



Driver and Vehicle Licensing Agency

Telephone
Fax
Minicom
Email
Website www.direct.gov.uk/motoring

Your Ref
Our Ref

Date: 19 January 2007

Dear

Freedom of Information Request

I can confirm that the Driver and Vehicle Licensing Agency (DVLA) has now completed its search for the information you requested under the terms of the Freedom of Information Act 2000 (FOIA) in your letter of 15 December 2006.

In answer to your request for information relating to *“the removal of untaxed vehicles from public roads in the UK”* I will answer your requests in the order you raised them.

In answer to Point 1 –

“How many calls do you receive on average per month from members of the public reporting untaxed vehicles on public roads?”

I can confirm that, on average, 10,000 calls were received each month via the Agency’s unlicensed use “Hotline” during the year from January to December 2006. However, it is important to note that only a proportion of these meet the set criteria for a report to be followed through.

In answer to Point 2 –

“I understand that once a vehicle has been reported as untaxed, a process begins at DVLA, starting with an inspection, and finishing with the possible removal of the vehicle. Please describe the stages of the process, and tell me whether there are any targets for the average time each stage of the process should take, and whether you have monitored performance against these targets. If you have monitored performance, I would like to see the data for 2006, or the last available 12 month period.”

I can confirm that it is an offence under Section 29 of the Vehicle Excise and Registration Act (VERA) 1994 to use or keep an unlicensed vehicle on a public road.

Reports from members of the public about unlicensed vehicles are welcomed, and the unlicensed vehicle ‘Hotline’ facility was introduced as an additional way of enabling members of the public to make such reports, at no cost to themselves. Information received in this way can, however, serve only as a first stage in the enforcement process. Before



enforcement action can be initiated, the judicial process requires both a sighting of an unlicensed vehicle on a public road, and a **formal** witness statement to that effect in a form acceptable to the Courts. Normally, these reports are made by a Police Officer, Traffic Warden or one of DVLA's own officials, as part of their day to day duties, and form the basis for enforcement action. They are checked against DVLA's vehicle register and, where an offence has been committed and the person responsible traced, action is taken either through Out of Court Settlement (OCS) or, in the more serious cases, by prosecution. When an evader is caught the penalties imposed take full account of the period the vehicle was unlicensed.

When a report of an unlicensed vehicle is received from a member of the public via the "Hotline", details are entered onto a central database. The database is interrogated at regular intervals by a network of Senior Enforcement Field Officers (SEFOs) and Enforcement Field Officers (EFOs) based in 10 defined areas throughout the UK (excluding Northern Ireland). The SEFOs and EFOs extract by postcode the reports of unlicensed vehicles in their area and, where practical, a visit is arranged in order to sight the vehicle. Where unlicensed vehicles are successfully sighted an offence report is produced and enforcement action is taken. To assist in this action, in May last year DVLA entered into a national wheelclamping contract with National Car Parks Ltd (NCP), who clamp and remove unlicensed vehicles on behalf of the Agency. When a vehicle is clamped, action is also taken in each case under Section 29 of VERA.

You have asked for the timeframes and the service standards to which the Agency works when investigating this type of case. The Agency does not monitor target data relating to times between the stages of our enforcement actions, and there are no set performance targets in this regard. It may help you to better understand this if I explain that the costly and time-consuming part of the enforcement process is not in the detection of offences but in the subsequent tracking down of those responsible, and in gathering the evidence needed to bring them to book. I can confirm that, on receipt of a report, we can hold it for 3 years from the date of the alleged offence, to establish the person responsible for the vehicle. However, in practice, we hold the papers for 6 months. Once details of ownership are established we have 6 months from that date to institute legal proceedings.

In answer to Point 3 –

"How many untaxed vehicles on public roads have been reported to the DVLA by members of the public in the London borough of Lambeth, in 2006, or the last available 12 month period? How many of these vehicles were removed by order of the DVLA? On average how long did the process take from when the vehicle was first reported by a member of the public?"

I can confirm that in 2006, 313 reports of unlicensed using / keeping of vehicles on the public road in the London Borough of Lambeth were received from members of the public. This comprised 294 reports received via the "Hotline", and 19 written reports submitted directly to the Agency's London Enforcement Centre (LEC) in Sidcup. Following those reports, formal sightings were achieved in 233 cases resulting in the completion of offence reports.

To complement DVLA's own enforcement activity, a large and growing number of local authorities and police forces have taken on devolved DVLA powers to wheelclamp and

impound unlicensed vehicles within their areas of operation. This is illustrative of DVLA's new zero tolerance approach, and will help to reduce the number of illegal and unsafe vehicles on our roads.

I can confirm that, since May 2004, Lambeth Borough Council have been granted devolved powers by the Secretary of State to remove unlicensed vehicles from the public highway under the Vehicle Excise Duty (Immobilisation, Removal and Disposal) Regulations 1997. In 2006, the total number of vehicles clamped by Lambeth Borough Council was 529, of which 522 vehicles were impounded.

If you are unhappy with the way the Agency has handled your request, you may ask for an internal review.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further guidance of DfT complaints procedures are detailed in Annex A.

If you have any queries about this letter, please contact me, quoting the above reference in any future communications.

Yours sincerely