



**BRIEFING PAPER**

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# Police charges for removing and storing vehicles

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## Summary

The police can charge for the removal, storage and disposal of vehicles. This applies to stolen vehicles as well as to abandoned and illegally parked cars. The charge for the removal of such vehicles varies according to their size and condition. For a car under 3.5 tonnes, the removal charge would be £150, and the storage charges would be £20 per day. Ultimate disposal would be a further £75.

The charges are basically to meet the police costs. Successive governments have taken the view that these costs should not fall on the public purse.

# 1. The rules

Under the *Road Traffic Regulation Act 1984*, the police have powers to remove a vehicle that has been left or parked illegally, obstructively or dangerously, or that has been abandoned or broken down. The police are entitled under the same Act to charge for the removal, storage and disposal of vehicles.<sup>1</sup> This applies to stolen vehicles as well as to abandoned and illegally parked cars.

Owners of such vehicles must pay these charges before they can regain the vehicle.<sup>2</sup> The police can recover from owners such sums as the Secretary of State may prescribe. In the case of some removals, these costs may be met by insurers: it is for owners to decide whether to take out insurance that covers these costs and if they do whether to make a claim.

## 1.1 How much can the police charge?

### England and Wales

The maximum charges for removals vary according to the size and condition of the vehicle.<sup>3</sup> For a vehicle less than 3.5 tonnes (i.e. a car or a light van), the charges are as follows:

- Vehicle on road, upright and not substantially damaged or any two wheeled vehicle whatever its condition or position on or off the road - **£150**
- Vehicle, excluding a two wheeled vehicle, off road, upright and not substantially damaged - **£200**
- Vehicle, excluding a two wheeled vehicle, on road but either not upright or substantially damaged or both - **£250**
- Vehicle, excluding a two wheeled vehicle, off road but either not upright or substantially damaged or both - **£300**.

Heavier vehicles cost more.

Storage costs £10 per day for a motorbike, £20 per day for cars and more for vehicles over 3.5 tonnes. Disposal of the vehicle costs £50 for a motorbike, £75 for a car and, again, more for heavier vehicles.

### Scotland

In Scotland, the charge for removal is a flat rate £150 and the charge for storage is £20 for each period of 24 hours.<sup>4</sup> The charge for disposal is £150. There were moves to introduce a similar scheme that which exists in England and Wales, but the relevant regulations were revoked before they came into force.<sup>5</sup>

The police can charge £150 for removing a car or motorbike.

In England and Wales, the charges are higher if the vehicle is damaged or not upright.

In Scotland the charge is a flat rate £150 for removal.

<sup>1</sup> s.102 (2)(a),

<sup>2</sup> S.104(A)4 *Road Traffic Regulation Act 1984*

<sup>3</sup> *Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008*, [SI 2008/2095](#), as amended by [SI 2008/3013](#)

<sup>4</sup> *Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 1989* (SI 1989/744) as amended by the *Removal Storage and Disposal of Vehicles (Prescribed Sums and Charges Etc.) Amendment (Scotland) Regulations 2005* (SSI 2005/486)

<sup>5</sup> For background see Scottish Parliament, [Subordinate Legislation Committee 22nd Report, 2011 \(Session 4\) Subordinate Legislation](#), 22 December 2011

## 2. Why do the police make these charges?

In March 2011, the Home Office minister James Brokenshire said in response to a PQ that the revenue which police forces collect from charges for the return of stolen vehicles was not collected centrally. He went on to explain the rationale for the charges:

The police are empowered to order the removal of any vehicle that is dangerously, obstructively or illegally parked, or broken down, or abandoned, including vehicles abandoned after being stolen. Such removals necessarily incur significant costs. To meet these costs, the law authorises the police in every case to levy on the vehicle owners charges prescribed by the Secretary of State.<sup>6</sup>

The charges are essentially to meet the police's costs: they are not intended to be a penalty on drivers and owners.

Before the current charges were set, the Home Office issued a consultation paper in May 2007 with a closing date of 31 July 2007.<sup>7</sup> This explained the background to the current charges as follows:

7.3 The charges as originally set and subsequently adjusted in 1991 and 1993 were not intended as a source of income for either the police or the recovery operators acting as their agents. The aim was to recoup the full cost of operations. It has, however, never been possible to establish a firm and agreed basis on which this could be done with precision. Since information was available for the Metropolitan Police and as their removal operations were at that time the largest in the country and were contracted out rather than performed in-house, the charges were set originally by reference in general terms to their particular costs. The Government believes that this provided a pragmatic and reasonable approach in the circumstances. Since the last adjustment, however, the Metropolitan Police's operations in this area have been scaling down, particularly with the introduction of decriminalised parking enforcement in London. There have also been suggestions that conditions in the capital are too dissimilar to the rest of the country for costs there to be the prime determinant of the charges. The Government therefore believes it is no longer appropriate to refer the charges to London costs alone.

7.4 The Government also wishes to make it clear that the aim of the charges has never been to impose a penalty on vehicle drivers or owners. This remains the case. The need for removal of a vehicle does not necessarily result entirely or at all from a culpable action or neglect on the part of the owner or driver. Where a criminal offence might have been committed, it is for the police to deal with that as a separate matter.

Sometimes constituents are under the impression that the charges are for the forensic examination or the return of their cars rather than storage. The following PQ, answered in February 2002, makes it clear that this is not the case:<sup>8</sup>

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<sup>6</sup> [HC Deb 3 March 2011 c541W](#)

<sup>7</sup> Home Office, [Charges for the Removal, Storage and Disposal of Vehicles](#), May 2007,

<sup>8</sup> [HC Deb 12 February 2002 c1235W](#)

Andrew Mackinlay: To ask the Secretary of State for the Home Department if he will issue guidance to prevent police forces charging victims of car theft the cost of garaging their vehicles while forensic tests are carried out; and if he will make a statement. [36241]

Mr. Denham: The police have a power under the Road Traffic Regulation Act 1984 to remove a vehicle that has been left or parked illegally, obstructively or dangerously, or that has been abandoned or broken down. This may include vehicles that have been stolen. Where a vehicle is so removed, the police have a power to require the owner to meet the costs associated with that removal and subsequent storage. The police do not charge for the storage of vehicles that they retain as evidence or for forensic examination.

Removal and storage costs have to be met, but we are very sympathetic to the sense of injustice that a person may feel in having to meet these costs in order to recover his or her vehicle after it has been stolen. We are considering whether there are any changes to the current position that might be both possible and appropriate, taking into account all the relevant considerations.

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