

Appendix 1 - Rural Needs Impact Assessment (RNIA) Template

SECTION 1 - Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority.

Department of Justice

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

Vehicle Recovery, Storage and Disposal Statutory Charges Review - Northern Ireland

1C. Please indicate which category the activity specified in Section 1B above relates to.

Developing a	Policy	<input type="checkbox"/>	Strategy	<input type="checkbox"/>	Plan	<input type="checkbox"/>
Adopting a	Policy	<input type="checkbox"/>	Strategy	<input type="checkbox"/>	Plan	<input type="checkbox"/>
Implementing a	Policy	<input type="checkbox"/>	Strategy	<input type="checkbox"/>	Plan	<input type="checkbox"/>
Revising a (note this is an new decision on an existing policy)	Policy	<input checked="" type="checkbox"/>	Strategy	<input type="checkbox"/>	Plan	<input type="checkbox"/>
Designing a Public Service		<input type="checkbox"/>				
Delivering a Public Service		<input type="checkbox"/>				

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above.

Vehicle Recovery, Storage and Disposal Statutory Charges Review - Northern Ireland

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service.

This review relates to the levels of fees charged for vehicle recovery/seizure, storage and disposal, in the following circumstances:

- where a vehicle was driven uninsured;
- where a vehicle is driven off road or in a way causing alarm, distress or annoyance; or
- where a vehicle seizure order has been made in relation to an unpaid financial penalty.

Legislation concerned

The current fees are prescribed in the following Regulations:

- [The Road Traffic \(Northern Ireland\) Order 1981 \(Retention and Disposal of Seized Motor Vehicles\) Regulations \(Northern Ireland\) 2008 \(legislation.gov.uk\)](#) Art6
- [The Criminal Justice \(Northern Ireland\) Order 2008 \(Retention and Disposal of Seized Motor Vehicles\) Regulations \(Northern Ireland\) 2008 \(legislation.gov.uk\)](#) Art 6
- [The Enforcement of Fines and Other Penalties Regulations \(Northern Ireland\) 2018 \(legislation.gov.uk\)](#) Sch 3

Amendments to these Regulations, if considered necessary, would be made by subordinate legislation, subject to the negative resolution procedure.

Background, Aims and Objectives

Vehicle seizure powers apply across a range of circumstances each regulated by legislation specific to the power in question¹. There is a degree of variation between the provisions, but

¹ These include:

- vehicles driven without insurance: [Road Traffic \(Northern Ireland\) Order 1981 \(legislation.gov.uk\)](#)
[The Road Traffic \(Northern Ireland\) Order 1981 \(Retention and Disposal of Seized Motor Vehicles\) Regulations \(Northern Ireland\) 2008 \(legislation.gov.uk\)](#)
- vehicles driven carelessly, inconsiderately or illegally off-road in a manner causing or likely to cause alarm, distress or annoyance: [The Criminal Justice \(Northern Ireland\) Order 2008 \(legislation.gov.uk\)](#)
[The Criminal Justice \(Northern Ireland\) Order 2008 \(Retention and Disposal of Seized Motor Vehicles\) Regulations \(Northern Ireland\) 2008 \(legislation.gov.uk\)](#)
- where a vehicle seizure order has been made in order to enforce the payment of an outstanding financial penalty: [Justice Act \(Northern Ireland\) 2016 \(legislation.gov.uk\)](#)
[The Enforcement of Fines and Other Penalties Regulations \(Northern Ireland\) 2018 \(legislation.gov.uk\)](#)
- vehicles broken down or left on a road where they cause an obstruction or may cause a danger or left on a road in contravention of any statutory prohibition or restriction: [The Road Traffic Regulation \(Northern Ireland\) Order 1997 \(legislation.gov.uk\)](#)
- use of prohibited vehicles: [The Traffic Management \(Northern Ireland\) Order 2005 \(legislation.gov.uk\)](#)
[The Removal, Storage and Disposal of Vehicles \(Prescribed Charges\) Regulations \(Northern Ireland\) 2006 \(legislation.gov.uk\)](#)
- vehicles being used illegally for taxiing: [Taxis Act \(Northern Ireland\) 2008 \(legislation.gov.uk\)](#)

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service.

typically the relevant legislation sets the procedure to be followed, provides for the fees that can be levied and by whom these must be paid, and identifies who can carry out the removal, the storage and, in some cases, the disposal of the vehicle in question. This is generally the relevant Department², a Council and/or the police.

Powers also exist to authorize independent contractors to carry out the removals, storage and disposals. The fees levied are used to pay the contractors. Over recent years the costs incurred by contractors have risen and inflation has impacted on the viability of continuing to provide this service at the current fee level.

Following similar reviews carried out in Scotland in 2019 and in England and Wales early in 2023, we feel it is now appropriate to review the fees to ensure that they are fair to both those carrying out removal, storage and disposal work and those whose vehicles are removed.

It should be noted that aim of these charges/fees is not to impose a penalty on vehicle drivers or owners. Exemptions exist to ensure that vehicle owners who were not responsible for the driving which led to the removal of their vehicle are not unfairly charged.

[The Taxis Act \(Northern Ireland\) 2008 \(Retention and Disposal of Seized Motor Vehicles, Equipment and Items\) Regulations \(Northern Ireland\) 2016 \(legislation.gov.uk\)](#)

- vehicles on land at unauthorized encampments: [The Unauthorised Encampments \(Northern Ireland\) Order 2005 \(legislation.gov.uk\)](#)
[The Unauthorised Encampments \(Retention and Disposal of Vehicles\) Regulations \(Northern Ireland\) 2006 \(legislation.gov.uk\)](#)
- vehicles being used while prohibited from being driven: [The Road Traffic \(Northern Ireland\) Order 2007 \(legislation.gov.uk\)](#)
[The Road Traffic \(Immobilisation, Removal and Disposal of Vehicles\) Regulations \(Northern Ireland\) 2012 \(legislation.gov.uk\)](#)

² This will be the Department for Infrastructure or the Department of Justice, as provided by the legislation relevant to the particular seizure power.

1F. What definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?	
Population Settlements of less than 5,000 (Default definition)	x
Other Definition (Provide details and the rationale below).	
A definition of 'rural' is not applicable.	

<i>Details of alternative definition of 'rural' used.</i>	
Not Applicable	
<i>Rationale for using alternative definition of 'rural'.</i>	
Not Applicable	
<i>Reasons why a definition of 'rural' is not applicable.</i>	
Not Applicable	

SECTION 2 - Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?		
Yes	x	If the response is NO GO TO Section 2E .
No		

2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.
This review will apply across Northern Ireland equally to people in rural and urban areas. It is not considered that this policy or legislation will have a significant differential effect on the needs, experiences and priorities of people in rural areas.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas <i>differently</i> from people in urban areas, please explain how it is likely to impact on people in rural areas differently.
Not Applicable

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas differently from people in urban areas, please explain how it is likely to impact on people in rural areas differently.

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Services is likely to primarily impact on.

Not Applicable

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

This review relates to the level of fees charged for the removal, storage and disposal of vehicles across Northern Ireland.

SECTION 3 - Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

Yes		If the response is NO GO TO Section 3E .
No	x	

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.

Consultation with Rural Stakeholder	<input type="checkbox"/>	Published Statistics	<input type="checkbox"/>
Consultation with other Organisations	<input type="checkbox"/>	Research Papers	<input type="checkbox"/>
Surveys or Questionnaires	<input type="checkbox"/>	Other Publications	<input type="checkbox"/>
Other Methods or Information Sources (include details in Question 3C below)			

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

--

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

The Department considers that the review and any subsequent proposals would not have any significant adverse or differential impact on people living in rural communities.

If the response to Section 3A was **YES** GO TO Section 4A.

SECTION 4 - Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

--

SECTION 5 - Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

Yes		If the response is NO GO TO Section 5C.
No	x	

5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

--

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.

No specific rural needs were identified as the policy proposals will not have a differential impact on rural areas.

If the response to Section 5A was **YES** GO TO Section 6A.

SECTION 6-Documenting and Recording

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.	
I confirm that the RNIA Template will be retained and relevant information compiled.	x

Rural Needs Impact Assessment undertaken by:	Angela Bell
Position/Grade:	Grade 7: Principal Legal Officer
Division/Branch	DOJ - Access to Justice: Criminal Justice Policy Legislative Division
Signature:	A Bell
Date:	12 April 2024
Rural Needs Impact Assessment approved by:	Maura Campbell
Position/Grade:	Grade 5: SCS
Division/Branch	DOJ - Access to Justice: Criminal Justice Policy Legislative Division
Signature:	
Date:	17 April 2024