposals are for the cost to be borne by the last owner of the vehicle. The cost is estimated to be between £40 and £100 per vehicle (depending on sources).
- 3.5.4 The consequences of this legislation for Birmingham City Council up to 2007 could include:
- More abandoned vehicles to be dealt with, due to owners being unwilling or unable to meet the costs
 - A need to store vehicles awaiting de-pollution and disposal
 - Increased demand for the Council's free removal / disposal service
- 3.5.5 The Government has stated that the additional costs of disposal for local authorities arising out of the End of Life Vehicle Directive will be dealt with under the 'New Burdens' arrangements. Whilst this will mean that compensation will be paid to local authorities by the Department of Trade and Industry, it is not clear how this will be calculated and whether it will include any costs incurred prior to the Directive coming into force.
- 3.5.6 Whilst these issues can be expected to be resolved over time, it is clear that there is still some scope for the Council to look at the efficiency of its operations and seek process improvements in this manner.



4: Abandoned Vehicles in Birmingham

4.1 What is an 'Abandoned Vehicle'?

- 4.1.1 There is no precise legal definition of what constitutes an abandoned vehicle. Because the Council is required (under the *Removal and Disposal of Vehicles Regulations (1986)*) to attempt to contact the registered keeper of a vehicle before disposing of it, the definition used is "a vehicle without a registered keeper, that appears to be abandoned".
- 4.1.2 The vehicle may be on any land, public or private, in the open air. However, where vehicles are on private land the landowner's permission is sought prior to removal.
- 4.1.3 On the public highway includes
- On the road
 - On the pavement
 - On grass verges adjacent to a pavement
- 4.1.4 **Appendix 1** shows the kind of vehicle problems that are generally grouped under the catchall term 'abandoned vehicles'. **Appendix 1** demonstrates the legislation that is applied to removing each type of vehicle and provides a categorisation of the terms used in this report.
- 4.1.5 It is clear that there are other kinds of problem vehicles that cannot be dealt with by the Council through the abandoned vehicle process. This may drive a perception that the Council is failing to deal with abandoned vehicles. This is not strictly the case.



Abandoned Vehicles

4.2 How the Council Deals With Abandoned Vehicles

- 4.2.1 The way in which statutory powers are delegated through the Council largely determines how the Council deals with abandoned vehicles. An abandoned vehicle may be found on the street, in a Council parking bay or car park, in a housing estate car park or in a park or open space. However, different departments have specific authority to apply aspects of legislation to deal with problem vehicles.
- 4.2.2 Abandoned vehicles are dealt with as a 'waste' issue. Until August 2003, this came under the Environmental and Consumer Services department. Since August 2003, Waste Management is a part of the Development Directorate, pending the introduction of the revised local service structures.
- 4.2.3 As **Appendix 1** shows, other specific problems (notably nuisance vehicles on Housing land and vehicles parked in contravention of traffic regulation orders) are also dealt with by the Council, but in different ways.
- 4.2.4 Waste Management follows up all reported abandoned vehicles with an inspection. Where necessary, a contractor (West Midlands Salvage) is instructed to remove and store or dispose of the vehicle.
- 4.2.5 Once a report has been received, the process consists of
- Inspecting the vehicle
 - Establishing the status of the vehicle (owner details, etc.)
 - Arranging removal
 - Disposing of the vehicle

These stages are covered in sections 4.3 and 4.4 below.

4.3 Inspecting Vehicles

- 4.3.1 The first requirement is that the vehicle is physically inspected. For this purpose, two full-time inspectors are employed, supported by administrative staff.



Abandoned Vehicles

- 4.3.2 The purpose of the inspection is to
- Confirm the details as reported (especially the vehicle registration)
 - Verify the condition of the vehicle at the time of the report.¹ This is done by taking a photograph
 - Assess whether the vehicle or its condition poses any public hazard
 - Put a notice on the vehicle warning that it may be removed
- 4.3.3 Vehicle details are checked upon return to the office via an on-line link with DVLA. This enables the details of the registered keeper to be obtained.
- 4.3.4 Vehicles of no value² and with no registered keeper can be removed after 24 hours. The inspector applies a notice to the vehicle and notifies the contractor to remove and dispose of the vehicle.
- 4.3.5 Hazardous vehicles are reported for removal as soon as possible. If it is clear that the vehicle has a value, it is stored for up to seven days while the keeper is traced.
- 4.3.6 Untaxed vehicles are reported by telephone or fax to the DVLA, who are asked to deal with the offence.
- 4.3.7 If there is a registered keeper and the vehicle has a value, the keeper is given seven days to respond. At the end of this period, the vehicle will be disposed of.
- 4.3.8 Vehicles are occasionally reported that are without a registered keeper and are untaxed. When the Council has sought to remove these vehicles, people claiming to be the owner prevent the contractors from doing so.
- 4.3.9 In theory, arrangements could be made for the removal of these vehicles. However, a balance has to be made between the risk of litigation and the need to remove the vehicle. This is determined largely by the vehicle condition, and changes to requirements to report changes in ownership to the DVLA will tackle this.

¹ Determining the condition of the vehicle is essential in countering the potential for fraudulent claims that the Council has disposed of a vehicle with value.

² In this context, the Council defines 'no value' as having a value of less than £281. This is the maximum charge that the Council could make for collecting and disposing of the vehicle.



Abandoned Vehicles

4.4 The Contract for Removal and Disposal

- 4.4.1 The Council has one main contract with H.W. Taroni (trading as West Midlands Salvage) covering the removal and disposal of abandoned vehicles. This contract was renewed from May 2003 and is to operate until 30 April 2005, with an option to extend for a further year at that point.
- 4.4.2 Once instructed to remove a vehicle, West Midlands Salvage is required to remove the vehicle by the end of the next working day. A certificate is then sent within two days to the Council to confirm that
- The vehicle was removed
 - The vehicle was not there when they attended
 - They were prevented from removing the vehicle by persons claiming to be the owner
- 4.4.3 Where vehicles are disposed of, West Midlands Salvage notifies the DVLA of the destruction or resale of the vehicle.
- 4.4.4 West Midlands Salvage must, as part of the contract, meet the requirements of the Environment Agency regarding facilities at their premises. Requirements for contractors to invest in improved facilities underpin the rising price of contracts in recent years.
- 4.4.5 In all cases, the contractor retains the vehicle (and any proceeds from its sale or scrap value) as part of the payment.

4.5 Where Vehicles Are Abandoned

- 4.5.1 The location by ward of reported and removal requests for abandoned vehicles from April 2002 to June 2003 is shown in **Appendix 2**. This shows that:
- Five wards (Handsworth, Ladywood, Sparkbrook, Aston and Longbridge) comprised nearly 22% of all vehicles removed
 - There is variation between the proportion of abandoned vehicles requiring removal in each ward, from 26% of reported vehicles in Sheldon, to 45% in Sutton Four Oaks
- 4.5.2 Where vehicles are abandoned within the city is not simply a product of where they arise. To a large extent it is also dependent upon factors such as the amount of accessible land on which vehicles can be abandoned.



Abandoned Vehicles

4.6 How the Service Performs

- 4.6.1 The current target timescale for Waste Management is to remove abandoned vehicles within 28 days of reporting. The targets are set managerially by the department and do not form part of the Council's Best Value Performance Indicators. The targets were determined by the maximum timescales involved in the process:
- Inspection of the vehicle (Within 7 days)
 - Checking details of registered keeper (1 day)
 - Administration in serving notice on the registered keeper (3 days)
 - Allowing time for the keeper to respond (14+1 days)
 - Notifying the contractor to remove the vehicle (Maximum 2 days)
- 4.6.2 The possible timescales in some of these areas have become shorter since the targets were set. Two examples include:
- Legislation in April 2002 enables the Council to remove vehicles after seven days, rather than 14
 - Online access to DVLA records permits owner details to be checked faster
- 4.6.3 The performance of the inspection and request for removal part of the process is shown in **Fig. 1** on the next page. This demonstrates that in around 80% of cases where an abandoned vehicle is reported to the Council, no removal was necessary.
- 4.6.4 A significant problem at the inspection stage is that the vehicle might not be there. There are a number of potential reasons for this:
- The vehicle is in use, and may therefore be untaxed and / or without a registered keeper
 - The vehicle was left as unsafe to drive and was awaiting recovery following an accident (and has since been removed by the owner)
 - The vehicle was stolen or involved in a crime (and has since been removed by the owner or the Police)



Abandoned Vehicles

	2002/3		01 April to 30 June 2003	
	No.	%	No.	%
Abandoned Vehicles Reported	12,539	--	2,583	--
Inspected Within 7 Days	11,963	95.41%	2,524	97.72%
Not There on Inspection	5,169	41.22%	1,073	41.54%
Not Abandoned (outside keeper's property or keeper removes on request)	2,905	23.17%	581	22.49%
Not There on Removal / Now Not Abandoned	1,989	15.86%	353	13.67%
Removed and Disposed Of	2,432	19.40%	571	22.11%
Removed and Stored	44	0.35%	5	0.19%

Fig. 1: Abandoned Vehicle Performance

Source: Waste Management

4.6.5 Since all reported vehicles must be inspected, such inspections occupy over 60% of the time of the inspectors unproductively.

4.6.6 Performance under the revised removal and disposal contract is shown in **Fig. 2** below. This indicates that

- Contractor performance in removing vehicles is reasonably effective, resolving 97.85% of vehicles by the end of the next working day.
- Even at the stage where removal is requested, in a significant proportion of cases (38%) the vehicle is not there when the contractor attends.

	01 April 2003 to 30 June 2003	
	No.	%
Removals requested	929	--
Removed by the end of the next working day	559	60.17%
Not removed by the end of the next working day	17	1.83%
Vehicle not there on removal	350	37.68%
The contractor was prevented from removing the vehicle by persons claiming to be the owner	3	0.32%

Fig. 2: Contractor Removal Performance

Source: Waste Management



Abandoned Vehicles

4.6.7 Combining the inspection and the removal performance gives an overall picture of the effectiveness of the abandoned vehicle removal process. This is shown in **Fig 3** below, measured against the two relevant managerial targets:

- Vehicles resolved to conclusion within 28 days of reporting, and
- Hazardous vehicles removed within five days of inspection

		01 April 2003 to 30 June 2003	
		No.	%
Resolved to conclusion with 28 days of report	<i>Removed</i>	2,346	
	<i>Required to be dealt with</i>	2,583	90.83%
Hazardous vehicles removed within 5 days of inspection	<i>Removed</i>	127	
	<i>Required to be dealt with</i>	131	96.95%

Fig. 3: Overall Performance

Source: Waste Management

4.6.8 This indicates that the process is

- Relatively effective at dealing with hazardous vehicles
- Could deal with vehicles faster overall

4.7 Other Departments

4.7.1 Problems can potentially occur when staff from a department other than Waste Management find an abandoned vehicle. Other departments that come into contact with abandoned and problem vehicles (such as Leisure and Culture who might have vehicles abandoned in parks or open spaces) should refer the matter to Waste Management to be dealt with.

4.7.2 A process has been developed with the Leisure and Culture department for dealing with abandoned vehicles in parks. Parks Development Officers report details directly to the abandoned vehicle team, confirming this with a fax. They are also looking at having the facility to take a digital photograph of the vehicle.



Abandoned Vehicles

- 4.7.3 The Highways Service Group has a contract with Control Plus to remove vehicles causing parking contraventions. In the main, such vehicles are different from abandoned vehicles in that they have a value. To necessitate removal they will normally be in a priority location (such as a disabled bay or the City Centre).
- 4.7.4 However, the problem is that there is not a clear boundary defining which department should remove a vehicle that appears to be abandoned but that is also causing a parking contravention.
- 4.7.5 Such removals are conducted under the Road Traffic Act, and if the vehicle is taxed, it must be stored for a minimum of 90 days. For untaxed vehicles, these can be dealt with in a realistic minimum of around seven weeks while the Council ascertains and attempts to contact the owner.
- 4.7.6 During this time the Council must store the vehicle. The only costs the Council can recover from this process are the Penalty Charge Notice, the cost of removal and the storage costs. If it is necessary to dispose of the vehicle, this cannot be recovered.
- 4.7.7 Requests for owner details are made through the Parking Notice Processing System by post with DVLA. Subsequent checks are also made to verify that there is no registered keeper. This is significantly slower than the online check used by Waste Management.
- 4.7.8 The Housing Department also has a separate contract with H.W. Taroni to remove 'nuisance' vehicles. The value of this contract is very small in comparison to that for abandoned vehicles. These vehicles are removed and then stored for 21 days prior to disposal.
- 4.7.9 The numbers of other problem vehicles that the Council removes that might otherwise be considered as abandoned include:
- The Parking Enforcement section of Highways and Transportation removed and disposed of 219 vehicles from December 2001 to July 2003
 - The Housing department removed three nuisance vehicles from 01 April to 30 June 2003. A typical annual total for removals under this contract is between 50 and 60 vehicles



Abandoned Vehicles

4.8 The Free Removal Service

- 4.8.1 Like many other authorities, the Council offers a free removal and disposal service. By calling the Customer Contact Centre number car owners may arrange for their vehicle to be collected and disposed of by the Council. The necessary form can also be downloaded online.
- 4.8.2 This programme aims to discourage dumping by making it simple (and free) to dispose of your old vehicle. Whilst this probably does capture some vehicle owners who would have disposed of their vehicle properly, it is believed to have had an impact upon reducing the number of dumped vehicles.
- 4.8.3 The scheme speeds the process of disposing of vehicles. The owner gives their consent for the vehicle to be disposed of and the Council contractor attends to collect the vehicle. There is no requirement for inspection, DVLA checks or giving notice to owners. Thus the overall cost of removing a vehicle at the request of the owner is less than removing one that has been abandoned.
- 4.8.4 Removal and disposal of vehicles is a waste removal service for which local authorities are able to decide whether they wish to charge the public. Similar schemes are operated by two of the other seven Core City Councils.³ In Birmingham, the Cabinet Member for Transportation and Street Services determines the need to charge for this service along with other chargeable waste services on an annual basis.
- 4.8.5 In 2002/3 there were 660 vehicles removed free of charge, with the owner's permission. From 01 April to 30 June 2003, this was 135.
- 4.8.6 The scheme is currently publicised on the Council web site and a leaflet is also enclosed when a notice to remove a vehicle is served on the owner.

³ The two Core City Councils who provide a free service are Manchester and Nottingham. The others either charge for removal (Bristol, Leeds and Sheffield), or do not provide a removal service (Liverpool and Newcastle).



Abandoned Vehicles

4.9 The Protocol With West Midlands Police

- 4.9.1 The Council has had a protocol with West Midlands Police since May 2000 for assisting in dealing with abandoned vehicles. The key features of this protocol are:
- The Police can provide details of the registered keeper from the Police National Computer (PNC) to the Council within 24 hours ⁴
 - The Police will pursue nuisance (i.e. not abandoned - no tax, but kept on a public road) vehicles with the keeper
 - Linking abandoned vehicles to vehicles involved in crimes at an earlier stage
- 4.9.2 From the end of February 2003 the Council has had direct on-line access through Waste Management to DVLA records, for the purpose of dealing with abandoned vehicles. This further speeds up the process of verifying the registered keeper. Parking staff within the Highways department do not have this access, and are reliant upon verifying details by post with DVLA (taking a number of weeks).
- 4.9.3 The protocol with the Police is no longer required for checking these details, but it should continue to be of benefit in dealing with stolen and nuisance vehicles and in gaining Police assistance on other initiatives.
- 4.9.4 It must be recognised that there is a limit to the extent that the protocol is used to deal with problems. The Police do not have adequate resources to deal with all untaxed vehicles that Waste Management might wish to refer to them.
- 4.9.5 In practice, the Council prioritises use of the protocol for repeated complaints about nuisance vehicles. Not all vehicles that the Council cannot deal with are automatically referred to the Police.
- 4.9.6 A similar protocol with the DVLA might help to deal with untaxed vehicles. Where a vehicle is found to be untaxed, but with a registered keeper, the details are currently passed to DVLA. However, there is no record kept of this, and the details are passed on informally.

⁴ This previously took a number of weeks, since it had to be pursued through correspondence with the.



5: Examining Other Options

5.1 Different Kinds of Solutions

5.1.1 A key part of conducting this review has been to look at alternative solutions that may be available to Birmingham City Council in dealing with abandoned vehicles.

5.1.2 The following sections examine:

- How the Council departments can work together better in dealing with abandoned vehicles
- Options regarding the contracts the Council has for removing and disposing of abandoned vehicles
- The scope for enforcement operations in partnership with the DVLA and the Police
- Adopting devolved powers from the DVLA to deal with evasion of Vehicle Excise Duty

5.2 Working Together

5.2.1 Looking at the approach adopted by relatively successful local authorities at dealing with abandoned vehicles, one of the contributing factors is the way that different departments work together to solve the problem.

5.2.2 Examples of this include:

- The London Borough of Waltham Forest has a clearly-defined process for their parking contractor to report abandoned vehicles
- The London Borough of Newham has multi-skilled inspectors performing other roles, including dealing with street trading, unauthorised encampments and unauthorised street advertising



Abandoned Vehicles

- Southampton City Council works very closely with Housing Offices and car park wardens. Car park wardens also affix the destruction notice to vehicles when reporting them

5.2.3 The essence of these approaches is that the entire resource for identifying, reporting and inspecting abandoned vehicles cannot lie with one department. Other departments have staff in localities that come into contact with abandoned vehicles on a daily basis (and indeed, for whom the vehicles may be causing a problem). Such staff are in an ideal position to not only report the vehicle but also carry out an inspection.

5.2.4 The Council is currently at the stage whereby departments other than Waste Management should report abandoned vehicles to the abandoned vehicle team to arrange for inspection and removal. In Leisure and Culture the aim is to develop this a stage further with Parks Development Officers taking a digital photograph of the vehicle and sending this to Waste Management. This will speed the verification process.

5.2.5 The recent introduction of Environmental Wardens (funded by the Neighbourhood Renewal Fund) has provided the opportunity for these individuals to become involved in the reporting process and to identify local hot-spots.

5.2.6 Fully realising the potential here in a similar way to other local authorities would involve taking this beyond a reporting process. This would entail areas such as the staff in other departments (e.g. Housing, or Leisure and Culture) would

- Report suspected abandoned vehicles
- Place a removal notice on the vehicle if asked to do so
- Be able to check on the current progress of the case to ensure that it is being dealt with
- Be able to verify keeper details via the DVLA database, to establish whether the vehicle is indeed abandoned.



Abandoned Vehicles

5.3 Contracts for Removal and Disposal

- 5.3.1 The current contract for removal and disposal of vehicles expires at the earliest point on 30 April 2005. Arranging a large tendering process in accordance within Corporate Procurement guidelines, generally takes between eight and ten months. Therefore, any process of changing contracts relating to abandoned vehicles will need to commence in June 2004.
- 5.3.2 Looking particularly at the approach taken by Southampton City Council, the contract between the Council and the removal contractor provides for some key elements that are not covered by Birmingham's contract:
- Only one department deals with removal and disposal of abandoned vehicles
 - Inspection of the vehicle and affixing the relevant notices
 - Storage of vehicles for up to seven days as part of the removal price
 - Performance-related incentives and penalties within the contract
 - The contractor updating the Council's abandoned vehicle database with the action that they have taken
- 5.3.3 Having one department to deal with the removal and disposal of all abandoned and nuisance vehicles allows the Council to ensure that expenditure is channelled through one contract. This allows the Council to effectively use its size of purchasing power to negotiate more favourable contracts.
- 5.3.4 Southampton's contractor does achieve a very high proportion of vehicles inspected within one day (for example, in February 2003 this was 99.36% - 310 vehicles; the other two vehicles were inspected within two days).
- 5.3.5 Southampton focuses upon removing the problem from the street quickly. Two factors facilitate this:
- Payment for the minimum amount of storage included in the contract price means that if the Council is already paying for storing the vehicles, there is no reason to leave them on the street



Abandoned Vehicles

- Taking the view that a vehicle of 'no value' is one worth less than £1,000 means that a high proportion of vehicles reported have no value
- 5.3.6 In talking to representatives of both Southampton City Council and their contractor Charles Trent, the performance criteria in the contract were regarded as not only a key success point, but also a motivating factor for performance.
- 5.3.7 Requiring the contractor to update the abandoned vehicle database is a process improvement. West Midland Salvage already notifies Waste Management that a vehicle has been destroyed. This then has to be transferred onto the Council's database; were it to be input directly, it would remove a layer of work.
- 5.3.8 It was not possible to accurately compare whether Birmingham's contract is relatively cheaper than Southampton's. This is because the contract prices are confidential information.
- 5.3.9 Southampton did provide 'ballpark' figures for their costs and these enabled a rough comparison to be made. This indicated that
- The Southampton contract was comparatively more expensive than Birmingham's
 - Higher inspection and disposal costs drove this
 - Birmingham's costs for inspection are relatively inflexible; for a smaller authority they would be less likely to be viable
- 5.3.10 One other aspect of potential departmental synergy in operations is to incorporate other 'vehicle collection' contracts that the Council has within the process for dealing with abandoned vehicles. This works from the premise that the activity of removing a vehicle is fundamentally the same, irrespective of the legislation or Council department that is requiring it to be moved.
- 5.3.11 Other contracts that could be considered under this are those for
- The removal of vehicles parked in contravention of Traffic Regulation Orders, which is administered in conjunction with the Parking Enforcement Section in Highways and Transportation, and
 - Dealing with nuisance vehicles, administered through estate Services in Housing.



Abandoned Vehicles

5.4 Partnerships in Enforcement Operations

- 5.4.1 DVLA takes the view that the root of part of the abandoned vehicle problem lies in untaxed vehicles. This is a logical stance in that people who deliberately seek to avoid taxing a vehicle are unlikely to dispose of that vehicle properly at the end of their use of it.
- 5.4.2 DVLA has the power to clamp and remove immediately or within 24 hours any motor vehicle that is on a road or public highway and does not have a Vehicle Excise Licence (tax disc). Local authorities do not have this power.
- 5.4.3 A broad estimate from the DVLA is that there are approximately 87,000 unlicensed vehicles in the West Midlands Police Force area. This correlates to approximately £10.6m in unpaid VED.
- 5.4.4 A partnership approach to tackle this problem on a wide range of fronts has been pioneered by DVLA, their contractors, the Police and Kent County Council. This solution, called 'Operation Cubit', has subsequently been repeated successfully with other local authorities across the country.
- 5.4.5 Cubit-style operations involve a joint task group between the DVLA, local authority, Police and Fire Service. This is aimed at dealing with vehicles that are
- Untaxed, on a road and roadworthy
 - Untaxed, on a road, appear abandoned but not a total wreck
 - Untaxed, off a road, appear abandoned, but not a total wreck
 - Untaxed, on or off a road, appear abandoned and is a total wreck
- 5.4.6 **Appendix 3** shows the methods used for dealing with these.
- 5.4.7 An operation similar to Cubit will generally remove between 15 and 20 vehicles a day. Such operations do however involve a considerable resource being deployed. In addition to the advance planning and publicity of the operation, there are:
- Mobile crushing machines
 - Removal vehicles,
 - The relevant personnel to put the operation into practice (removal contractor, DVLA, police and local authority)



Abandoned Vehicles

officers.

- 5.4.8 This enforcement action is over and above DVLA's current enforcement effort. The DVLA charges local authorities for such operations (currently £35,000 plus VAT for a four-week operation).
- 5.4.9 Cubit-style operations work on the principle of using large-scale, well-publicised operations to drive those not taxing vehicles back into the taxation system. Once the vehicles are back in the taxation system, DVLA is better able to maintain records on them. The effectiveness of such operations is also enhanced when follow-up operations take place a few months afterwards in the same area.

5.5 Adopting 'Devolved DVLA Powers'

- 5.5.1 Local authorities may decide to enter into partnership with the DVLA in enforcing the collection of Vehicle Excise Duty (VED). This means that the Council will identify unlicensed vehicles with its area and seek the authorisation of the DVLA to clamp them. This is commonly referred to as 'adopting devolved powers'.
- 5.5.2 Entering into a partnership is a matter for decision for each local authority. For Birmingham City Council to do so would require a decision through the normal Executive decision-making route.
- 5.5.3 DVLA provides no additional resource for local authorities to do this. However, the Council retains all wheel-clamping fees (including de-clamping, impounding, storage and fees from auctioned vehicles up to the value of fees incurred by the Council). Surety payments⁵ are not included.
- 5.5.4 Whether entering into such a partnership is beneficial to a local authority depends very much upon the nature and character of the untaxed vehicle problem that they have in their area. If vehicles are generally of low value, owners are unlikely to reclaim them, and therefore the Council is less likely to be able to subsidise the cost of operating the scheme with the payments collected.
- 5.5.5 Release payment proportions given by DVLA for local authorities vary considerably. They range from around 25% of vehicles released once clamped to almost 90% in one authority.

⁵ Surety payments are payments made against getting a tax disc.



6: Findings and Recommendations

6.1 Improving Service Performance

- 6.1.1 Improvements to service performance on removing abandoned vehicles can be broadly divided into three categories:
- Having better information about our abandoned vehicle problem
 - Inspecting reported vehicles faster
 - Removing abandoned vehicles faster
- 6.1.2 Within each of these areas there are principal factors to drive performance improvements, and there are further measures that will facilitate this. These are summarised in **Fig. 4** below.
- 6.1.3 Each of the items listed under 'Measures for Consideration' is discussed further in the following sections.

6.2 Improved Information

- 6.2.1 It was clear in conducting this review that Waste Management reports routinely against a set of basic managerial indicators of performance. Whilst information was available for this review, it was clear that systematically assembled information against clearly defined indicators would aid with managing the process.
- 6.2.2 The Waste Management computer system for tracking complaints and enquiries ('Panorama') was introduced in 2002. In the opinion of officers within the department, the necessary information is already within the system. What is needed is a specification of the indicators required managerially, and then to write the reports to produce this information through the system.



Abandoned Vehicles

Process Improvement	Principal Factors	Measures for Consideration
Better information about our abandoned vehicle problem	<ul style="list-style-type: none"> • Clear managerial indicators of performance 	<ul style="list-style-type: none"> • Regular reporting of relevant managerial indicators of performance
	<ul style="list-style-type: none"> • Available intelligence on the problem 	<ul style="list-style-type: none"> • Maintaining more geographical information to improve targeting of solutions to problem areas
Inspecting reported vehicles faster	<ul style="list-style-type: none"> • Increasing the capacity to carry out inspections 	<ul style="list-style-type: none"> • The need for additional inspectors • Other Council departments effectively reporting abandoned vehicles
	<ul style="list-style-type: none"> • Fewer unnecessary inspections 	<ul style="list-style-type: none"> • Fewer untaxed vehicles on the road – driven by working with DVLA
	<ul style="list-style-type: none"> • Contracting out the inspection process 	<ul style="list-style-type: none"> • Changing the contract to give incentive to achieve faster inspections
Removing abandoned vehicles faster	<ul style="list-style-type: none"> • Achieving better contractor performance 	<ul style="list-style-type: none"> • The contractor already resolves 98.17% of requested removals within the specified period in the contract. This should emphasise driving down the 1.83% of vehicles that are not removed by the end of the next working day
	<ul style="list-style-type: none"> • Defining the 'vehicle removal' activity 	<ul style="list-style-type: none"> • Changing contracts to give wider scope and better value by dealing with other problem vehicles
	<ul style="list-style-type: none"> • Better follow-up with the Police and DVLA where the Council cannot deal with the vehicle 	<ul style="list-style-type: none"> • Regular operations with the DVLA to clear untaxed vehicles • Regular liaison with the Police and DVLA to discuss and resolve problem cases
	<ul style="list-style-type: none"> • Reducing the overall target timescale for removal 	<ul style="list-style-type: none"> • Process improvements have already made this possible

Fig. 4: Factors in Service Improvement



Abandoned Vehicles

Findings:

- 1. Information available managerially upon abandoned vehicles is not focused upon all the key performance indicators in the process. Regular reporting against a wider set of indicators will facilitate better managerial control of the process.*
- 2. Some of the target timescales within the process are being shortened from September 2003 as a result of changes in legislation.*

	Recommendation	Responsibility	Completion Date
R1	<p>The key managerial indicators for performance in dealing with abandoned vehicles should be determined.</p> <p>These indicators should form the basis of regular (at least monthly) monitoring reports on the removal of abandoned vehicles.</p> <p>The indicators should form the basis of the performance criteria included in any revised contract for removal (see recommendation R8).</p> <p>The resource implication to set up the necessary reporting mechanisms is expected to be contained within the existing budget.</p>	Cabinet Member for Transportation and Street Services	30 November 2003

6.3 How BCC Deals With Problem Vehicles

- 6.3.1 Given the constraints applied by the process and the fact that the majority of abandoned vehicle reports are actually other kinds of problem vehicle, Waste Management has been reasonably effective in dealing with the abandoned vehicle problem. There is however always room for improvement.
- 6.3.2 There is a system in place whereby departments can report suspected abandoned vehicles to Waste Management. However, it is clear in comparison to other authorities that there is additional scope for better inter-departmental working on this issue.
- 6.3.3 There are two clear areas in which this can be improved in the future:
- Clear methods of working for how departments outside of Waste Management can take a more active role in the process, and



Abandoned Vehicles

- Looking for possibilities to combine vehicle removal activities under fewer contracts
- 6.3.4 In the case of the former point, staff such as Parking Attendants and Housing Office staff do this in other authorities. The second point regarding synergy of contracts is covered in more detail in section 6.5.
- 6.3.5 It was however clear in conducting this review that opportunities for synergy in operations between Council departments have not been explored to the full. The Leisure and Culture, Housing and Highways and Transportation departments were all aware that Waste Management deals with abandoned vehicles. Difficulties that arise with particular cases can be dealt with at Ward Committee Meetings and other meetings between officers.
- 6.3.6 Localisation of services in the future will also provide further opportunities for synergy. Taking advantage of synergy between departments is one of the ways in which Birmingham can learn from other authorities in dealing with abandoned vehicles.

Findings:

3. *The current resource of inspectors for abandoned vehicles is achieving the required target level of inspections.*
4. *Waste Management removes 90.83% of abandoned vehicles within its own 28-day target. This is relatively good, but there is always room for improvement.*
5. *Inter-departmental working on abandoned vehicles is not as effective in Birmingham as it appears to be in other local authorities. Making the relationship between departments and Waste Management clearer, with established processes for working together should lead to improvement. This is particularly the case with Parking Enforcement.*
6. *The role of localised staff in reporting abandoned vehicles is a critical means by which vehicles can be reported faster.*
7. *Better work with other departments should deliver greater efficiency, reducing the need for additional inspectors. As the number of reported vehicles is expected to decline after 2007, requirements for inspectors will need reviewing.*



Abandoned Vehicles

Recommendation	Responsibility	Completion Date
R2 Opportunities to extend the reporting and inspection / stickering of abandoned vehicles by staff in departments other than Waste Management are identified. This should also include opportunities with staff of contractors (such as Parking Attendants). These opportunities should be considered for implementation on a department by department basis. In each case, to aid consideration, a detailed financial appraisal should be conducted.	Cabinet Member for Transportation and Street Services	30 April 2004

6.4 Working With DVLA

- 6.4.1 The approach of DVLA is geared towards tackling one of the root causes of abandonment: the evasion of VED. DVLA initiatives, whilst helpful towards tackling abandonment, are not exclusively geared to the problem of abandoned vehicles.
- 6.4.2 Many of the vehicles reported to the City Council as 'abandoned' are actually other kinds of nuisance vehicle. Tackling the problem of untaxed vehicles deals with a root cause and will therefore reduce the number of inspections that must be made.
- 6.4.3 Changes in vehicle legislation will have an impact on problems with nuisance and abandoned vehicles. Requirements to register changes in vehicle keeper details and continuously tax a vehicle will enable tax evaders to be dealt with more effectively. DVLA is clearly now more active in trying to tackle many of the vehicle ownership and taxation problems it faces.
- 6.4.4 It is important to recognise that these measures will need to be enforced, and such enforcement will require the Council, Police and DVLA to work together. Without the enforcement, legislative and regulatory change will have no impact.
- 6.4.5 There is clearly much to commend high-profile operations such as Operation Cubit. These are also a visible demonstration to citizens that action is being taken to improve the quality of their environment and deal with anti-social behaviour.



Abandoned Vehicles

Findings:

8. *There is a link between untaxed vehicles and vehicle abandonment. Reducing untaxed vehicles in Birmingham can therefore be expected to have a positive impact upon the number of abandoned vehicles reported.*
9. *There is potential for Birmingham City Council to seek to share the cost of 'Cubit-style' operations in bordering wards with our neighbouring authorities.*
10. *There is potentially a financial risk to the Council in entering into partnership with DVLA to collect VED. This review has not specifically examined the nature of the untaxed vehicle problem in Birmingham, and it would not therefore be appropriate to recommend or discard this option.*
11. *There is no formal process to ensure that untaxed vehicles have been referred to the DVLA to be dealt with.*

Recommendation	Responsibility	Completion Date
R3 Consideration should be given to the benefits of working with DVLA on an operation similar to 'Operation Cubit'. This should consider methods of <ul style="list-style-type: none">• Obtaining the £35,000 funding for an operation across the City as soon as possible• Making clear the process for wards / constituencies to decide to enter into locally-targeted follow-up operations in the future• Working with neighbouring authorities to share the cost where possible The outcome of this consideration should be reported back to the Street Services Overview and Scrutiny Committee, with a decision on future action.	Cabinet Member for Transportation and Street Services	31 January 2004



Abandoned Vehicles

	Recommendation	Responsibility	Completion Date
R4	<p>An evaluation should be conducted as to the projected cost to the City Council of working in partnership with the DVLA to collect Vehicle Excise Duty.</p> <p>This should be adequate to inform whether a decision to adopt this approach would be of benefit to the City.</p> <p>The outcome of this decision should be reported to the Street Services Overview and Scrutiny Committee. The resource implication to set up the necessary reporting mechanisms is expected to be contained within the existing budget.</p>	Cabinet Member for Transportation and Street Services	30 April 2004
R5	<p>There should be a robust process for ensuring that details of untaxed vehicles that the Council cannot deal with are communicated to DVLA and / or the Police as appropriate.</p> <p>This should enable such reports to be followed up if necessary.</p>	Cabinet Member for Transportation and Street Services	31 December 2003

6.5 Revising the Contract

- 6.5.1 There are two practical elements of any future contract revision that might be considered:
- Dealing with the vehicle removal activity as a whole to incorporate removal of other problem vehicles, and
 - Changing our requirements of our contractor (including considering inspections) and how we give incentive to good performance.
- 6.5.2 It should be stressed that even though the Council may wish to receive tenders to provide a service in a certain way, this does not guarantee that tenders will be received or that they will be satisfactory.
- 6.5.3 Given such an outcome, pursuing a 'modular' tendering process will enable the tendering process to proceed, but with the flexibility to accommodate the options that prospective contractors wish to offer.



Abandoned Vehicles

Findings:

12. *The experience of Southampton City Council has been that the contractor achieves a faster inspection time than that achieved by Birmingham City Council.*
13. *There will clearly be an additional cost involved in improving the speed with which inspections (and thereby removals) are carried out. Incurring additional cost (either through the allocation of additional Council resource, or by transferring inspections to a private contractor) must drive improvements in inspection time.*
14. *There is scope to consider including other Council 'vehicle collection' contracts (such as those in Housing and Highways and Transportation) within that for dealing with abandoned vehicles.*
15. *A modular tendering process will enable potential bidders to submit bids for the elements of the vehicle collection and disposal process that they can deliver. This would allow a range of contracting methods to be considered.*

	Recommendation	Responsibility	Completion Date
R6	<p>When the re-tendering process for the contract for removal of abandoned vehicles is scheduled to begin, a modular process should be used.</p> <p>This should allow bidders to bid for a combination of the inspection, removal and disposal / storage elements of the process.</p>	Cabinet Member for Transportation and Street Services	30 June 2004
R7	<p>When the abandoned vehicle contract is revised, the contract should include clear, performance-related incentives for the contractor.</p> <p>Such incentives should financially reward the contractor for exceeding our targets and penalise if the targets are not met.</p>	Cabinet Member for Transportation and Street Services	01 May 2005



Abandoned Vehicles

	Recommendation	Responsibility	Completion Date
R8	Detailed consideration should be given to the ability to incorporate the following elements of the Council's operations under one contract or structure of contracts: <ul style="list-style-type: none">• Inspection, removal and disposal / storage of abandoned vehicles• Removal and disposal / storage of vehicles parked in contravention of Traffic Regulation Orders• Removal and disposal / storage of nuisance vehicles	Deputy Leader (as an overall Procurement matter)	30 April 2004

6.6 Progress on Implementation

- 6.6.1 It was clear in carrying out this review that the Council teams dealing with abandoned vehicles are very positive and keen to deal with the mounting problems they face. The positive way in which this review was approached by departments has been of benefit in considering the way forward.
- 6.6.2 In order to keep the Committee informed of progress in implementing the recommendations within this report, it is recommended that the department report back on progress on a six monthly basis, following agreement of these recommendations at Council.

	Recommendation	Responsibility	Completion Date
R9	Progress towards achievement of these recommendations should be reported to the Street Services Overview and Scrutiny Committee by 01 June 2004. Subsequent progress reports will be scheduled by the Committee thereafter, until all recommendations are implemented.	Cabinet Member for Transportation and Street Services	01 June 2004



Abandoned Vehicles

Appendix 1: Who Deals With Vehicles?

Vehicle Problem	Applicable Legislation	Who Resolves
Abandoned <ul style="list-style-type: none"> No owner No tax No value 	Refuse Disposal (Amenity) Act Removal and Disposal of Vehicles Regulations	City Council: Waste Management
Abandoned (Hazardous) <ul style="list-style-type: none"> Hazardous condition No value 	Refuse Disposal (Amenity) Act Removal and Disposal of Vehicles Regulations	City Council: Waste Management
Parking Contravention <ul style="list-style-type: none"> Parked in contravention of a Traffic Regulation Order on a public highway 	Road Traffic Act	City Council: Highways and Transportation
Nuisance <ul style="list-style-type: none"> Parked on public land not designated for parking, or Non-Council tenant parked in a parking area intended for residents in a specific location 	Trespass	City Council: Housing
Obstruction <ul style="list-style-type: none"> Parked causing an obstruction 	Road Traffic Act (1990)	West Midlands Police
Evading Tax <ul style="list-style-type: none"> Owner No tax On a public highway 		DVLA

Fig. 5: Vehicle Problems in Birmingham: Applicable Legislation and Responsible Parties



Abandoned Vehicles

Appendix 2: Abandoned Vehicles by Ward

Ward (In Removal Approved order)	Reported Vehicles	Removal Approved	% Removal Approved	% of Approved Removals
Handsworth	697	279	40%	5.17%
Ladywood	647	229	35%	4.25%
Sparkbrook	707	229	32%	4.25%
Aston	570	218	38%	4.04%
Longbridge	507	212	42%	3.93%
Nechells	658	205	31%	3.80%
Soho Ward	552	200	36%	3.71%
Erdington	429	183	43%	3.39%
Sparkhill	511	180	35%	3.34%
Kings Norton	442	179	40%	3.32%
Brandwood	396	172	43%	3.19%
Stockland Green	415	170	41%	3.15%
Small Heath	534	170	32%	3.15%
Acocks Green	485	168	35%	3.11%
Washwood Heath	499	166	33%	3.08%
Sandwell	421	160	38%	2.97%
Billesley	404	151	37%	2.80%
Moseley	414	147	36%	2.73%
Northfield	414	139	34%	2.58%
Fox Hollies	305	122	40%	2.26%
Edgbaston	345	115	33%	2.13%
Kingstanding	366	114	31%	2.11%
Bournville	298	110	37%	2.04%
Shard End	342	107	31%	1.98%
Bartley Green	301	103	34%	1.91%
Perry Barr	237	102	43%	1.89%
Selly Oak	253	87	34%	1.61%
Harborne	263	86	33%	1.59%
Sutton New Hall	216	83	38%	1.54%
Hodge Hill	294	83	28%	1.54%
Quinton	234	82	35%	1.52%
Hall Green	250	79	32%	1.46%
Weoley	273	79	29%	1.46%
Sutton Four Oaks	173	78	45%	1.45%
Kingsbury	206	77	37%	1.43%
Oscott	232	72	31%	1.33%
Sutton Vesey	169	71	42%	1.32%
Yardley	221	65	29%	1.21%
Sheldon	247	64	26%	1.19%
Unallocated	195	58	30%	1.08%
Total	15,122	5,394	36%	100.00%

Fig. 6: Abandoned Vehicle Reports by Ward, 01 April 2002 to 30 June 2003

Source: Waste Management



Abandoned Vehicles

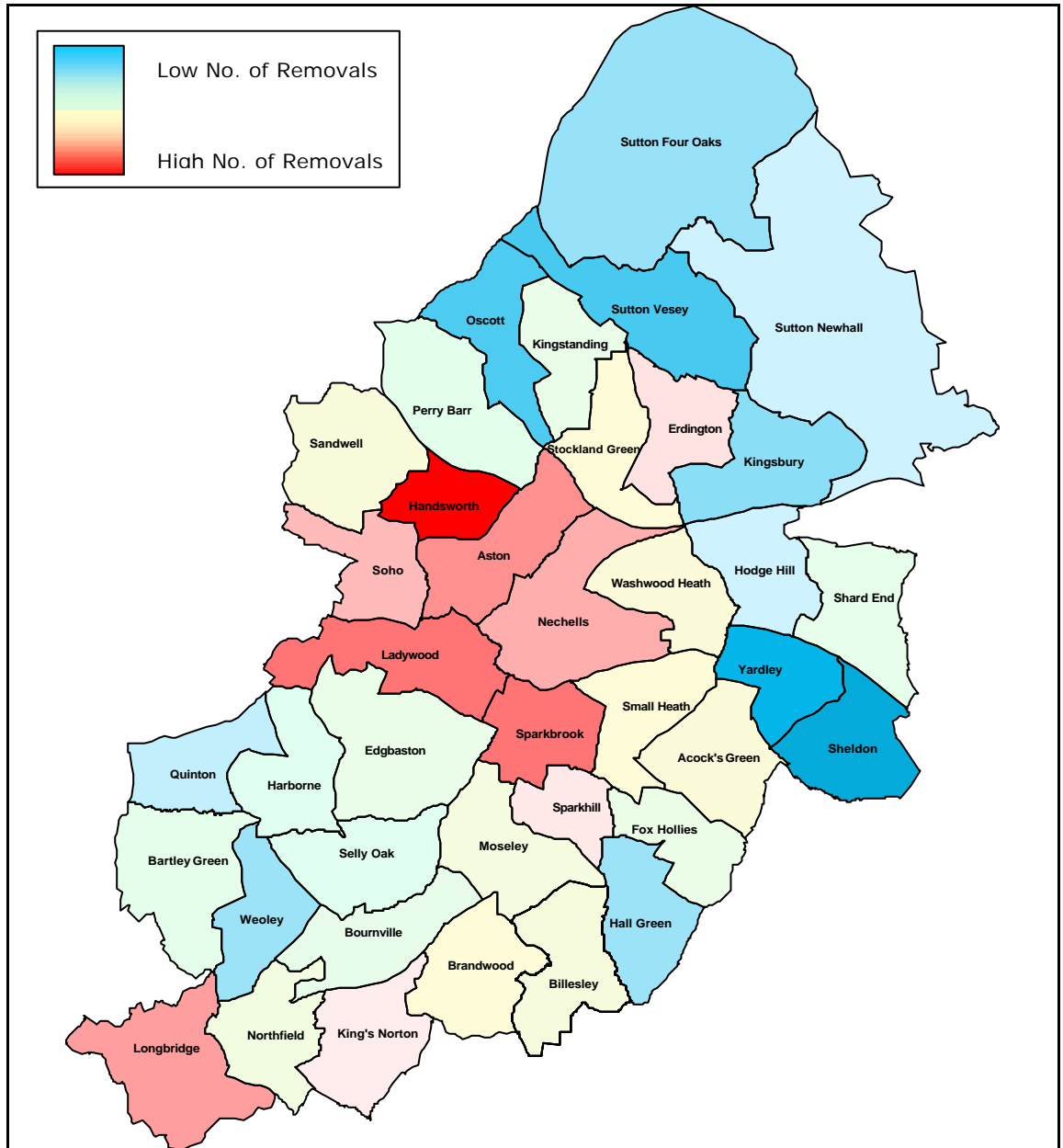


Fig. 7: Removal of Abandoned Vehicles Across Birmingham, 01 April 2002 to 30 June 2003

Source Data: Waste Management
© Crown copyright. All rights reserved. Birmingham City Council LA076104 (2003)



Abandoned Vehicles

Appendix 3: Operation Cubit

Taxed?	On Road?	Appears Abandoned?	Total Wreck?	Actions
x	✓	x	x	Untaxed, on a road and roadworthy <ul style="list-style-type: none"> Contractor checks with DVLA for authority to clamp and remove Police check on the Police National Computer (PNC) for police interest in vehicle Subject to these checks, the vehicle is clamped, or, if the team believes that the clamp will be tampered with, the vehicle is removed to a secure pound Vehicles are de-clamped if the owner pays the de-clamping fee plus a valid tax disc or surety within 24 hours All vehicles clamped or removed are photographed in situ and placed on the PNC Removed vehicles may only be claimed by the owner on payment of the release fee plus a valid tax disc or surety Unclaimed vehicles are destroyed after the legislative 7 or 14 days
x	✓	✓	x	Untaxed, on a road, appears abandoned but not a total wreck <ul style="list-style-type: none"> Local authority and DVLA notices attached to the vehicle Police conduct PNC check Vehicle removed using DVLA regulations Local authority and Police confirm that the vehicle is abandoned, re-classify as such and arrange disposal on Day 8
x	x	✓	x	Untaxed, off a road, appears abandoned, but not a total wreck <ul style="list-style-type: none"> Statutory Off-Road Notification (SORN) record checked with DVLA If no SORN for the vehicle, relevant notice is attached and the vehicle is removed using police or local authority powers Disposal arrangements made on Day 8
x	✓ or x	✓	✓	Untaxed, on or off a road, appears abandoned and is a total wreck <ul style="list-style-type: none"> Remove immediately using police powers (Dangerous Condition) to a pound for disposal as soon as possible

Fig. 8: DVLA 'Operation Cubit' Actions

Source: DVLA

Abandoned Vehicles

