| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1457  Responded to: 25 June 2024 |
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Your recent request for information is replicated below, together with our response.

**it states on the website that police auction off cars/vans that have been seized but only seems to refer to stolen cars/vans.**

**please confirm whether the police sell off cars/vans that have been seized due to your policies on lack of insurance or lack of tax also**

I can confirm that Police Scotland can dispose of vehicles which have been seized under S165A of the Road Traffic Act 1988 for no insurance or no driving licence.

Police Scotland do not seize vehicles without road tax, these powers have not been devolved to the police by DVLA.

## Clarify if both stolen cars/vans and cars/vans under the above lack of insurance and tax are treated the same and have the same internal policies applied to them.

## what are these policies? please send copies

The information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the section 25(1) exemption applies:

“Information which the applicant can reasonably obtain other than by requesting it […] is exempt information”.

The information sought is publicly available:

[Road Traffic Regulation Act 1984 (legislation.gov.uk)](https://www.legislation.gov.uk/ukpga/1984/27/contents)

The recovery of stolen vehicles, the seizure of vehicles for no licence and/or insurance and their storage and disposal are regulated by legislation under different acts of parliament – These pieces of legislation can be accessed online using the above link under the following headings:

The Road Traffic Regulation Act 1984

Removal and Disposal of Vehicles Regulations 1986

The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) (Scotland) Regulations 2019

The Police (Retention and Disposal of Motor Vehicles) (Scotland) Amendment Regulations 2019

The Civic Government (Scotland) Act 1982

S165A Road Traffic Act 1988

Road Traffic Act (Retention and Disposal of Seized Motor Vehicles) Regulations 2005

## how do police Scotland work with the insurance companies and what agreement is in place with insurance companies such that they update the police records every night at midnight.

## confirm if this is a commercial agreement.

## confirm where this money goes in particular I would like to see the breakdown for Inverness and surround policing constabulary.

The information sought is not held by Police Scotland and section 17 of the Act therefore applies. Police Scotland does not work with insurance companies and does not have a commercial agreement in place with any insurance company. Any monies raised by the sale of vehicles at public auction are held centrally by Police Scotland therefore, we are unable to provide the breakdown of costs per area.

## what agreements do you have for the cars to be held before auction. where are they stored and what agreements are made with garages, please confirm if it is a commercial business agreement

Police Scotland currently have a contract with a managing agent for the recovery, storage and disposal of vehicles. Through this contract the supplier can sub-contract the recovery and storage of vehicles to approved Police Scotland vehicle recovery operators in local and surrounding areas.

## and what training you have given them given they now work for a public body.

## If any of above is a commercial Business agreement where does the profit go?

Vehicles are seized by police officers under the legislation listed above. Police Scotland are not required to provide training to the vehicle recovery operators, as guidance is set clearly by legislation.

There is a contract between Police Scotland and the Vehicle recovery managing agent.

All monies raised by the sale of vehicles at public auction are returned to Police Scotland as set out in the regulations.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.