



Your reference:

Our reference: FOI_24_0798

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 20/11/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0798

On 29/08/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

With regard to the Removal, Storage and Disposal of Motor Vehicles (amendment) Regulations 2023 (commencement date: 6 April 2023) charges for recovery and storage. Please:

1. provide a copy of your vehicle storage & removal policy; the procedure relating to recovery and storage charges i.e. the date from which these commence taking into consideration forensic examination, that the vehicle may not be release immediately etc.
2. provide a copy of your standard letter to the owner/keeper/insurer of a vehicle recovered and in storage that sets out their recovery process, the charges incurred etc.
3. advise what amount/proportion of the charges levied by your recovery operator are remitted to your constabulary

I am seeking the information, the figures you are paid by the operator either by way of affiliate, rebate or any other arrangement that sees the operator make a payment to you for these services. Please provide the information since 01/01/2023.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

1 Please see the enclosed Vehicle Recovery Scheme Policy. As there is reference to an internal number this has been redacted. With regards to the redaction of the telephone number at section 20, the ACPO minimum standards for all police force publication schemes is that we must provide a non-emergency number and an e-mail address for general enquiries. This is the main switchboard number and an e-mail address

Non-emergency telephone number within the county is 101, outside is 01452 728199

Contact centre email address: force.controlroom@gloucestershire.police.uk

2 We do not issue letters to the owner/keeper/insurer of a vehicle, this is issued by the recovery provider on our behalf. Please see attached an example of the letter which could be issued to individuals.

Document attached: FOI_24_0798_Sample Letter

3

Month/Year	Disposal proceeds to Police	Admin fees to police
Jan 23 – Aug 24	£107,898.00	£62,395.84

You have requested what the process is for the sourcing and responding to FOI requests following the delay of a response to your FOI.

When an FOI request is received contact is made by Disclosure Officers with the Subject Matter Experts (SME). We are reliant on the SME providing the requested information within the compliance timelines which are made clear to the SME at the point of request. If the disclosure officer does not receive a response within a specified time chasers are issued.

Where necessary chasers are escalated to persons more senior. I must stress that as a department we are reliant on the SME providing the requested information. Until that is received we are unable to issue a response.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary

PLEASE CONTACT: (Recovery Company)

Name & Address of keeper

Date

BY RECORDED DELIVERY

Stolen vehicle: Notification of recovery

Dear XXXXXX

We work with the Police as an authorised contractor for vehicle recovery. We understand that you are the current keeper of the following vehicle that has been reported stolen:

VEHICLE DETAILS ENTERED HERE

We're pleased to tell you that we recovered your vehicle on behalf of the Police.

What should you do now?

The removal charge for the vehicle is £xxx and the storage charge is £xxx per day, commencing 24 hours after the date of this letter (Storage charges do not apply whilst a vehicle is being retained by the police)

- Please get in touch with us as quickly as possible to arrange collection of your vehicle, so we can keep your costs as low as possible.
- If making a claim, you should also pass this letter on to your insurance company.

How long have you got to reclaim your vehicle or belongings?

Your vehicle: You can collect your vehicle from us **within 14 days of this notice** upon payment of your balance and production of proof of ownership and photographic ID.

Your belongings: These will be stored separately and available **for 28 days from the date of this notice**. Production of proof of ownership and photographic ID will be required for collection.

Please note: We are only able to store vehicles and property for a limited period.

If you do not collect your vehicle or belongings within the stated times, we will be instructed by the police to dispose of them.

This is in accordance with the Road Traffic Regulations Act 1984 - The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008.

Please contact us as soon as you can.

You are strongly advised to call us prior to collecting your vehicle and/or property

Yours sincerely
Proprietor

NB. If you have recently sold this vehicle please contact us at the number on this letter or alternatively enter the new keeper details below and return the whole letter to us

Name:

Address:

Date of sale:

GLOUCESTERSHIRE CONSTABULARY VEHICLE RECOVERY SCHEME POLICY

Version 1.3		
Version 1.2	October 2011	
Version 1.0	30 October 2002	

1. INTRODUCTION

- 1.1 The purpose of this policy is to inform Gloucestershire Police officers and staff of issues relating to the recovery of vehicles with the Gloucestershire area.
- 1.2 The policy has been amended to simplify the process involved in recovering vehicles in the county.

2. STATEMENT OF POLICY

- 2.1 The power to recover vehicles is set out in the Removal, Storage and Disposal of Motor Vehicles Regulations 2024.

[Circular 003/2023: Charges for the removal, storage and disposal of vehicles under road traffic law - GOV.UK](#)
- 2.2 It is the policy of the Gloucestershire Constabulary to recover vehicles that have been reported stolen, used in crime or where there is a need, to recover evidence from a motor vehicle.

VEHICLE REMOVAL & RECOVERY

1. DEFINITIONS

For the purposes of this document the following definitions apply:-

1.2 Definition of a Vehicle

Any vehicle whether or not it is in a state for use on the roads, and includes any chassis or body, with or without wheels appearing to have formed part of such a vehicle and any load carried by or attached to such a vehicle (Section 99 Road Traffic Regulation Act 1984).

1.3 Authorised Recovery Operator

A Recovery Operator appointed to provide the range of recovery services required to a specified standard.

1.4 Vehicle Recovery Liaison Officer

The Vehicle Recovery Liaison Officer (VRLO) acts as the link between the approved managing agent and the Constabulary.

2. CONTRACT

A contract has been awarded to the managing agent to provide recovery services to specified standards which includes a requirement to respond to a recovery request within 30 minutes (45minutes in the case of a large goods vehicle).

Calls to the managing agent control will be handled direct by Officers at a scene.

3. Police Owned Vehicles

Authorised Recovery Operators are responsible for the recovery of police owned vehicles, which will be taken to the Tri-Service Workshops at Waterwells, QUEDGELEY. Arrangements for storage of a vehicle of a covert or sensitive nature may be made via Force Control Room.

4. Charges

It is imperative that Officers do not engage in discussions or give advice regarding recovery charges with either the Authorised Recovery Operators or members of the public whose vehicles are recovered under this scheme, either before or after recovery.

[Circular 003/2023: Charges for the removal, storage and disposal of vehicles under road traffic law - GOV.UK](#)

5. OWNER REQUESTS

- 5.1 The personal choices of the motorist should be facilitated wherever possible. Police Officers should only override the wishes of an individual where there is a danger to the public, a serious obstruction or a resource implication for the Police Service of more than 30minutes.
- 5.2 Where it is apparent that the Club, Association or other nominated recovery service cannot respond in a reasonable time (i.e.: 30minutes) the Officer at the scene may override the wishes of the member and require removal by an Authorised Recovery Operator under the scheme.

The Officer at the scene will retain over-riding authority for the vehicle removal and may exercise his legal Powers to counter the wishes of the owner if there are sound reasons for doing so.

6. VEHICLES INVOLVED IN MAJOR CRIME

Major Crime is defined as:-

- i) Murder, suspicious deaths or serious assault
- ii) Rape or other serious sexual assault
- iii) Robbery involving the use of firearms or serious assault
- iv) Any other offence the circumstances or nature of which require it to be defined as a major or serious crime (e.g.: causing death by dangerous driving, aggravated burglary etc)

Vehicles involved in major crime will **not** be removed until the Police Incident Commander or the Senior Investigating Officer has been consulted to decide the most appropriate course of action.

7. STOLEN VEHICLES

To assist the public to understand police powers relating to vehicle recovery and the reason behind police action, anyone reporting a vehicle stolen must be informed:-

“If your vehicle is found it will be recovered by the police. There will be a statutory fee of a minimum of £192 to be paid to the recovery operator which may be recovered from your insurance company. We regret that we are unable to accept any special requests in relation to the recovery of your vehicle”

- 7.1 When a stolen or a vehicle suspected of being stolen, is found having been abandoned on a road, or land in the open air, the police officer in the case should use their powers under Regulation 4 Removal and Disposal of Vehicle Regulations 1986 and remove the vehicle as being stolen/abandoned.

- 7.2 Police staff should carry out a thorough search of the vehicle for firearms, drugs or large amounts of cash, which will be seized by the officer in line with current force policies prior to removal of the vehicle. All reasonable care should be taken to prevent contamination or loss of evidence when searching the vehicle
- 7.3 Wherever possible, Scenes of Crime Officers will examine vehicles that have been stolen, taken without consent or used in the commission of crime. Officers must submit the vehicle as an exhibit before any examination will be undertaken.
- 7.4 All recovered vehicles requiring scenes of crime examinations will only be taken to one of the Authorised Recovery Operators participating in the recovery scheme. The examination of the vehicle will be completed as soon as practicable.
- 7.5 The Force will not be liable to pay any monies in respect of these removals. It is a matter for the owner and/or the insurance company to meet the statutory recovery and storage costs levied by the recovery operator.

8. POLICE & CRIMINAL EVIDENCE ACT (PACE)

- 8.1 Vehicles removed under the Police and Criminal Evidence Act will be all vehicles that are not stolen / abandoned, and have been used in crime, which need to be recovered to gather or preserve evidence. Stolen vehicles not abandoned i.e. physically in the possession of the alleged offenders (they are in the vehicle when stopped) or on their land will be recovered under Section 22 PACE.

9. ROAD TRAFFIC COLLISIONS

- 9.1 Any vehicle involved in a collision will be removed from the scene. If the driver does not remove the vehicle within a reasonable time, the vehicle recovery scheme will be used and all charges met by the owner/driver.
- 9.2 If a vehicle involved in a collision is required by the police for examination, the initial recovery charges will be met by the owner or Insurance Company.
- 9.3 Where vehicles are involved in other serious incidents (e.g.: fatal or serious injury road traffic collisions), removals will not be undertaken until the SIO or Senior Traffic Officer at the scene has been consulted

10. VEHICLE CAUSING AN OBSTRUCTION OR ABANDONED ON HIGHWAY

- 10.1 Vehicles which have been left on a road and are causing a wilful or unnecessary obstruction can be removed under the vehicle recovery scheme, without any cost being incurred by the police.

10.2. Any vehicle found causing an obstruction on the highway can be removed. The decision to have the vehicle removed will be that of the Officer or PCSO who attends.

10.3 Should an owner/driver return to a scene before recovery is effected, the incident can be dealt with by way of Fixed Penalty Notice and no charge for the garage call-out will be levied against the owner.

11. ABANDONED VEHICLES ON MOTORWAYS & DUAL CARRIAGEWAY

11.1 It is prohibited to leave a vehicle at rest on the hard shoulder of a motorway longer than necessary. A one hour period should generally be regarded as the absolute maximum period that a vehicle is allowed to so remain.

11.2 The Highways Agency assumes full responsibility of any abandoned vehicles on the M5 motorway in Gloucestershire.

11.3 Officers may institute the immediate removal of any broken down or abandoned vehicle on a motorway or 'A' class trunk road, which in their opinion constitutes a hazard to other road users.

12. BURNT OUT VEHICLES AND/OR VEHICLES POSING A DANGER TO THE PUBLIC

12.1 Whilst the responsibility for recovering burnt out end of life vehicles rests with the Local Authority, this Constabulary acts on their behalf to remove such vehicles and they will be removed under the Removal & Disposal Vehicle Regulations 1986.

12.2 Burnt out vehicles, which are identified, as stolen/abandoned, will be recovered under the scheme without the police incurring any charges

13. REMOVAL OF ABANDONED VEHICLES FROM WATER COURSES

If the vehicle is located within a "main river" water course, the Environment Agency will make arrangements for its removal.

14. PRISONERS' VEHICLES

14.1 Where a person in charge of a motor vehicle has been arrested, the Officer will take all reasonable steps to ensure the vehicle is secure before leaving the scene. Prisoners should be made aware of the location of their vehicle any personal request for removal will be at their own expense.

- 14.2 If the prisoner is not the registered keeper of the vehicle but it is established they are the owner the details are to be entered on the STORM Incident by the OIC.

15. PROPERTY

- 15.1 The recovery operator is responsible for all aspects of recovery including the transportation of passengers where appropriate, property contained in the vehicle and vehicle loads for vehicles involved in road traffic collisions.
- 15.2 In all other cases a vehicle and contents are to be regarded as exhibits. The vehicle registration number and/or VIN number uniquely identify the vehicle. In cases where the vehicle has been totally de-identified, a security tag will be placed on the vehicle and serial number recorded on the VAD incident log and officers device.
- 15.3 Officers are responsible for the reasonable safeguard of property at the scene of any incident until such time as the recovery operator is in a position to take possession of the vehicle and contents. The recovery operator is required to record property in accordance with standards specified in the contract.
- 15.4 Officers attending the scene will carry out an inspection of the vehicle for firearms, drugs or large amounts of cash. These will be seized and recorded in accordance with current policy prior to the vehicle being recovered.

16 LONG TERM STORAGE

The Authorised Recovery Operators have facilities for vehicles to be placed for long term storage (i.e.: exceeding seven days). The OIC must advise the VRLO that long term storage is required.

17. RELEASE OR DISPOSAL OF VEHICLES

- 17.1 Responsibility for the release or disposal of vehicles will be that of the VRLO or OIC.
- 17.2 Unless Authorised Recovery Operators are advised otherwise, vehicles seized on behalf of the Police will be returned to the owner or other nominated persons/companies/insurance agents.
- 17.3 Any vehicle requiring storage exceeding seven days (long term) will be by arrangement with the Vehicle Recovery Liaison Officer (VRLO).

18 DIVISIONAL ACCOUNTABILITY

LPAs and Departments will be responsible for the costs of any recovery and storage of vehicles that fall outside the Vehicle Recovery Policy and Procedures. They will also be responsible for the costs of storage in excess of 7 days if the Officers have failed to authorise the VRLO of release, disposal or removal to long term storage of a vehicle

19. STORM

19.1 All staff must be clear on the different types of recovery and examination available for recording on STORM. The type of recovery requested by the police will dictate who is responsible for charges incurred by the recovery operator.

19.2 The types of recoveries are:

Vehicles recovered as stolen/abandoned

Vehicles recovered under Section 22 Police & Criminal Evidence Act

Vehicles causing an obstruction

Vehicles involved in Road Traffic Collisions (RTC)

Devolved powers for the DVLA

S165 seizures

S59 seizures

Op GIG

It is important for Officers to advise the managing agent of the total number and details of vehicles requiring recovery at the request for a vehicle recovery under the scheme.

Driver details will be entered on the incident when they are not shown as the registered keeper of the vehicle.

20 VEHICLE RECOVERY LIAISON OFFICERS

The Recovery Scheme Vehicle Recovery Liaison Officer (VRLO) is located within the GTEC Building [REDACTED] The office hours are Monday-Friday 08:00 – 15:00

21 CORRESPONDENCE

Officers and Police Staff receiving correspondence relating to this Recovery Scheme must acknowledge receipt and thereafter refer it to the VRLO. Having acknowledged the correspondence it should then be forwarded to the VRLO.

22 COMPLAINTS

Complaints received concerning the operation of the scheme should be forwarded to the Vehicle Recovery Scheme Manager, GTEC Building, Waterwells, Gloucester. GL1 2AN