

Single Member Cabinet Decision

**Executive
Forward Plan
Reference**

E3654

Removal of vehicles parked on the public highway or in council car parks

Decision maker/s	Cllr Joel Hirst, Cabinet Member for Sustainable Transport Strategy
The Issue	<p>An updated approach to the removal of vehicles parked in contravention of parking restrictions on the highway, or where they impact the safe and efficient movement of vehicles on the network, to ensure full alignment with statutory provisions and updates to the council's Traffic Regulation Orders (TRO), including the Anti-Terrorism Traffic Regulation Order (ATTRO).</p>
Decision Date	12th November 2025
The decision	<p>The Cabinet Member agrees to support the broad use of statutory vehicle removal powers for vehicles parked in contravention on the highway or on other land where the vehicle remains a risk to public safety or the movement of traffic.</p> <p>In agreeing this I note a minor revision to para 6.3 of the published report, which is amended to the following:</p> <p>6.3 Vehicles will only be removed from the secure area upon an assessment of risk, and a decision made by the Local Authority if it is deemed safe to do so. Consultation with the police can be sought in identifying relevant risk to inform a decision to remove a vehicle, however, the final decision for vehicle removal under this policy will remain with the Local Authority.</p>
Rationale for decision	<p>A limited policy for the removal of vehicles parked in contravention of parking restrictions on the highway was adopted in 2007/08, enabling the council to remove vehicles that comprised:</p> <ol style="list-style-type: none">(1) persistent evaders;(2) parked contrary to a Temporary TRO to support an event;(3) parked contrary to a Temporary TRO to support an essential road maintenance; <p>This updated approach allows for the removal of vehicles parked in contravention on the highway, or where they impact the safe and efficient movement of vehicles on the network, to ensure full alignment with statutory provisions and updates to the council's TROs, including the ATTRO.</p> <p>The objective of this update is to ensure that proportionate action can be taken on a case-by-case basis, to address vehicles parked in contravention that may additionally represent either:</p> <ol style="list-style-type: none">(1) a security risk;(2) a danger to other road users;

	<p>(3) or prevent the free movement of vehicles including emergency vehicles and public transport can be appropriately managed.</p> <p>This includes vehicles that cause a hazard on the network or other land, including those that remain parked inside sensitive locations covered by the council's ATTRO. Where the criteria above do not apply, the only action taken will be to issue a PCN to the vehicle, which will remain in situ.</p>
Financial and budget implications	<p>The charges for vehicle removal and storage to a secure location are typically to be paid by the registered owner/keeper of the vehicle. These are prescribed by The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.</p> <p>Vehicles removed from sensitive locations included within the ATTRO will be stored at a suitable and local location. Where this storage is within a publicly accessible council managed site, no storage charges will apply, and the council will be responsible for removal charges, including any standby charges required to facilitate prompt removal.</p> <p>The council will monitor expenditure incurred from the removal of vehicles not taken to a secure facility through regular budget monitoring, and review requirements annually as part of the formal budget setting process.</p>
Issues considered	Social Inclusion; Equality (age, race, disability, religion/belief, gender, sexual orientation); Human Rights; Health & Safety; Other Legal Considerations
Consultation undertaken	Cabinet colleagues; Staff; Other Public Sector Bodies (Avon & Somerset Police); Section 151 Finance Officer; Monitoring Officer
How consultation was carried out	Direct discussion regarding the updated approach.
Other options considered	Not to progress with the review and to continue with the existing application of vehicle removal powers. This option was discounted due to the reduced deterrent of the Penalty Charge as detailed in paragraph 3.5 of the report and the security risks that may be posed by unauthorised vehicles within sensitive locations covered by the ATTRO.
Declaration of interest by Cabinet Member(s) for decision:	none
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	none

Name and Signature of Decision Maker/s	Councillor Joel Hirst Cabinet Member for Sustainable Transport Strategy Bath and North East Somerset Council
Date of Signature	12 November 2025
Subject to Call-in until 5 Working days have elapsed following publication of the decision	