



London Local Authorities Act 2004

2004 CHAPTER i

PART 2

ABANDONED VEHICLES

3 Disposal of vehicles

(1) Section 4 (Disposal of removed vehicles) of the 1978 Act shall have effect in the area of a borough council in accordance with this section.

(2) For subsection (1) there are substituted the following subsections—

“(1) Subject to subsections (5) and (6) below, a local authority may, in such manner as they think fit, dispose of any vehicle which is in their custody in pursuance of section 3 above—

(a) in the case of a vehicle—

- (i) on which no licence is displayed;
- (ii) to which no G.B. or N.I. registration mark is fixed;
- (iii) to which an illegible registration mark is fixed; or
- (iv) in respect of which there is no registered keeper,

at any time after its removal;

(b) in the case of a vehicle on which a licence is displayed and to which paragraph (a)(ii), (iii) and (iv) above does not apply, at any time after the expiry of the period of 28 days beginning with the date on which the licence expires;

(c) in any other case, at any time after the local authority has, for the purpose of ascertaining the owner of the vehicle, taken such of the steps specified in subsection (1B) below as are applicable to the vehicle and either—

- (i) the authority have failed to ascertain the name and address of the owner; or
- (ii) the owner has failed to comply with a notice under subsection (1A) below served on him by post.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(1A) A notice under subsection (1)(b) above shall be a notice addressed to the owner of the vehicle which—

- (a) states—
 - (i) the registration mark and make of the vehicle;
 - (ii) the place where the vehicle was found before it was removed;
 - (iii) the place to which the vehicle has been removed;
 - (iv) that unless the vehicle is removed by the owner on or before the date specified under paragraph (b) below, the local authority intends to dispose of it; and
- (b) requires the owner to remove the vehicle from the custody of the local authority within 7 days of the date on which the notice was served.

(1B) The steps to be taken by a local authority before serving a notice under subsection (1)(b) are—

- (a) if the vehicle carries a G.B. or N.I. registration mark, the local authority shall ascertain from the G.B. or, as the case may be, the N.I. records the name and address of the registered keeper;
- (b) if the vehicle does not carry such a registration mark, the local authority shall make such inquiries as appear to them to be practicable to ascertain the identity of the owner of the vehicle.”.

(3) Subsection (2) is omitted.

(4) After subsection (7), the following subsection is inserted—

“(7A) The Secretary of State may by regulations alter the period of notice provided under subsection (1A)(b) above.”.

(5) In subsection (8) at the end the following definitions are inserted—

““G.B. records” means the records kept under the Vehicle Excise and Registration Act 1994 (c. 22) by the Driver and Vehicle Licensing Agency on behalf of the Secretary of State and “G.B. registration mark” means a registration mark assigned to a vehicle registered in those records;

“N.I. records” means the records kept under that Act by Driver and Vehicle Licensing Northern Ireland on behalf of the Secretary of State and “N.I. registration mark” means a registration mark assigned to a vehicle registered in those records;

“registered keeper” in respect of a vehicle means the person in whose name the vehicle is registered in G.B. or N.I. records;”.

(6) At the end, the following subsection is inserted—

“(9) References in this section to such sums in respect of the removal, storage or disposal of a vehicle as may be prescribed shall be sums of the same level as the level of charges set by London authorities for the removal, storage and disposal of vehicles under section 74 (Fixing of certain parking and other charges for London) of the Road Traffic Act 1991 (c. 40).”.