

Teignbridge District Council
Executive
2nd December 2025
Part i

Abandoned Vehicle Policy

Purpose of Report

To agree and approve an Abandoned Vehicle policy that sets out the process for determination and disposal of abandoned vehicles.

Recommendation(s)

The Committee RESOLVES to:

- (1) Approve the Abandoned Vehicle policy as set out in Appendix 1

Financial Implications

See Section 4.1
Gordon Bryant – Interim Chief Finance Officer
Email: gordon.bryant@teignbridge.gov.uk

Legal or Governance Implications

See Section 4.2
Marie Downey- Solicitor
Email: marie.downey@teignbridge.gov.uk

Risk Assessment

See section 4.3
David Eaton
Head of Neighbourhoods
Email: david.eaton@teignbridge.gov.uk

Environmental/ Climate Change Implications

See section 4.4
David Eaton
Head of Neighbourhoods
Email: david.eaton@teignbridge.gov.uk

Report Author

David Eaton
Head of Neighbourhoods
Email: david.eaton@teignbridge.gov.uk

Executive Member

Cllr David Palethorpe, Deputy Leader. Executive Member for Assets, Economic Development, Major Projects and Communication

Background Papers

[Refuse Disposal \(Amenity\) Act 1978](#)

[The Removal and Disposal of Vehicles Regulations 1986](#)

[The Removal, Storage and Disposal of Vehicles \(Prescribed Sums and Charges\) Regulations 2008](#)

[Clean Neighbourhoods and Environment Act 2005](#)

[Abandoned vehicles: local authority responsibilities - GOV.UK](#)

Appendices

Appendix 1 – Abandoned Vehicle Policy

Appendix 2 - Equality Impact Assessment

1. Introduction

1.1 The council has a legal duty to remove a vehicle which is abandoned on land in the open air. This includes trailers and caravans.

The council has a contract for the removal and disposal of vehicles. For the current year there have been 419 reports investigated by officers.

1.2 The work of officers is covered by legal process and procedures but at present there is no overarching policy setting out the council's approach.

2. Legislation and guidance

2.1 There are several pieces of legislation that set out the Council's responsibilities regarding abandoned vehicles.

- It is an offence under section 2 of the Refuse Disposal (Amenity) Act 1978 to abandon on any land in the open air, or on any other land forming part of the highway, a motor vehicle or anything which formed part of a motor vehicle.
- The removal and disposal of vehicles regulations 1986 make provisions for a council to dispose of vehicles that have been abandoned.
- If a person is found to have abandoned a vehicle they can be issued with a Fixed Penalty Notice under the Clean Neighbourhoods and Environment Act 2005.

2.2 Whilst the statutory duty and powers to deal with vehicles are clearly set out in legislation the definition of an abandoned vehicle is not. The Guidance sets out factors to consider when officers are making their decisions. This policy sets out the circumstances that will be considered when assessing a vehicle to increase transparency of the decision-making process for the public.

2.3 The Council is not required to remove an abandoned vehicle if the cost of removing it to the nearest highway is unreasonable.

3. Draft Policy

3.1 The draft policy covers the following areas

- sets out how the Council will discharge its duty,
- determine what constitutes an abandoned vehicle
- Process to be followed during an investigation
- Data security
- Complaints

3.2 The policy considers the guidance produced by the Government and best practice from other local authorities.

4. Implications, Risk Management and Climate Change Impact

4.1 Financial

The resources and revenue costs for providing the service is met by existing budgets. The Council has a contract for the removal and disposal of vehicle, caravans and trailers that ensures best value. As the Council has no control over the demand for the removal of vehicles, numbers of abandoned vehicles can vary year to year creating a budget pressure. This policy will not increase the number of vehicles dealt with by the Council.

4.2 Legal or Governance

Section 3 of the Refuse Disposal (Amenity) Act 1978 places a statutory duty on the local authority to remove motor vehicles which appear to be abandoned in their Area. This policy sets out how the Council will comply with our responsibilities and duty.

4.3 Risks

Without an approved and published policy, the decisions made by officers could be open to legal challenge. Claims for owners that their vehicle has been removed and destroyed are likely to be successful without this policy.

4.4 Environmental/Climate Change Impact

The disposal of abandoned vehicles at licensed scrap metal dealers ensures that a high proportion of each vehicle is recycled, helping to ensure that end of life vehicles are properly disposed of.

Generally, abandoned vehicles tend to be older less fuel-efficient vehicles with higher exhaust emissions meaning that disposal of these removes them from the road network, aiding an improvement in the air quality.

4. Alternative Options

The alternative option is to continue to deliver the service with no agreed policy putting at risk decisions made by officers which increases the likelihood of any legal action taken being successful.

5. Conclusion

The policy sets out how the Council can fulfil its statutory duties and minimises the risk of challenge.