

**FOI: 12093368 Recovery of unpaid removal and storage charges following removal of a motor vehicle**

Recovery of unpaid removal and storage charges following removal of a motor vehicle

This request relates to parking. I suggest it is forwarded to the head of parking enforcement.

Under section 102(2A) and 102(3) of the Road Traffic Regulation Act 1984 Tower Hamlets can issue legal proceedings to recover unpaid removal and storage charges after a vehicle has been removed for a civil parking contravention: -

"(2A) If the place from which the vehicle is removed is in an area that is a civil enforcement area for parking contraventions, the enforcement authority is entitled to recover from any person responsible such charges in respect of the removal, storage and disposal of the vehicle as they may require in accordance with Schedule 9 of the Traffic Management Act 2004.

(3) Any sum recoverable by virtue of this section shall, in England or Wales, be recoverable as a simple contract debt in any court of competent jurisdiction or, in the case of a sum not exceeding £20, summarily as a civil debt."

Requests:

Since April 2008 (when the TMA 2004 came into force) how many times have you issued legal proceedings using section 102(2A) powers?

[The London Borough of Tower Hamlets has never issued such legal proceedings](#)

Provide the procedure/guidance etc. followed by you when the owner of an unabandoned, removed/impounded vehicle cannot pay the release fee?

[We have no specific procedure to deal with this; if the situation arose then it is would be dealt with on a case-by-case basis.](#)

Since April 2008 what was the biggest release fee paid to recover an unabandoned impounded vehicle?

[Due to changes in the Council's PCN processing system we only have records for removals from 2014 onwards. The highest release fee paid since removals were recorded is £2,010.](#)

The current removal fee is £200.

State what was the average cost to you for each removal in 2017.

[The London Borough of Tower Hamlets is currently involved in a procurement exercise for vehicle removals and pound management. We therefore consider this information to be exempt under Section 43 of the Freedom of Information Act 2000 as its release would be likely to prejudice the commercial interests of the incumbent contractor.](#)

State the date that London Councils set the release fee at £200 and provide any record showing same such as committee resolution etc.

We do not know the exact date on which the removal fee was set however we believe that it was in 2007. Such charges are set under Regulation 24 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 ("the General Regulations") by the London Councils Transport and Environment Committee ("LCTEC"), being the joint committee under Regulation 15 of General Regulations. As such those decisions do not need further ratification, such as committee resolutions, by individual London local authorities. We do not hold the decisions of the LCTEC as they are available on the London Councils website at <http://www.londoncouncils.gov.uk>.