

SPSO decision report

Case: 201401077, The City of Edinburgh Council
Sector: local government
Subject: civic amenity/waste
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council seized his vehicle from his private land many years ago and arranged for it to be destroyed. He said he reported the theft of the vehicle to the police at the time but that he only recently learned, through contact with the Driver and Vehicle Licensing Agency (DVLA), that the council had removed it. He raised concerns that they had acted illegally in doing so.

The council told Mr C that they no longer held records of events dating that far back. They confirmed this to us, advising that they only retain records for six years. We asked Mr C to provide a copy of the information from the DVLA but he did not do so. In the circumstances, we were unable to evidence what happened to Mr C's vehicle.

We noted that, under the terms of the Road Traffic Regulations Act 1984, the council have legal powers to remove vehicles from private land if they are considered to have been abandoned. They are required to take certain steps before doing so. However, as we were unable to see what, if any, actions they took in this case we did not uphold the complaint.