

The Council as enforcing authority has powers to deal with abandoned vehicles as set out in various pieces of legislation which I will summarise below.

The Council has responsibility for investigating any reported abandoned vehicles within its area even those on private land. However, in certain circumstances we may not be able to remove them. When we receive reports, the first thing we do is check with the DVLA to see if the vehicle is taxed or declared SORN (Statutory off road notice). We also check with the police to see if they have any interest in the vehicle. An officer from Sevenoaks District Council may then inspect the vehicle to see if in his opinion it appears abandoned. He will take various things into consideration when reaching his decision which will include if the vehicle is taxed or declared SORN, it's condition for example are the tyres flat, has it been vandalised, it's location and whether it appears to have been in the same position for any length of time.

If the vehicle is not taxed, is on the Highway and he considers it appears to have been abandoned, he will affix a notice to it giving the keeper 7 days to tax or remove it. If there is no contact from the keeper and it's still there after 7days and has not been taxed, the Council can have the vehicle removed. However, if a keeper comes forward and states that the vehicle is not abandoned, then the Council has no legal powers to remove it. This then becomes an enforcement issue for the DVLA to deal with.

If the vehicle is not taxed and has not been declared SORN and is on private land without the landowner's permission and the officer considers it may have been abandoned, he will affix a notice giving the keeper 15 days to remove the vehicle. If there is no contact from the keeper and it is still there after 15 days the Council can have the vehicle removed providing the landowner agrees to this. However, if the keeper comes forward and states the vehicle has not been abandoned, then the Council has no legal powers to remove it. This would then become a private matter for the owner of the land to deal with.

If the vehicle is taxed on the Highway or on private land in addition to putting a notice on the vehicle, the Council will formally write to the keeper on record.

If the vehicle has been declared SORN and is on private land, then the Council has no legal powers to remove it as abandoned.