



# London Local Authorities Act 2007

## 2007 CHAPTER ii

### PART 2

#### PUBLIC HEALTH AND THE ENVIRONMENT

##### *Abandoned and nuisance vehicles*

#### **28 Disposal of removed vehicles**

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

(2) For subsection (5), there is substituted—

“(5) The local authority shall permit a person to remove a vehicle from their custody before it is disposed of by the local authority in pursuance of this section, if that person—

- (a) satisfies the authority that—
  - (i) he is its owner; and
  - (ii) either of subsections (5A) or (5B) below applies; and
  - (iii) he is insured to drive the vehicle; and
- (b) gives a bond in the prescribed sum to the authority in the case—
  - (i) where no current licence is displayed on the vehicle; or
  - (ii) where no test certificate is shown to the authority, in the case where section 47 of the Road Traffic Act 1988 (c. 52) (obligatory test certificates) applies to the vehicle; and
- (c) pays to the authority such sums in respect of its removal and storage as may be prescribed.

(5A) This subsection applies if the person in question has not been offered the opportunity to pay a fixed penalty under section 2A above.

(5B) This subsection applies if the person in question has been offered the opportunity to pay a fixed penalty under section 2A above and—

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- (a) he has paid it; or
- (b) he has not paid it and the period mentioned in section 2A(2)(a) above has not expired; or
- (c) he has not paid it and the period within which proceedings may be instituted for the offence in question has expired and no such proceedings have been issued;
- (d) he has not paid it and proceedings for the offence have been instituted but not determined.

(5C) A bond under subsection (5)(b) above shall be repaid by the authority to the person who gave it once the authority is satisfied that a current licence has been obtained and can be displayed on the vehicle, or a test certificate has been issued in respect of the vehicle, as the case may be.

(5D) In subsection (5)(b) “prescribed sum” means such sum as may be prescribed by a joint committee established under section 101(5) of the Local Government Act 1972 (c. 70) and consisting of at least one representative from each London borough council.”.