

EXECUTIVE NOTE

THE POLICE (RETENTION AND DISPOSAL OF MOTOR VEHICLES) (SCOTLAND) AMENDMENT REGULATIONS 2011

SSI 2011/395

The above instrument was made in exercise of the powers conferred by section 127 of the Antisocial Behaviour etc. (Scotland) Act 2004 and all other powers enabling them to do so. The instrument is subject to negative procedure.

Policy Objectives

These regulations will amend the charging arrangements for the removal and retention of vehicles as set out in the Police (Retention and Disposal of Motor Vehicles) (Scotland) Regulations 2005.

These regulations allow 'matrix charging' to be applied when Recovery Agents uplift vehicles. Matrix charging moves away from the current single removal, storage and disposal rates that are in place, but which vary between provisions, to a system that allows for different levels of charges that would more readily reflect the expenditure outlay faced by Recovery Agents when uplifting larger vehicles, or where the circumstances would require more specialist equipment and longer operator involvement.

These regulations also bring charging arrangements into line with those in place in England and Wales.

Consultation

A UK wide consultation was conducted by the Home Office in 2007 to establish the most appropriate charges for the removal, storage and disposal of vehicles. There was widespread support for the proposal and as a result, the Matrix charging arrangements similar to those in these regulations were implemented in England and Wales.

As the UK consultation exercise did not attract any significant opposition, the Scottish Government has reached the decision that additional consultation was not required.

Impact Assessments

For similar reasons and because there are no significant equality impact issues, the Scottish Government also decided that no equality impact assessment was required.

Financial Effects

The Cabinet Secretary for Rural Affairs and the Environment confirms that no BRIA is necessary as the instrument has no significant financial effects on the Scottish Government, local government or on business.

**Scottish Government
Rural and Environment Directorate
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