



**HOUSE OF COMMONS**

LONDON SW1A 0AA

4 October 2023

To whom it may concern,

I am writing in response to the call for evidence on the private parking code of practice. I am regularly contacted by constituents who have received what they consider to be unfair PCNs and I have sought their feedback on some of the issues they have encountered with private parking companies.

I also extend my thanks to Euro Car Parks for meeting me to discuss this call for evidence and their concerns. I understand that they have also submitted a response to this exercise.

I must preface my response by highlighting that the existing conduct of the vast majority of private car parking companies is fair and appears to fall within their existing code. Nevertheless, regrettably, this is not a universal theme across private parking companies and the car parks they operate. It would appear to me that there are acceptable and necessary improvements which must be made to the code of conduct.

Of course, we must be mindful that these private parking companies are offering a service to many businesses and communities and need to be able to continue to operate sustainably. However, it is important that their actions should be deemed proportionate and fair to the general public, and there must be an onus on facilitating easy to use car parks with clear and fair appeals systems.

The balance between the interest of drivers and the parking industry is, at times, a fragile and difficult balance to maintain. However, this call for evidence is an important opportunity to ensure that the balance is correct and sustainable, through listening to the feedback from the public and private parking companies.

Indeed, in my constituency, regrettably, there has been one car park in which an abundance of problems have been reported and many perceived unfair Parking Charge Notices (PCNs) have been brought to my attention. I have been assisting constituents in challenging contested PCNs individually. I am also very grateful to the private parking company operating this car park for liaising with me on making improvements to this car park to make it easier for motorists to use.

I must stress that the problems encountered in this individual car park are not necessarily representative of problems with its operator specifically, but are representative of perceived issues with wider private parking arrangements.

Thankfully, as a result of representations, better signage has been installed in this car park which has made it significantly easier to use for the general public. I understand one element of the call for evidence is looking at tackling confusing and misleading signage and, having seen the impact of better signage in this car park, I fully support these proposals.

Frequently, I am approached by constituents who have overstayed their parking tickets and have received PCNs. Of course, private parking companies have a right to charge when tickets are overstayed, much like any private business would operate. However, on occasions, there is a lack of reasonable consideration as to the reasons for people overstaying tickets. Often, tickets are inadvertently overstayed and most drivers would accept that they have rightly received a PCN. Nevertheless, there are circumstances where

tickets have been unavoidably overstayed, for example if someone has suffered a medical emergency. While there are appeals processes in place, these are often lengthy and hard to access for drivers. Indeed, a number of my constituents have not followed through with these lengthy appeals processes because of the arduous requirements and fear of repercussions of increased fines.

It would seem sensible to me that, especially where PCNs are considered unfair, there should be an easy to use and streamlined appeals process. I believe a clearer and easier system to challenge unfair PCNs would be welcomed and help to protect motorists.

From feedback from my constituents, I am also concerned over the length of time of the grace period on entering a car park. There are some instances where these grace periods can be as short as 10 minutes. While I appreciate that this may be clearly signposted, it is not necessarily sufficient time for motorists to purchase a ticket or find a space; especially if machines are not working and the car park is full.

As an example, I have had a constituent get in touch who spent 11 minutes in a car park and received a PCN. This PCN was only repealed once I had made representations on my constituent's behalf to the private parking company. Clearly, there is an obvious need for more discretion in the system to prevent these unfair fines. It should not be the case that MPs need to become involved to see these PCNs repealed; there should be a proper and considered appeals system that can take fairness into account.

In addition, a number of constituents have got in touch to detail their concerns over payment machines not working. While I appreciate that this cannot always be anticipated or resolved instantly by private parking companies, there should be simple alternatives in place such as smartphone apps and telephone payments. The responsibility should be on the operator of the car parks to fix these issues as opposed to drivers to find an alternate payment method as is currently the case.

It would also be a good idea for those car parks with apps in place, to explore the possibility to aligning their apps. Drivers often have to download multiple different apps for different car parks in close proximity. A streamlined app would make it easier for motorists to pay, and have the benefit of allowing tickets to be extended if drivers realise they are at risk of overstaying their ticket.

Our high streets and local businesses depend on good quality, accessible parking in order to thrive. Therefore, it is important to embrace a simpler, fairer and clearer system which ensures a sustainable balance between fairness and compliance for private parking companies. I would be grateful if you could take my observations into account and could carefully consider the above points so that more discretion enters the private parking code of practice, to achieve the correct balance for motorists and the private parking industry.

Yours sincerely,



**Dr James Davies MP**