



Home Office

**Crime Reduction and Community Safety Group
Public Order Unit**

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Respondents to my letter of 21 December 2007 which sought views on charges proposed for different scenarios in which vehicles might be removed by the police

31 March 2008

STATUTORY CHARGES FOR THE REMOVAL, STORAGE AND DISPOSAL OF VEHICLES UNDER THE ROAD TRAFFIC REGULATION ACT 1984 (RTRA)

I am writing to update you on our plans to bring in new statutory charges for the removal, storage and disposal of vehicles ordered by the police.

Ministers have now agreed the scenario based charges attached at Annex A. These charges and the scenarios to which they relate are now final and will not be subject to further negotiation. We will shortly be instructing lawyers to draft the necessary Regulations setting the new charges. Ministers intend that the Regulations will come into effect on the Common Commencement Date of 1 October 2008.

I wrote again on 4 February to those who had responded to my letter of 21 December. Amongst other points I made, I explained that, although Ministers' decision that there should be a scenario structure was final, we were prepared to give further thought to the precise description of the scenarios and the charges that should apply to each. This we have now done. We believe we have largely addressed the main concerns expressed.

Ministers are satisfied that the main distinctions affecting the costs of removals are the type of vehicle, whether it is on or off road, whether or not it is upright/not substantially damaged and in the case of a larger, generally commercial, vehicle, whether or not it is laden. We are working with lawyers to provide clear and precise definitions of all terms used.

In setting the charges for the different scenarios, we have taken account of material submitted by respondents. This evidence was however limited, being naturally selective and non-objective, with respondents' suggestions as to appropriate charges varying

widely. The final charges agreed by Ministers are within the minima and maxima put forward. Ministers accept there will be disagreements: some may consider certain charges too high or too low, whilst others will have a diametrically opposite view. Ministers believe, however, that these charges represent the most reasonable outcome that at present can be achieved for everyone.

I invite all interested parties to gather information over the first year of the new scenario based charging operation to identify where there are any problems and to maintain comprehensive records of costs to inform future changes. Ministers have already agreed that there will in future be regular reviews.

We also intend to issue guidance on the new charges. If there are particular suggestions you wish to make as to what the guidance might usefully cover, we should be very grateful to receive these. A copy of the guidance will be sent to you in due course and will also be available on the Home Office website.

In addition to removals, etc under RTRA powers, removals are also carried out under section 59 of the Police Reform Act 2002 and section 165A of the Road Traffic Act 1988. These concern vehicles driven anti-socially and vehicles driven without appropriate licence or insurance. The charges in respect of such removals are the same as those that apply to RTRA removals. Ministers intend to maintain that correlation, though it is likely that only scenario A1 will in practice apply. They therefore intend to make parallel Regulations accordingly.

Should you have any comments on the proposed parallel Regulations, please send these to my colleague John Crozier, as below. Please also contact John Crozier if you have any questions about this letter.

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TABLES OF NEW STATUTORY CHARGES

Removals

<u>Vehicle type</u> →	1 -Vehicle not exceeding 3.5 tonnes Maximum Authorised Mass (MAM)	2 - Vehicle exceeding 3.5 tonnes MAM, but not exceeding 7.5 tonnes MAM	3 - Vehicle exceeding 7.5 tonnes MAM, but not exceeding 18 tonnes MAM	4 -Vehicle exceeding 18 tonnes MAM
<u>Scenario</u> ↓				
A - Vehicle on road: upright and not substantially damaged; all motorcycles, regardless of position, condition and circumstance	£150	£200	£350	£350
B - Vehicle on road: not upright, and /or substantially damaged	£250	£650	i. Unladen £2000 ii. Laden £3000	i. Unladen £3000 ii. Laden £4500
C - Vehicle off road: upright and not substantially damaged	£200	£400	i. Unladen £1000 ii. Laden £1500	i. Unladen £1500 ii. Laden £2000
D - Vehicle off road: not upright, and/or substantially damaged	£300	£850	i. Unladen £3000 ii. Laden £4500	i. Unladen £4500 ii. Laden £6000

Storage

Two wheeled vehicles	Vehicle not exceeding 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM, but not exceeding 7.5 tonnes MAM.	Vehicle exceeding 7.5 tonnes MAM, but not exceeding 18 tonnes MAM	Vehicle exceeding 18 tonnes MAM
£10	£20	£25	£30	£35

Disposal

Two wheeled vehicles	Vehicle not exceeding 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM, but not exceeding 7.5 tonnes MAM	Vehicle exceeding 7.5 tonnes MAM, but not exceeding 18 tonnes MAM	Vehicle exceeding 18 tonnes MAM
£50	£75	£100	£125	£150

Definition of the terms used in these tables will be agreed with lawyers and included in the Regulations.