South Oxfordshire District Council

Listening Learning Leading

Untaxed Vehicles Policy

1. Overview / Policy Statement

1.1 South Oxfordshire District Council (the council) is committed to ensuring that untaxed vehicles are removed from public highways. This policy outlines the councils' approach to the collection, storage and disposal of untaxed vehicles.

1.2 South Oxfordshire District Council has delegated authority for enforcement action against untaxed vehicles, and this policy explains the relationship between the council and the Driver and Vehicle Licensing Agency (DVLA). For clarity this policy also sets out the process associated with untaxed vehicles, which are often wrongly assumed to be abandoned.

1.3 This policy contributes to the council's aims and priorities for a thriving, healthy and inclusive community by ensuring the removal of untaxed vehicles which can affect traffic flow and road safety.

2. Objectives

2.1 The objectives are as follows:

- To provide effective and joined up enforcement of regulation.

3. Scope

3.1 This policy applies to all road vehicles used or stored in the district and is designed to deal with those vehicles that are untaxed or registered as SORN (**Statutory Off Road Notification**) on a public road.

3.2 It applies only within the boundaries of South Oxfordshire including but not limited to the adopted public highway and any land owned by the Council.

3.3 It does not apply to vehicles where the registered keeper, or the owner resides within South Oxfordshire, but the vehicles is used or stored exclusively outside of South Oxfordshire.

4. Roles and Responsibilities for Delivery

4.1 The roles and responsibilities for delivery are as follows:

- Director of Housing & Environment: Overall responsibility for policy implementation.
- Environment Services Manager: Responsible for the operational implementation of the policy.
- Waste Team Leader: Daily oversight of the operational implementation of the policy.
- Environmental Enforcement Officers: Initial case response, investigation and recordkeeping.
- Technical Support Officers: Administration of Release and Surety Payments
- All staff: Compliance with policy, recordkeeping and safeguarding responsibilities.

5. Relevant Legislation

5.1 The relevant legislation is as follows:

- Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 (as amended)
- Section 99(5) of the Road Traffic Regulation Act 1984
- The Refuse Disposal (Amenity) Act 1978 (as amended);
- The Road Traffic Regulations Act 1984 (as amended);
- The Removal and Disposal of Vehicles Regulations 1986 (as amended);
- The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008
- The Regulators Code www.gov.uk/government/publications/regulators-code;
- The Enforcement Concordant (Central and Local Government Enforcement Concordat, March 1998);
- Enforcement contained in the Legislative and Regulatory Reform Act 2006 (enforcement is proportionate, targeted, transparent consistent and accountable).

6. Other Relevant Policies and Procedures

6.1 The relevant local authority policy and procedures are listed below:

- The councils' Corporate Equality Policy
- The councils' Data Protection Policy

6.2 The relevant health and safety policy and codes for the councils will also apply to this policy. This includes, but is not restricted to:

- First Aid
- Violence and Aggression at Work
- Workplace Safety
- Incident Reporting and Investigation

7. Policy and Procedure

7.1 Untaxed vehicles are often reported as ‘abandoned vehicles’ or mistaken for an abandoned vehicle. A vehicle being untaxed does not necessarily mean that the vehicle is abandoned – likewise if a vehicle is taxed it does not automatically mean that it is not abandoned. A vehicle being untaxed will be considered as a factor at the point of inspection and may result in the council deeming the vehicle as genuinely abandoned but not solely on the grounds that it is untaxed. There is a separate enforcement process for untaxed vehicles that is set out in this policy.

7.2 The council has been given, by the DVLA, delegated authority to take enforcement action against vehicles that are not taxed.

7.3 A ‘memorandum of understanding’ and a ‘Code of Practice and Explanatory Guide for those authorised by the DVLA to action unlicensed vehicles’ ensures the rules are applied fairly within the underpinning legislation.

7.4 The tax status of a vehicle can be checked at: www.gov.uk/check-vehicle-tax and, if parked on a public road and found to be untaxed for a period of two months and one day or longer, they can be reported to: www.gov.uk/report-untaxed-vehicle

7.5 Vehicles are deemed to be newly reported at the time that the report is received and recorded into the council’s electronic recording system. Where possible the following information will be required at the reporting stage:

- Make, model and colour of the vehicle;
- Vehicle registration number;
- Exact location of the vehicle;

7.6 Where there is a failure to provide all the requested information about a potentially untaxed vehicle, the council reserve the right to not investigate the report further.

7.7 The council reserves the right to make an initial judgment as to whether the vehicle is ‘potentially untaxed’ based on the information provided at the public reporting stage. Vehicles believed to be

- untaxed for a period (currently two months and one day), **and**
- stationary on land that allows enforcement

will be passed to the contractor dealing with untaxed vehicles.

7.8 Subject to the assessment of the council officer, reports of an untaxed vehicle will be inspected and investigated within a timely manner.

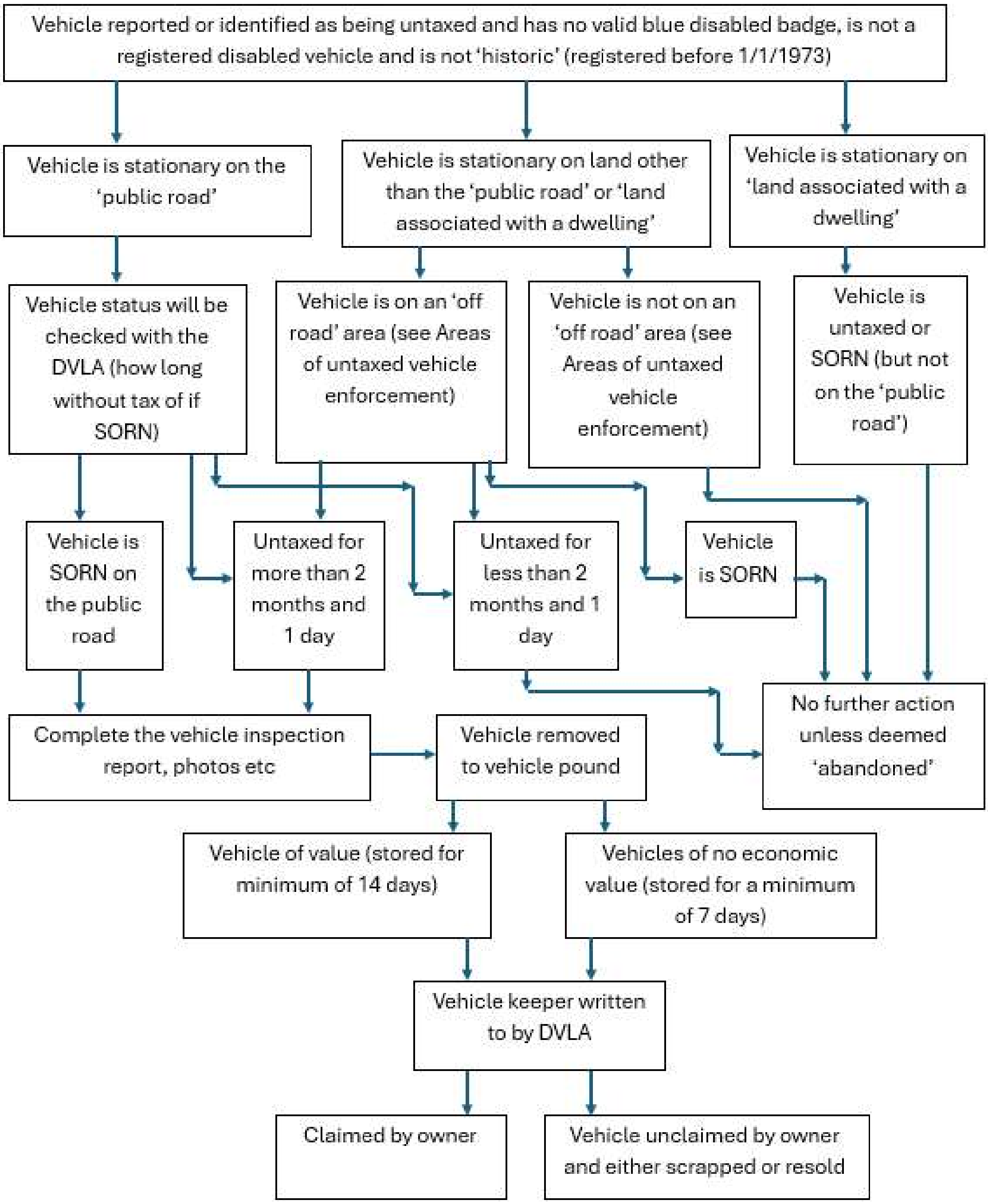
7.9 In the event a vehicle is assessed by the council's representative to be taxed but dangerously parked, it will fall outside the scope of this policy, and the vehicle details will be passed to the police to potentially arrange removal.

7.10 A summary of the process for untaxed vehicles is provided in Table 1 and in a diagrammatical representation shown as Diagram 1.

Table 1 - Summary of process for untaxed or SORN vehicles found stationary on a public road.

Summary of process for untaxed or SORN vehicles found stationary on a public road	
Report or identification of vehicle	Stationary untaxed/SORN vehicles are identified on public roads or public highway.
Check vehicle status	Check with the DVLA that the vehicle has been untaxed for a period of 2 months and a day or has an invalid Statutory Off-Road Notification (SORN) in place.
Enforcement begins	Tax check and enforcement action should be within 30 minutes of each other.
Vehicle logged	Photographs are taken of the untaxed/SORN vehicle and a vehicle inspection report completed. Offence Reports are also completed and passed to the DVLA. (There is also a requirement on the contractor to notify the DVLA of any action on individual vehicles at the end of each working day).
Removal	Vehicles will be removed to a vehicle storage facility (the Regulations allow for the instant removal of vehicles to storage pounds).
Storage	Vehicles of value (£1000 or more) will be stored for a minimum of 14 days and vehicles of no economic value will be stored for a minimum of 7 days.
Registered	The DVLA will write to the registered keeper.

Diagram 1 – Untaxed Vehicle process



7.11 Untaxed vehicles are the subject of enforcement action on adopted highways.

7.12 In 2008, the regulations were amended to include untaxed vehicles kept off the public road, for example “off-road areas such as un-adopted roads, commons, public car parks and roads maintained by Housing Associations” where the keeper is seeking “to place themselves beyond the reach of the enforcement authorities”. Therefore, off-road areas where enforcement can also be undertaken include:

- Car parks – store/supermarket, works, and Council car parks, public house car parks;
- Roads - private and un-adopted roads, Housing Association and Trust roads;
- Other land – Housing Association and Trust Land (that is not ‘associated with a dwelling), waste ground, parks, common ground, and open spaces.

7.13 In certain circumstances the regulations do not allow the council to remove a vehicle identified as untaxed or SORN. These include:

- The vehicle’s tax has not elapsed sufficiently to allow enforcement to take place (currently two months and one day);
- The vehicle is parked on land ‘associated with a dwelling’ (this can be a private driveway or garage, parking bays and parking areas regardless of whether allocated to specific dwellings), and any land provided as parking for residencies (regardless of whether maintained by council, Housing Associations/Trust or private);
- The vehicle is kept by a motor trader or vehicle tester at business premises (or land rented to trade from);
- The vehicle is being kept off-road with a valid SORN in force. If the SORN has been breached, i.e., the vehicle is stationary on a public road, the vehicle can be removed.

7.14 Vehicles that are found to be taxed will receive no further action as part of this policy unless they are potentially abandoned, in which case they will be investigated under a separate abandoned vehicle policy.

7.15 Vehicles inspected and found to be untaxed but under two months will not normally be considered for reinspection until two months have passed since the first inspection.

7.16 There are prescribed charges that apply to removal, storage and disposal of vehicles that are impounded as an untaxed vehicle. Fees and charges are not set by the council; they are statutory and set by the Government unless indicated otherwise. Get a clamped or impounded vehicle released - GOV.UK

7.17 The release fee for vehicles held under this policy for 2026/27 are as follows:

	Release Fee	**Storage**
Vehicle release within 24 hours	£100	n/a
Vehicle release after 24 hours	£200	£21 per day

7.18 If vehicle tax is not purchased and valid when the vehicle is collected a 'surety' (deposit) is required. The surety fee for 2026/27 is as follows

Vehicle Type	**Surety Fee**
Motorcycles, light passenger and light goods vehicles	£160
Buses, recovery, haulage and goods vehicles	£330
Exceptional loads and heavy goods vehicles such as large lorry or bus	£700

7.19 In order to reclaim a vehicle that is removed as 'untaxed' the following documents must be produced at the vehicle pound:

- Proof of keeper: Vehicle registration certificate (V5C); **and**
- Proof of identity – one of the following:
    - A current valid photocard Driving Licence or Passport
    - A recent utility bill

7.20 Where one of the supplied documents does not contain the keeper's current name and address (or there is a different address on the two documents or no address on one document) then the following is also required:

- Bank Statement (must be dated within the last three months); or
- Telephone/Mobile Bill (must be dated within the last three months);

  Electronic versions of these are acceptable.

7.21 In addition to the requirements outlined above, before the untaxed vehicle can be released from the vehicle pound:

- A release fee and all storage fees must be paid.
- The vehicle must show as taxed on the DVLA website; or you must provide a receipt showing the vehicle tax has been paid; or a surety fee is paid.
- If a foreign registered vehicle, proof it can be legally driven on UK roads.

7.22 If the vehicle is removed to storage and is not claimed within 7 days (vehicle value is under £1000) or 14 days (vehicle value is £1000 or above) of removal it will then be liable for disposal. If the keeper seeks to reclaim items taken into storage, then any charges associated with the removal and storage must be paid before the property can be released.

7.23 There are prescribed charges laid out in the Regulation that apply to vehicle removal and to vehicle storage for each day or part of a day during which the vehicle is impounded. The current fees applicable at the time that this policy are shown in 7.17 and 7.18 of this policy. In certain situations, a surety (deposit) may be required if vehicle tax has not been acquired for the vehicle.

7.24 If a surety fee (deposit) is paid as part of a release payment from the vehicle pound, a refund of this fee may be claimed. Important: in order to obtain a refund of the surety fee new vehicle tax must be purchased and confirmed to the Council. This must be confirmed within 15 days of the vehicle's release, including the day of release (day 1). If you do not contact the Council within this 15 day period the surety fee will not be refundable. This period is set in legislation and cannot be changed.

7.25 Only valid vehicle tax entitles the keeper to claim a refund of the surety fee (deposit). If the keeper's vehicle is to remain on SORN or if the keeper intends to make a SORN following the vehicle's release, the surety fee will be lost.

7.26 Any vehicle without payment of the release fee will be sent for disposal.

7.27 For the purposes of this policy disposal of untaxed vehicles (selling, breaking up or crushing) will be undertaken after a set time period depending on the value of the vehicle.

- Low value (under £1000) vehicles will be disposed of after 7 days of removal.
- High value (£1000 or over) vehicles will be disposed after 14 days of removal.

7.28 As the enforcement authority the council must deal with complaints that relate to removal of untaxed vehicles. When dealing with complaints, the Councils approach in the first instance will be to check whether the vehicle subjected to enforcement action was on the 'public highway'. The definition of a "public highway" is "a road which is repairable at the public expense"7. This can include verges, footways, lay-bys, and parking bays on the public road.

7.29 In the event the area is not part of the public highway the council will consider if the vehicle was removed from land 'associated with a dwelling', i.e., explicitly allocated to dwellings to use as parking either collectively or allocated to specific properties. Where the land is part of the public highway but is incidentally, but not exclusively, used as parking for local residences, i.e., it is available for parking use by others, it would not generally be considered as land 'associated with a dwelling'.

7.30 In the event the complainant is unsatisfied with the council's response to the complaint the registered keeper of the vehicle may then appeal to the DVLA but only in instances if the keeper:

- has paid the charges to recover a vehicle from the secure storage facility); **and**

- claims that the vehicle was taxed when it was removed, or that the Regulations were not met when the enforcement action was taken.

8. Communication and Contact Information

8.1 For further information about this policy, please contact the Waste Team on email Waste.Team@southandvale.gov.uk or telephone 01235 422401.

9. Alternative Formats

9.1 Please do not hesitate to contact a member of the Waste team if you would like this policy in an alternative format, via email: Waste.Team@southandvale.gov.uk or telephone 01235 422401.

10. Definitions

10.1 Definitions are as follows:

- Council - For the purposes of this policy the "Council" shall mean South Oxfordshire District Council and/or any of its agents acting on its behalf.
- Road - For the purposes of this policy, in most instances the meaning of "road" shall be the definition as contained in the Road Traffic Regulation Act 1984 and Traffic Management Act 2004. Where the vehicle is untaxed or SORN the meaning of "public road" shall be the definition as contained in the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997.
- Vehicle - For the purposes of this policy a "vehicle" is any of the following:
    - Mechanically propelled vehicle(s) intended or adapted for use on roads whether or not it is in a fit state for such use;
    - Anything attached to such a vehicle or trailer;
    - Motorcycles;
- Vehicle Owner - For the purposes of this policy the "vehicle owner" is presumed to be the last registered keeper of the vehicle unless that person can provide evidence to the contrary.
- Land Occupier - For the purposes of this policy the "occupier" is deemed to be the tenant or licensee; or anyone who has legal possession of and control over premises.
- Council's Representative - For the purpose of this policy the "Council's Representative" shall mean a member of staff or any agent acting on behalf of South Oxfordshire District Council.

11. Change Record

Change Record	
Policy title	Untaxed Vehicles Policy
Version number	1
Owner(s)	Environmental Services Manager
Author(s)	Waste Team Leader
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