

SHA Abandoned Vehicle Policy

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Contents

1. Introduction Page 3
2. Policy Aims Page 3
3. Definitions Page 3
4. Legislation Page 3
5. Key Points / Management Page 4
6. Vehicles on SHA Land Page 4
7. Vehicles on Public Roads or Public Spaces Page 4
8. Removal, Storage and Disposal Page 5
9. Equalities and Human Rights Page 5
10. Data Protection Page 5
11. Openness and Transparency Page 5
12. Complaints and Appeals Page 5
13. Review Page 6

1. Introduction

1.1 Southside Housing Association (SHA) has introduced this Abandoned Car Policy to ensure there is a clear and transparent approach to dealing with vehicles that appear to have been abandoned on land owned or managed by SHA.

1.2 SHA recognises that abandoned vehicles can cause nuisance, restrict access, create health and safety risks, affect the appearance of estates and cause concern for residents.

1.3 This policy sets out how SHA will identify, investigate and manage suspected abandoned cars and other vehicles in a lawful, fair and proportionate way.

2. Policy Aims

The key aims of this Policy are to:

- Set out SHA's position in dealing with abandoned vehicles on land owned or managed by the Association;
- Clarify the roles of SHA, Glasgow City Council, Police Scotland and other agencies;
- Ensure suspected abandoned vehicles are investigated promptly and consistently;
- Protect access, safety and the local environment across SHA estates;
- Confirm when costs may be recovered from an owner, keeper, tenant or other responsible person.

3. Definitions

3.1 An abandoned vehicle is a vehicle that appears to have been left without the intention of being collected or used again. There is no single conclusive test for abandonment and SHA will consider the overall circumstances of each case.

3.2 Indicators may include a vehicle that has not moved for a significant period, is untaxed, has no valid MOT where applicable, has flat tyres, broken windows, missing parts, missing number plates, visible damage, waste inside, signs of vandalism, oil or fuel leaks, or is causing an obstruction or safety risk.

3.3 Any vehicle stored in a driveway of one of our properties which is not road worthy, taxed and insured can be treated as abandoned vehicle. If any vehicle is parked in a driveway which causes a nuisance or annoyance to neighbours, it can also be dealt with under the Associations Anti-Social Behaviour Policy.

4. Legislation

4.1 SHA will act in line with applicable legislation and guidance, including the Refuse Disposal (Amenity) Act 1978, the Road Traffic Regulation Act 1984, the Removal

and Disposal of Vehicles Regulations 1986, the Civic Government (Scotland) Act 1982, the Antisocial Behaviour etc. (Scotland) Act 2004 where relevant, data protection legislation and any relevant procedures operated by Glasgow City Council and Police Scotland.

5. Key Points / Management

5.1 Depending on the circumstances, SHA will engage with Glasgow City Council, Police Scotland, DVLA and/or a suitably qualified and competent contractor to assist in the prompt and lawful management of suspected abandoned vehicles.

5.2 Housing Management are responsible for recording reports, inspecting sites, gathering evidence, checking tenancy and parking records, liaising with relevant agencies and keeping affected residents updated where appropriate.

5.3 SHA staff must not enter a vehicle, force access, remove property from a vehicle or move a vehicle unless this has been authorised through the agreed procedure and is lawful, proportionate and properly recorded.

6. Vehicles on SHA Land

6.1 Where a suspected abandoned vehicle is located in a car park, parking bay, driveway, garage court, private access road or other land owned or managed by SHA, staff will record the vehicle registration number, make, model, colour, location, condition, photographs, date first reported and any apparent risks.

6.2 SHA will make reasonable enquiries to establish whether the vehicle is connected to a tenant, factored owner, staff member, contractor or authorised visitor. This could include contacting the DVLA to establish ownership. Where appropriate, SHA may apply a notice to the vehicle asking the owner or keeper to contact the Association.

6.3 The usual notice period will be 14 calendar days from the date of the notice, unless a shorter period is required because the vehicle is causing an immediate risk, obstruction, environmental hazard or is linked to crime.

7. Vehicles on Public Roads or Public Spaces

7.1 Where a suspected abandoned vehicle is located on a public road, adopted road, public car park, public verge, pavement or other public space that is not owned or managed by SHA, SHA will not arrange removal, disposal, clamping, immobilisation or interference with the vehicle.

7.2 Staff should report the matter to Glasgow City Council’s abandoned vehicle service where appropriate. If the vehicle appears stolen, involved in crime, unsafe, uninsured, without MOT, causing antisocial behaviour or obstructing

access, staff should report the matter to Police Scotland on 101, or 999 in an emergency.

8. Removal, Storage and Disposal

8.1 SHA's first preference will be to resolve matters by identifying the owner or keeper and requiring voluntary removal. Where this is not possible, SHA will consider referral to Glasgow City Council or Police Scotland, depending on the circumstances.

8.2 SHA may only arrange private removal where it has obtained suitable approval, followed a lawful process, used a reputable contractor, considered its duties as an involuntary custodian of property, and retained a full audit trail. Before removal, staff must confirm that the vehicle has not been reported stolen, that no agency has instructed SHA to preserve the vehicle in place, that the notice period has expired where applicable, and that senior management approval has been given.

9. Equalities and Human Rights

9.1 In applying this Abandoned Car Policy, SHA will ensure it complies with the Equality Act 2010. SHA will apply this policy fairly and consistently and will consider individual circumstances, known vulnerabilities and reasonable adjustments where appropriate.

10. Data Protection

10.1 SHA will treat all personal data in line with its obligations under the Data Protection Act 2018, the UK General Data Protection Regulation and the SHA Privacy Policy and Data Retention Policy. Information regarding how SHA process personal data and the legal basis for processing personal data is set out in SHA Fair Processing Notices.

11. Openness and Transparency

11.1 This policy will be published to the SHA website. Associated information is available on request from the Association subject to statutory exemptions and exceptions which may apply under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

12. Complaints and Appeals

12.1 If anyone is dissatisfied with the service they have received as a result of this policy, they have the right to complain and should be encouraged to use the Association's Complaints Procedure. Further information on how to make a complaint is available from the SHA website.

12.2 We will attempt to resolve complaints quickly through front line resolution by the staff who receive the complaint. Where this is not successful or where the complaint has been categorised as constituting a serious service failure, we will carry out a full complaint investigation.

13. Review

13.1 This policy will be approved by the Board. It will be reviewed every three years unless amendment is prompted by a change in legislation, operational requirements, customer feedback or as dictated by SHA's risk management strategy.

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