



## ***Transport Operational Policy Statement: Highway Functions***

### **Control of Non-motorised vehicles on the public highway**

**HP 8/11**

**Objective:**

To control the storage of non-motorised vehicles on the public highway

**Policy:**

1. Non-motorised vehicles (referred to as NMV's) means caravans, trailers, boats, horseboxes and any other vehicles and structures that are not defined under the Road Traffic Act 1988 as a motor vehicle; i.e. a vehicle or structure that cannot move by independent means.
2. The public highway of Brighton and Hove should not be used to store NMV's either attached or unattached to a towing vehicle. The council considers these to be unauthorised structures as defined under the Highways Act 1980.
3. Under the Highways Act 1980, the Council has authority to give notice to NMV'S that have been identified as being stored on the public highway in contravention of the Policy, requiring removal of the NMVS.
4. The council will serve written notice to the owner and affixing this to the vehicle where appropriate, requiring removal from the public highway within 28 days. The notice attached to a NMV requires removal from the public highway altogether, not solely the road in which it was stored at the time the notice was issued.
5. If the owner or responsible person fails to comply with the requirements of the notice, the Council will remove the NMV and hold it in storage for a period of 14 days.
6. Any person wanting to claim the NMV from storage must provide evidence of ownership and pay removal and storage fees before the NMV will be returned. Evidence of ownership can be in the form of:
  - CRiS document (Caravan Registration & Identification Scheme)
  - Insurance document
  - Purchase invoice or receipt
  - Any other official form of ownership that links the NMVS to the person claiming to be the owner.
7. After 14 days' storage of a removed NMV and either (a) no contact from the owner and/or (b) failure to reimburse the Council for removal and storage costs, the Council has no further obligation to store the NVM.
8. Provided the policy and procedures have been followed correctly, the Council shall

not be responsible for compensating any person or persons following the destruction of any NMV and its contents.

**Supporting information:**

Under Section 143 of the Highways Act 1980, the Council has authority to give notice to NMV'S that have been identified as being stored on the public highway in contravention of the Policy, requiring removal of the NMVS.

The Council has authority under Sections 320 and 321 of the Highways Act to remove the NMVS on expiration of the Notice when the owner or responsible person fails to comply with the requirements of the notice.

**References:**

- Highways Act 1980
- Road Traffic Act 1988

**Previous approval:** None

**Date of approval:**

**Review by:** 5 years or if any major changes required