

REPORT FOR INFORMATION

SUBJECT: Private Parking Enforcement – Independent Appeals Service

REPORT OF: The Lead Officer on behalf of the Advisory Board

PURPOSE OF REPORT

To inform the Joint Committee of the submission made to the Minister in connection with the tender for the above service.

RECOMMENDATION

1. To note the submission made to the Minister at Appendix 1.

FINANCIAL CONSEQUENCES

No costs incurred.

CONTACT OFFICER:

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1. BACKGROUND

- 1.1 In August 2010, the Government announced proposals to ban clamping and towing away on private land in England and Wales. This led to provisions in the Protection of Freedom Act 2012 to enable private parking operators to pursue the owner of a vehicle for payment of unpaid contractual penalties. The Government is expected to commence this element of the Act on 1 October 2012.
- 1.2 Before it brings these provisions into force the Government asked the British Parking Association (BPA) to establish an independent appeals body covering tickets issued on private land by companies with accredited access to DVLA data.
- 1.3 At the January 2012 meeting, the PATROL Adjudication Service Joint Committee asked the Chair to write to the Minister offering to assist with the development of the scheme.
- 1.4 The BPA issued an invitation to tender in February 2012 to both PATROL and London Councils. Representatives from PATROL and the Traffic Penalty Tribunal convened two meetings with representatives of the BPA to endeavor to clarify the framework and mechanisms of the Invitation to Tender. One of the issues raised was that since the BPA is not a public body it would not be possible to provide services under the Local Government Goods and Service Act 1972. The issues were not resolved and it was not appropriate for PATROL to submit a bid if the form required by the BPA, but a paper was submitted with alternative suggestions.
- 1.5 A copy of the submission made on behalf of PATROL and the Traffic Penalty Tribunal in April 2012 is included for information at Appendix 1. No response has been received.
- 1.6 The BPA have now awarded a contract to London Councils with a view to establishing a service with effect from 1st October.

2. RECOMMENDATION

1. To note the submission made to BPA and copied to the Minister at Appendix 1