

Consultation Questions

About you Questions

Question 1: What is your full name or the name of the organisation on behalf of which you are responding?

[Free text box]

Question 2: I am responding primarily as a: [tick just one box]

- Private parking operator
- Private parking industry representative organisation
- Accredited Trade Association
- Owner of land or premises on which private parking is provided
- Debt recovery agency
- Law firm involved in the enforcement of private parking charges
- Business with an interest in how private parking is managed
- Motorist
- Motorist representative organisation
- Other (please specify) [Free text box]

Question 3: Which accredited trade association do you belong to?

- British Parking Association
- International Parking Community
- N/A

Question 4: How many parking sites do you or your company manage?

- 0-9
- 10-49
- 50-149
- 150-249
- 250+
- N/A

Question 5: Where in England, Scotland or Wales is/are your site/s located? [Tick all boxes that apply]

- London
- South East (England)
- South West (England)
- East of England
- East Midlands (England)
- West Midlands (England)
- North West (England)
- North East (England)
- Yorkshire and the Humber (England)

- Scotland
- Wales
- N/A

Question 6: Approximately what percentage of your carpark(s) allow:

	1-25%	26-50%	51-75%	76-100%
Parking by members of the public for free	[Tick Box]	[Tick Box]	[Tick Box]	[Tick Box]
Parking by members of the public on payment of a fee	[Tick Box]	[Tick Box]	[Tick Box]	[Tick Box]
Parking by members of the public for free for an initial period and on payment of a fee for longer periods	[Tick Box]	[Tick Box]	[Tick Box]	[Tick Box]
Parking only by a limited group e.g. employees and/or customers of a business, those attending an event	[Tick Box]	[Tick Box]	[Tick Box]	[Tick Box]
Residential or permit only (separate to the above bullet)	[Tick Box]	[Tick Box]	[Tick Box]	[Tick Box]

Question 7(a): Do you agree that the Government should include the current industry cap of £100 in the proposed new Government Code?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 7(b): Please explain your answer. [Free text]

Question 7 (c): If you do not agree with the £100 figure, what figure do you consider would be appropriate, and what would the benefits be? [Free Text].

Question 7 (d): If the Government were to introduce a lower cap, or different caps in different areas (To e.g. higher in London but lower elsewhere), what would the benefits and costs be? Please provide any relevant evidence. [Free Text].

Question 8(a): Do you think there should be a 40% discount on parking charges for early payment (within 14 days of receiving the parking charge)?

[Strongly Agree/Agree/Strongly Disagree/Disagree/Don't know]

Question 8(b): Please explain your answer [Free text]

Question 9: What factors do you think the Scrutiny and Oversight Board should take into account when considering whether to recommend changes to the parking charge cap? [Free text]

Question 10(a): Are you in favour of, or against, the current industry cap on debt recovery fees of £70?

[In favour/against/ N/A]

Question 10(b) Please explain your answer [free text]

Question 11(a): Do you agree that it is reasonable for motorists to be charged an additional sum to cover the costs relating to recovering unpaid invoices, also known as debt recovery fees?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 11(b): Please explain your answer [Free text]

Question 12(a): If you agree that there should be a charge, which of the following cap levels do you think is reasonable for debt recovery fees:

- £1-£19
- £20-£39
- £40-£59
- £60-£79
- £80-£99
- £100+

Question 12(b): Please explain your answer [Free text]

Question 13(a): Do you have any data or evidence relating to the number of private parking cases being taken to County Court in England and Wales, or the Sheriff Court in Scotland?

[Yes/No/Don't Know]

Question 13(b): - If yes, please explain your answer and feel free to provide information on why private parking cases are ending up in the courts.

[Free text]

Question 14(a): Do you have any data and evidence relating to the impact of debt recovery fees on industry and consumers?

Question 14(b)

If yes, please provide this information.

[Free Text]

Question 15(a): Do you agree that the Government Code should drop the reference to 60cm x 80cm signage size representing best practice, noting the proposed requirement that signs be sufficiently large to be visible from a distance and legible on approach?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 15(b): Please explain your answer [Free text]

Question 16(a): Do you agree that a parking charge should not be issued to a motorist who makes a full payment before leaving a carpark which uses ANPR?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 16(b): Please explain your answer [Free text]

Question 17(a): Do you believe the details set out in Table B.1 remain appropriate for use in the proposed new Government Code?

[Yes / No/Don't know]

Question 17(b): If no, please explain your answer.

Question 18(a): Do you think that the Code should include a reduced charge for a parking charge that meets one or more of the mitigating circumstances listed in paragraph 4.26 above or do you think that the parking charge should be cancelled?

[Reduced charge/Cancellation of charge/Not sure].

Question 18(b): Please explain your answer [Free text]

Question 19(a): If there is to be a reduced charge, do you think that it should be the £20 as currently implemented in the Industry Code?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't Know]

Question 19(b): Please explain your answer [Free text]

Question 20(a): How is the first charge provision applied in practice? [Free text]

Question 20(b): Bearing in mind your understanding of how the provision is applied in practice - what arguments do you think support the reduced charge applying to only the first parking charge? [Free text]

Question 21(a): Do you agree that an appeal decision should be made in favour of the motorist when a motorist can provide reasonable evidence that they had no choice but to breach the terms and conditions of a private car park?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 21(b): If you agree, please give examples of situations where you think this protection should apply. [Free text]

Question 22 (a): Do you agree that where an appeal outside of the normal 28 day appeal period is considered (where the appellant provides evidence of exceptional circumstances for the appeal not being lodged within the normal timeframes), the 28 day period should restart and that any enforcement action should be paused, or where the enforcement action is court proceedings the parking operator should be required to apply for a stay in those proceedings?

- [Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 22(b): Please explain your answer.

- [Free text]

Question 23 (a). Do you agree that a motorist should be allowed to appeal after the parking charge has been paid where:

i) the parking charge had to be paid in order to release a vehicle e.g. on site to release a barrier?

- [Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

and/or

ii) Evidence subsequently identified suggests wrongdoing by the parking operator in respect of the issue of the notice?

- [Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 23(b): Please explain your answer

- [Free text]

Question 24(a): Do you agree that:

i) If a parking charge notice is served but not responded to, the keeper may still identify the driver and that liability of the keeper falls in favour of that of the driver who may still then exercise their right of appeal?

- [Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

ii) If a notice to keeper is sent and any appeal is rejected, the keeper may still identify the driver and that liability of the keeper falls in favour of that of the driver who may still then exercise their right of appeal?

- [Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 24(b): Please explain your answer.

[Free text]

Question 25 (a): Do you agree with the proposal at paragraph 4.35 above to clarify that where the parking tariff exceeds the parking charge, the full payment of the tariff may be pursued alongside payment of the parking charge?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 25(b): Please explain your answer

[Free text]

Question 26: For industry – What is the reasoning for the additional provision in the Industry Code that that an additional £60 may be added to the unpaid tariff and that where a parking charge is issued in accordance with this, clause 8.2.2 of the Industry Code is not applicable?

[Free text]

Question 27(a): Do you agree with the proposal that a Government Code of Practice will mandate that the trade associations should collect data (summarised in paragraphs 4.39 and 4.40 above) from their private parking operators members and share it with Government and the Scrutiny and Oversight Board?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 27(b): Please explain your answer [Free text]

Question 28 (a): Do you agree that the Scrutiny and Oversight Board should be made up of people not associated with the private parking industry, motorist groups or government officials, so that they can independently review data on the Code's efficacy?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 28(b) Please explain your answer [Free text]

Question 29(a): Do you agree that Government should publish clear and easily understandable non-statutory guidance for motorists alongside the Government Code?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 29(b): Please explain your answer. [Free Text]

Question 30(a): Do you agree that parking operators should be required to provide a link to Government guidance on all correspondence with motorists from the point of receiving a parking charge?

[Strongly Agree/Agree/Disagree/Strongly Disagree/Don't know]

Question 30(b): Please explain your answer. [Free text]

Question 31: Please describe the factors which are driving the negative perception held by motorists for the current second stage appeals services?

[Free text]

Question 32: Please describe what attributes an appeals service would need to be independent.

[Free text]

Question 33: Do you have any other comments in relation to the proposals and matters set out in this consultation or in the Options Assessment published alongside the consultation?

[Free Text]

Question 34(a). Do you agree with the minor amendments, outlined in Annex A, that we intend to make to the Code?

[Strongly Agree/Agree/Strongly Disagree/Disagree/Don't know].

Question 34(b) If no, please outline your reasoning [Free text].

Question 35(a): Do you have any views or comments on any implications that the proposals in this consultation may have on groups defined by reference to protected characteristics?

[Tick Box – Yes / No / Don't know]

Question 35(b): If Yes, please explain who would be impacted and how, as well as how the impact could be mitigated (if at all).

[Free text].

Question 36 (a): Do you have any views or comments on any potential environmental implications resulting from the proposals outlined in this consultation?

[Tick Box – Yes / No / Don't know]

Question 36 (b): Please explain why.

[Free text box]