

The investigation of a complaint
By Mr G
against Flintshire County Council

A report by the
Public Services Ombudsman for Wales
Case: 201703176

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Introduction

This report is issued under section 16 of the Public Services Ombudsman (Wales) Act 2005.

In accordance with the provisions of the Act, the report has been anonymised so that, as far as possible, any details which might cause individuals to be identified have been amended or omitted. The report therefore refers to the complainant as Mr G.

Summary

Mr G complained to the Ombudsman about the manner in which Flintshire County Council (“the Council”) had authorised the removal and destruction of his vehicle, which he had parked in a parking bay outside his flat. Mr G said that the vehicle, which he was restoring, was removed without notice and destroyed and that the tools and equipment contained within the vehicle were also destroyed.

The Ombudsman’s investigation found that, whilst a Council officer said that a search of the DVLA’s vehicle database did not identify the vehicle’s registered keeper, there was no evidence of such a search having been logged. The Council was also unable to provide the Ombudsman with evidence that it had issued a statutory notice informing the landowner of its intention to remove the vehicle. The Council was unable to say when the statutory notice had been issued and the landowner confirmed he had not received the statutory notice. Finally, the investigation found that, following the removal of the vehicle, Mr G was told by the Council and the car dismantler that the vehicle had been destroyed, although it was not destroyed until two weeks later.

The Ombudsman upheld the complaint since there was insufficient evidence that the Council had taken appropriate action to establish that Mr G’s vehicle had been abandoned and the Council had failed to follow the correct statutory procedure when issuing a statutory notice of its intention to remove and dispose of Mr G’s vehicle.

The Ombudsman upheld the complaint and recommended that the Council:

- Apologise to Mr G for the shortcomings identified in this report and provide him with redress of £2500 for the loss of his vehicle and its contents
- Provide further redress of £250 for his time and trouble in having to pursue the Council for an explanation of what had happened.

The Ombudsman also recommended that the Council should review and amend procedures within its service, to ensure that appropriate records are created and that documentation is retained for all activity relating to the removal and disposal of vehicles under the relevant statutory regulations.

The Complaint

1. Mr G complained that Flintshire County Council (“the Council”) acted maladministratively in the manner it arranged for his vehicle to be removed from private land and destroyed. Mr G said that the vehicle had been registered under his name for some two years. The vehicle had a Statutory Off-Road Notification (“SORN”)¹ and was parked on land associated with the address that the Driver Vehicle Licencing Authority (“the DVLA”) held for him on its records. Mr G was aggrieved that the Council had treated the vehicle as abandoned and destroyed it. Mr G complained that the injustice was compounded by the fact that the vehicle contained a significant quantity of tools and equipment he used for repairing and restoring vehicles and that these were also destroyed.

Investigation

2. I obtained comments and copies of relevant documents from the Council and considered those in conjunction with the evidence provided by Mr G. My Investigator has also interviewed Council officers and obtained information from the DVLA and the private company the Council contracted to remove Mr G’s vehicle. I have not included every detail investigated in this report, but I am satisfied that nothing of significance has been overlooked.

3. Both Mr G and the Council were given the opportunity to see and comment on a draft of this report before the final version was issued.

Relevant Legislation and Regulations

4. Section 99 of the Road Traffic Regulation Act 1984, Part VIII Control and enforcement: Removal or immobilisation of vehicles, which applies in Wales, states that:

“Where it appears to an authority which... is empowered to remove a vehicle in pursuance of regulations under this section that the vehicle is on land other than a road which is occupied by any

¹ A SORN is made when someone takes a vehicle 'off the road'. A vehicle is off the road if it is not on a public road, for example in a garage, a drive or on private land.

person, the authority shall give him notice in the prescribed manner that they propose to remove the vehicle in pursuance of the regulations, and shall not be entitled to remove it if he objects to the proposal in the prescribed manner and within the prescribed period.”

5. Section 8 of the Removal and Disposal of Vehicles Regulations (“the Regulations”) 1986/183 Part II Removal of vehicles, states, in relation to the manner of giving notice to occupier of land before removing a vehicle:

“For the purpose of section 99(3) of the 1984 Act, the manner in which the authority shall give notice to a person who appears to them to be an occupier of land on which there is a vehicle which the authority propose to remove, shall be as follows:—

...

(3) the notice shall be given—

...

(d) if the person who appears to be the occupier is an incorporated company or body, by delivering it to the secretary or clerk of the company or body at their registered or principal office, or sending it in a prepaid registered letter, or by the recorded delivery service, addressed to the secretary or clerk of the company or body at that office...”

Relevant background information and events

6. On 18 February **2016** Mr G moved into his new home which was a flat that had parking associated with it, including additional spaces for visitors to park. The parking area was on private land. Mr G explained that prior to moving into his new flat, he had contacted the company who managed his flat complex (“the Management Company”) to ascertain whether he could park an additional vehicle in the visitor parking area. He received confirmation that this was fine but does not recall sharing the details of his additional vehicle at the time.

7. Mr G's additional vehicle was a car he was in the process of restoring and was in a state of disrepair. The vehicle did not have a MOT certificate and Mr G had completed a SORN in relation to the car. The DVLA has confirmed that Mr G was recorded as the Registered Keeper of the vehicle from 3 October 2014.

8. On 21 February 2016 the DVLA confirmed that they received a signed and dated registration certificate from Mr G, informing it of his new address. The new address was updated onto the DVLA's vehicle register on 21 March and that change was available on the Web Enabled Enquiry ("WEE")² system within 24 hours of the vehicle register being updated.

9. On 9 March the Council received an "Abandoned Vehicle Enquiry" from a Property Manager ("the Property Manager") working for the Management Company. He stated that an abandoned, "run-down" vehicle had been in a parking bay at the property for nearly 3 weeks without any movement. The Property Manager provided a contact telephone number.

10. The enquiry was forwarded to the Council's "Streetscene"³ service ("the Service") and two enforcement officers ("Officer A" and "Officer B") from the Service visited the vehicle on 9 March. The visit was recorded in Officer A's notebook and photographs of the vehicle were taken, which I have seen. The vehicle appeared in a poor condition with damaged locks and a flat tyre. It is recorded that two of the vehicle's doors were unlocked and there was paperwork inside the car which identified Mr G by name and indicated that the owner lived in a property a few miles away (this was Mr G's former home address). The Officers attempted to visit that property, but it was gated and padlocked with no one present. Officer A recorded that she had emailed another enforcement officer ("Officer C"), requesting he conduct a WEE search on the vehicle (he was one of only two of the Service's officers authorised at the time to undertake such searches).

² The WEE system is a system that allows certain authorised individuals (such as local authority enforcement officers) to check the details of a vehicle's owner from the live vehicle register.

³ This service manages all services associated with streets, highways and open spaces such as streetlighting, abandoned vehicles, obstructions and other issues relating to roads or pavements

11. It is recorded in Officer A's notebook that she and Officer C visited the vehicle again on 14 March. Her notes recorded that they had locked the car and that Officer C would conduct a WEE enquiry, indicating that, as yet, this had not been done. Officer A said that this had been her last involvement with the vehicle. A spreadsheet, which the Service maintained and was purported to list all abandoned vehicle enquiries and actions taken, indicated that on 14 March an attempt was made to contact the Property Manager, but there was no answer.

12. The next event in relation to Mr G's vehicle was a further, anonymous abandoned vehicle enquiry submitted to the Council via its website on 7 July. The evidence contained on the aforementioned spreadsheet appears to indicate that a visit took place on 3 August. Officer C and a colleague visited the same property to which their colleagues had previously failed to access on 9 March and spoke with two individuals who had said they were unaware of Mr G but had only recently moved in.⁴ This information is not recorded on the Council's spreadsheet.

13. A note on a screenshot of the spreadsheet provided by the Council indicates that on 3 August a 15-day notice (a reference to the "Statutory Notice" described below) needed to be sent to the land owner. The Council has also provided a printout of an undated, unsigned notice of "Removal and Disposal of Vehicles Regulations 1986 Schedule 2 – Regulation 8 – Form of Notice to Occupier of Land Before Removing Abandoned Vehicles" ("the Statutory Notice"). This was addressed to the Property Manager and informed him that unless he objected within 15 days of the notice, the Council would remove the vehicle. The Council said that this letter was sent by First Class Mail but no copy of the Statutory Notice was kept.

14. On 10 August the Property Manager emailed the Council, referring to a conversation he had with an unspecified officer about a week previously,⁵ whereby he understood that he would be receiving paperwork to authorise the removal of a vehicle but that this had not come through. The Council acknowledged the enquiry, saying that his

⁴ Officer C provided this information at interview.

⁵ This is not recorded on the Council's spreadsheet.

enquiry had been referred to an officer from the Service. I have seen a statement from the Property Manager confirming that he did not receive any notification of the Council's intention to remove Mr G's vehicle nor did he give explicit consent for its removal.

15. The Council's financial system generated a purchase order on 11 October to authorise a local vehicle dismantling company ("the Dismantler") to "recover" an abandoned vehicle from outside Mr G's flat.

16. On 22 November, Officer C emailed the Dismantler requesting they "remove and dispose" of Mr G's vehicle and gave the Dismantler a purchase order number for the work. The Dismantler stated that on 22 November, Mr G's vehicle was removed and that on 24 November, it was certified as having been destroyed.

17. Mr G returned to his home on 24 November after 3 days in hospital following a surgical procedure and, upon noticing his vehicle was missing, contacted the police who investigated and established that the Council had removed the vehicle. The following day, Mr G was put in touch with Officer C who confirmed the Dismantler had removed the car.

18. Officer C confirmed that, following contact from Mr G, he contacted the Dismantler on 25 November and was told that the vehicle had been destroyed. Mr G confirmed that he also contacted the Dismantler the same day and was also told that his vehicle had been destroyed the previous day. Mr G's father confirmed he was present when Mr G spoke to the Dismantler and confirmed Mr G's account of the conversation as he had been on speakerphone at the time.

19. On 24 November Mr G and Officer C confirmed they had spoken with the police officer who was dealing with Mr G's case and she confirmed to them that the Police National Computer ("the PNC") showed that the vehicle was registered at Mr G's address. Officer C ran a WEE search (confirmed by the DVLA) that same day but said that the WEE search showed no registered keeper details for Mr G's vehicle.

20. The Dismantler subsequently stated that the vehicle was not in fact destroyed on 24 November but was held at their facility until it was disposed of on 6 December. The Dismantler said it had retained the vehicle following a telephone call from the vehicle's owner when they offered him the opportunity to check it for any contents. The Dismantler said it had no record of Mr G attending.

21. Mr G was subsequently advised to approach the Council's insurers to make a claim. However, following the submission of a claim for approximately £2,100 to replace his car, tools and equipment the Council's insurers rejected his claim. Mr G complained to the Council about the manner in which it had authorised the removal and destruction of the vehicle. The Council did not uphold his complaint, stating:

“Based on the information available to me, a vehicle is abandoned where it appears to a local authority that a motor vehicle is abandoned without lawful authority. This means that a vehicle is deemed abandoned when an authorised officer from the Council decides that it is abandoned. Over a period of time [the Department] tried to establish vehicle ownership through the DVLA and local enquiries but was unable to do so. The Council may destroy an abandoned vehicle if it is unable to find the owner or the owner failed to comply with a notice to collect the vehicle.”

Mr G's evidence

22. Mr G said that the vehicle was being legally stored on private land, declared SORN, and had been registered to his new address for over six months before the Council authorised its removal. Mr G pointed out that the vehicle's boot contained tools and equipment as he had nowhere else to store them. Mr G said he that he had three witnesses able to confirm that he stored his tools in the car.

23. Mr G said that the car was removed on the instruction of the Council, without proper identification of the owner. Mr G highlighted that both the Police and the DVLA confirmed that his vehicle was registered at his new address from March 2016. Mr G also said that no notice was placed on the vehicle to indicate any problem with it being kept outside

his property which, by itself, would have remedied the matter. Mr G reiterated that he had the permission of the Management Company to keep his vehicle there and if it had asked him to remove the car he could easily have done so, as he had access to a storage site and a low-loader to transport the vehicle.

24. Mr G said that as a direct result of the Council's actions, he has lost property to the value of £2100, had to turn down significant amounts of repair work and incurred administrative DVLA costs of £80. Mr G has provided me, and the Council, with an itemised list of equipment that was stored in his vehicle with accompanying replacement costs. The nature of the equipment disposed of, and its replacement value, seems reasonable and in keeping with Mr G's stated use of that equipment. The replacement value of the vehicle suggested by Mr G is within the bounds of reasonableness given the passage of time since the vehicle was disposed of.

25. Mr G also provided a statement from the Property Manager which confirmed that he had not received the Statutory Notice and that he had been "...investigating the "abandoned" car and sought the help of Flintshire Council and the police to identify the owner. No permission (to remove the car) and no notice was ever received."

26. Mr G stated that:

"It should be unconscionable that I legally store a vehicle and content, only for it to be removed by [the Council] and destroyed. Failings within the vehicle checking systems used by [the Council] resulted in my loss of property and associated work. With no notice being placed on the car, alongside no contact by post etc, how would the authority propose that I could have avoided this, or this incident be avoided in the future?"

The Council's evidence

27. In response to my enquiries, the Council provided comments on various aspects of the complaint which included the following:

- A “copy of the type of notice” served to the Property Manager and said that a notice was printed and then hand signed and dated. The Council added that with regard to the delivery of the notice, the law requires First Class delivery, and as long as First Class post is used a Court of Law will deem that the item is delivered, as stated in the Civil Procedure Rules 6.3.⁶ The Council added however, that as an outcome of Mr G’s complaint to the Council, all future notices will be sent by recorded delivery to ensure the Council has the necessary evidence if challenged.
- Local authorities are under a duty under Section 3 of the Refuse Disposal (Amenity) Act 1978, to remove a vehicle which is abandoned in its area, on any land in the open air, or on any other land forming part of a highway.
- The Council stated that for vehicles that are abandoned on private land, the notice period, during which the occupier of the land may object to the removal of a vehicle which has been abandoned, is 15 days.

28. During the course of this investigation my Investigator also interviewed Officers A, B and C as well as the Service Manager who had responsibility for the team. Their evidence is generally incorporated into the Background Information and Events section above. However, the following individual perspectives that follow are relevant.

29. Officers confirmed that no enforcement “file” would be created on any enforcement action taken in relation to any particular abandoned vehicle. A master spreadsheet was used to log activities in relation to enquiries made about any particular vehicles. In this case, the Council

⁶ A form may be served by “... First Class Mail, document exchange or other service which provides for delivery on the next business day...”
(<https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part06#6.6>).

provided me with a screenshot of a spreadsheet (the original spreadsheet file was not provided) which contained the following details in relation to Mr G's vehicle:

For the enquiry dated 9 March 2016:

Date of first visit	09/03/16
Officer	Officer A/B
Action taken	"off side front and rear door unlocked docs in car – made attempt to visit address – gated property – requested WEE check [Officer C] (returned) with [Officer C] on 14/3/2016 and made car safe/locked... await WEE check – tried to contact [the Property Manager] 16/4/16 – no reply or answer machine"

For the enquiry dated 7 July 2016:

Date of first visit	03/08/16
Officer	Officer C
Action taken	"15 day letter to land owner required"

30. With regard to undertaking a WEE search, Officer C confirmed that for historical reasons he was one of two officers from the team who were authorised to access the DVLA's WEE search facility. Officer C was adamant that he did undertake a search of the WEE database but that the result came back for the car as having no keeper. He said that he has experienced difficulties with the WEE site in the past. Officer C said that because of these difficulties, the Council no longer relied on the WEE service and had an arrangement in place to receive information from the Police, via their PNC, to obtain registered keeper details for potentially abandoned vehicles.

31. Officer C also said that, when he conducted a search of the WEE database on 25 November, following contact from Mr G, the details he obtained differed from those held on the PNC, in that the PNC had the correct address for Mr G as the registered keeper, whilst Mr G's vehicle did not register on the WEE. Officer C confirmed, however, that other

than for the search conducted on 25 November, he had no record of when he conducted the WEE check for Mr G's record nor of the outcome of that search. He explained that there should have been a manual log of the WEE searches officers undertake and that currently officers do complete a log of their searches. However, the Council has been unable to provide a copy of the search log for this period and Officer C surmised that it may have been lost during an office move.

32. Commenting on the Property Manager's comment that he only needed to obtain the address of the keeper of the vehicle to ascertain whether it had been abandoned, Officer C explained that they would not be able to provide that information because of Data Protection restrictions and the Council's agreement with the DVLA. He also explained that it was not a requirement for the Council to notify the registered keeper of the vehicle on private land, although the Council often did so in order to assist in determining whether it was an abandoned vehicle.

33. Officer C explained that the Statutory Notice, which should have been sent to the Property Manager, was a proforma which was populated with the relevant details, printed and signed and dated by hand. Officer C confirmed that no copies were kept of this document and agreed, with hindsight, that a duplicate copy should have been retained.

34. Officer C recalled that there had been a delay in signing off the purchase order by another section of the Council between the visit to the vehicle in August and the instruction to the Dismantler to pick up the car in November.

35. Officer C recalled that, following contact from Mr G on 25 November, he had contacted the Dismantler who had told him that the vehicle had been destroyed. He had also given Mr G the contact details for the Dismantler.

Additional evidence from the Dismantler

36. The Dismantler confirmed that when a Certificate of Destruction has been issued, it does not mean that the car has been physically destroyed. Once a Certificate of Destruction is issued, a vehicle cannot be used on the road again, although parts from that vehicle can be used. The Certificate of Destruction was issued once the vehicle had passed into the dismantling yard.

37. The Dismantler said that, by 25 November, the car would have left its yard to be dismantled at another site, therefore it was possible that if someone had called the office to enquire about the vehicle they may have simply been told that the car had “gone” without it being explained that it may not have been physically destroyed. One of the Dismantler’s staff did have a recollection, however, of someone ‘phoning to enquire about the vehicle and being told he could attend to check its contents. This may have been why it was not destroyed until 6 December. However, the member of staff did not recall who had made the request, or when.

38. The Dismantler confirmed that unless it was necessary for the purposes of dismantling the vehicle, such as the need to drain fluids etc, it would not open a locked boot. The Dismantler confirmed that no items were retained from the vehicle.

Additional evidence from the DVLA

39. The DVLA confirmed that Mr G had signed and dated the registration certificate to notify it of a change of address on 21 February and the new address was updated onto the vehicle record on its central vehicle register on 21 March. The DVLA confirmed that vehicle details are transmitted to the PNC within 48 hours of a record being amended, and that this information was also available on the WEE system within 24 hours of the change being made to the central register.

40. The DVLA confirmed the WEE service would display the Registered Keeper's details from the live vehicle register record and that from 3 October 2014 Mr G had been shown as the registered keeper of the vehicle.

41. The DVLA confirmed that Officer C's user ID was not used to undertake any searches for the registration number of Mr G's vehicle between 9 March and 24th November 2016. The DVLA was, however, able to confirm that Officer C's user ID was used to undertake 63 other searches on its WEE system during the same period. The DVLA also confirmed that Officer C did undertake a WEE search on 25 November and although it was unable to confirm the outcome of the search at that time Mr G would have been shown as its Registered Keeper.

Analysis and conclusions

42. In order for me to uphold a complaint, two elements must be shown to be present. The first involves demonstrable evidence of maladministration. Maladministration, whilst not defined in law, includes failing to apply rules correctly, inattention and delay. Good administration involves acting in accordance with recognised quality standards and established good practice. Decision making should have proper regard to the relevant legislation and guidance and give due weight to all relevant considerations, ignore irrelevant ones and balance the evidence appropriately.

43. In the case of Mr G, he left his vehicle in a parking bay outside a residential complex where he lived. He completed a SORN notification and informed the DVLA of his current address where the vehicle was kept. It also seems he informed the landlord of his intention to keep his vehicle on the site, although it appears the landlord was not aware of the specific details of the vehicle. No issue of concern was raised with Mr G about the vehicle and the first time he was aware that the Council considered the vehicle to be abandoned was after he returned home on 24 November to find the vehicle had been removed by the Dismantler, on the instructions of the Council.

44. Having considered the matter carefully, I am content that Council officers were entitled to consider Mr G's vehicle to be abandoned given the length of time it had remained in place. I am also content that the Council did make initial efforts to identify the registered keeper of the vehicle by visiting an address found within the vehicle. However, it seems to me that if the Council had accessed the evidence held on the DVLA's WEE database successfully, it would have found Mr G to have been the Registered Keeper of the vehicle and identified that he resided in the property outside which the vehicle was kept. The evidence I have seen confirms that this was the manner in which the Council would have routinely identified whether a vehicle was abandoned.

45. Officer C states that he recalls conducting a WEE search but that it failed to identify Mr G as the Registered Keeper of the vehicle. However, Officer C did not make a note of having conducted such a search on any Council files. Furthermore, the DVLA has confirmed that Mr G's correct details were on its WEE database for the entire period in question. It also confirmed that, whilst Officer C conducted many other searches during this period, he is not recorded as having conducted a search for Mr G's vehicle. On balance therefore, I find the evidence of the DVLA more persuasive than that of Officer C. Accordingly, I am not persuaded that Officer C conducted a WEE enquiry for Mr G's vehicle or, if he did so, an error was made in inputting the vehicle's details.

46. In any event, it seems that following its enquiries, the Council determined it was appropriate to issue a statutory notice informing the Property Manager of its intention to remove the vehicle, unless he objected to its removal within 15 days. The Council has not been able to provide any compelling evidence that the Statutory Notice was issued. The issuing of the Statutory Notice is not recorded on any Council file and there is no signed or dated copy of the notice held by the Council. The Council has said that the Statutory Notice was issued by First Class Mail and that this was sufficient to satisfy the Court's Civil Procedures Rules. However, the Regulations pertaining to the Removal and Disposal of Vehicles stipulate that a Statutory Notice should be delivered via a registered letter or recorded delivery service. The requirements of the

Regulations applied to this specific circumstance clearly override the more generic expectations of the Courts. This is a service failure both in terms of basic administrative practice and adherence to statutory regulations.

47. Furthermore, the Property Manager has stated that he did not receive the Statutory Notice. His account is re-enforced by the fact that, on 10 August, he contacted the Council to enquire about the paperwork he had been led to expect would be issued. This alone should have alerted the Council to the possibility that the Statutory Notice had not been received.

48. Of further relevance to this is that while the Council has said that a Statutory Notice with a 15-day timescale for responding was issued, it does not know, and cannot prove when the Statutory Notice was issued and therefore I cannot see how it would have been able to determine when any time period for the Property Manager to respond would have expired. This makes the claim that the Statutory Notice was issued, meaningless and unsustainable on this occasion.

49. I consider there is compelling evidence of maladministration in the manner in which the Council dealt with this matter in that there was:

- A failure to serve a Statutory Notice on the Property Manager in the prescribed manner
- A failure to evidence that a letter was sent and a failure to retain a copy of the document purportedly issued
- A failure to record details about the WEE checks undertaken coupled with a discrepancy between officer recollection, about whether and when the checks were undertaken and their outcome, and the logs held by the DVLA
- A failure to retain the Council's WEE search log document

- A failure to ensure that the Council had the appropriate authority for the removal and disposal Mr G's vehicle in line with the Regulations
- A miscommunication with Mr G about whether or not his vehicle had been destroyed.

50. In terms of injustice to Mr G, it seems to me that, if the Property Manager had received the Statutory Notice and taken no action, thereby giving tacit consent for the removal of the vehicle from his property, this would have been a matter which Mr G could have taken up privately with the Management Company. As it stands, there is no evidence that the Property Manager was afforded this opportunity and the Council has been unable to demonstrate that it disposed of Mr G's vehicle and property within it in accordance with the Regulations. Accordingly, I **uphold** this complaint.

51. Since the Council has not been able to demonstrate it had the appropriate authority to remove and dispose of Mr G's vehicle in accordance with the Regulations, it should not have instructed the Dismantler to do so. It seems the Dismantler followed the Council's instruction to remove and dispose of the vehicle. I am satisfied that the vehicle was disposed of by the Dismantler, in accordance with the Councils' instructions.

52. There is certainly an inconsistency regarding the events surrounding what was said about the vehicle's destruction which I cannot resolve with certainty. It is plausible that there was a breakdown in communication when the Dismantler was contacted on 25 November which led to the perception that the vehicle had been destroyed. That said, the reason for postponement of the vehicle's destruction is not so easily reconciled. However, the Dismantler was unable to recall when contact was received about the vehicle or from whom. I am therefore unable to resolve this matter. In any case, for the reasons set out above, this situation should not have arisen and therefore the injustice to Mr G stands, as set out above.

Recommendations

53. I **recommend** that, within one month of the date of this report, the Council

- a) Apologises to Mr G for the shortcomings identified in this report.
- b) Provides Mr G with redress of £2500 for the loss of his vehicle and its contents. This takes into account the replacement cost of the vehicle and tools and the potential consequential losses as a result of the impact the loss of his tools had on his potential to generate additional income.
- c) Provides Mr G with further redress of £250 for his time and trouble in having to pursue the Council and its insurers, over an extended period of time, for an explanation of its actions.

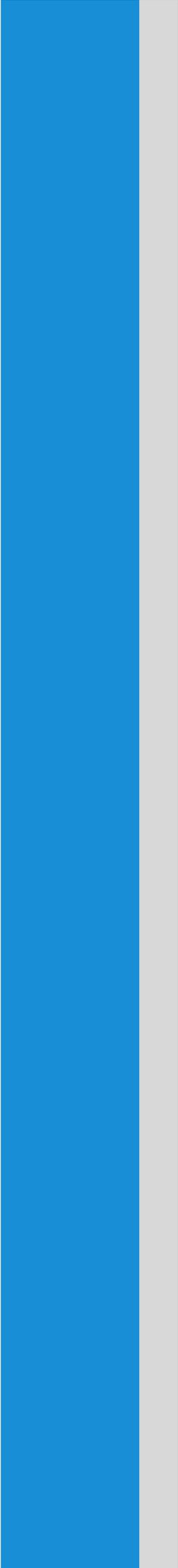
54. I further **recommend** that, within three months of the date of this report, the Council reviews and amends procedures within its Streetscene Service, to ensure that appropriate records are created and documentation retained for all activity relating to removal and disposal of vehicles under the Regulations.

55. I am pleased to note that in commenting on the draft of this report the Council has agreed to implement these recommendations.



Nick Bennett
Ombudsman

3 October 2018



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