

Vehicle Immobilisation Policy – Civil Enforcement (Parking Charge Notices)

1. Purpose

This policy sets out the procedures for the lawful immobilisation (clamping) of vehicles by enforcement agents acting on behalf of the Local Authority to recover unpaid Parking Charge Notices (PCNs). The aim is to ensure fairness, proportionality, transparency, and safety.

2. Legal and Regulatory Framework

All immobilisations will be carried out in compliance with:

- Tribunals, Courts and Enforcement Act 2007.
- Taking Control of Goods Regulations 2013.
- Traffic Management Act 2004.
- National Standards for Enforcement Agents (2014).
- Relevant Local Authority by-laws and contractual requirements.

3. Principles of Immobilisation

- **Lawful** – clamps will only be applied where a valid warrant/order exists.
- **Proportionate** – immobilisation will be used as an enforcement tool prior to removal.
- **Transparent** – debtors will be informed of the reason, associated fees, and options for release.
- **Safe** – procedures will prioritise the safety of agents, debtors, and the public.

4. Pre-Immobilisation Checks

Before immobilisation, the enforcement agent must:

1. Confirm validity of the warrant/order.
2. Verify vehicle ownership through DVLA/HPI checks.
3. Ensure the vehicle is not subject to:
 - Hire Purchase, PCP, or lease agreements (unless fully settled).
 - Exemption categories (Blue Badge, emergency vehicles, essential mobility vehicles).
4. Conduct a risk assessment of the location and circumstances.

5. Immobilisation Procedure

- The agent will:
 1. Securely fit the immobilisation device (clamp) in a visible and safe manner.
 2. Affix a **Notice of Immobilisation** to the vehicle, clearly stating:
 - The authority and reason for action.
 - Outstanding debt and charges.
 - Instructions for payment and release.
 - Local Authority contact details.
 3. Record the immobilisation using photographs and/or body-worn video.
 4. Update the enforcement case system with time, date, and location.

6. Release of Immobilised Vehicles

- Vehicles will only be released upon:
 - Payment of the outstanding debt plus enforcement and immobilisation fees.
 - Proof of ownership or legal entitlement to the vehicle.
- Debtors must be given clear payment options and instructions for release.
- Once payment is confirmed, the clamp will be removed promptly.

7. Escalation to Removal

- If payment is not received within the statutory period, the immobilised vehicle may be:
 - Scheduled for removal to an approved storage compound.
 - Debtors informed of additional costs and release procedures.

8. Conduct and Accountability

- Agents must:
 - Carry ID and behave professionally at all times.
 - Use body-worn cameras to record interactions.
 - Withdraw if the situation poses a safety risk.
- All immobilisations will be logged and open to Local Authority audit.

9. Complaints and Appeals

- Debtors may challenge or complain through our complaint's procedure.
- All complaints will be recorded, investigated, and responded to within agreed timescales.