

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

PARKING (CODE OF PRACTICE) BILL

First Sitting

Thursday 19 July 2018

CONTENTS

CLAUSES 1 TO 11 agreed to.
Bill to be reported, without amendment.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Monday 23 July 2018

© Parliamentary Copyright House of Commons 2018

This publication may be reproduced under the terms of the Open Parliament licence, which is published at www.parliament.uk/site-information/copyright/.

The Committee consisted of the following Members:

Chair: MR ADRIAN BAILEY

- | | |
|---|--|
| † Brennan, Kevin (<i>Cardiff West</i>) (Lab) | Perkins, Toby (<i>Chesterfield</i>) (Lab) |
| † Double, Steve (<i>St Austell and Newquay</i>) (Con) | Pound, Stephen (<i>Ealing North</i>) (Lab) |
| † Doughty, Stephen (<i>Cardiff South and Penarth</i>) (Lab/
Co-op) | † Selous, Andrew (<i>South West Bedfordshire</i>) (Con) |
| Fovargue, Yvonne (<i>Makerfield</i>) (Lab) | † Sunak, Rishi (<i>Parliamentary Under-Secretary of
State for Housing, Communities and Local
Government</i>) |
| † Goodwill, Mr Robert (<i>Scarborough and Whitby</i>)
(Con) | † Watling, Giles (<i>Clacton</i>) (Con) |
| † Hollinrake, Kevin (<i>Thirsk and Malton</i>) (Con) | Wishart, Pete (<i>Perth and North Perthshire</i>) (SNP) |
| † Hughes, Eddie (<i>Walsall North</i>) (Con) | † Zeichner, Daniel (<i>Cambridge</i>) (Lab) |
| Jones, Graham P. (<i>Hyndburn</i>) (Lab) | Adam Mellows-Facer, <i>Committee Clerk</i> |
| † Knight, Sir Greg (<i>East Yorkshire</i>) (Con) | |
| Lefroy, Jeremy (<i>Stafford</i>) (Con) | † attended the Committee |

Public Bill Committee

Thursday 19 July 2018

[MR ADRIAN BAILEY *in the Chair*]

Parking (Code of Practice) Bill

11.30 am

The Chair: Good morning and welcome to the Public Bill Committee for the Parking (Code of Practice) Bill. I have a couple of preliminary announcements. Can Members please switch their electronic devices off or to silent? I remind Members that teas and coffees are not allowed during the sitting. We will now begin the line-by-line consideration of the Bill.

Clause 1

PARKING CODE

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss clauses 2 to 11 stand part.

Sir Greg Knight (East Yorkshire) (Con): Mr Bailey, it is a pleasure to serve under your chairmanship and to see you in the Chair. I have a soft spot for the part of the country that you represent, not least because it made some of the classiest and most desirable cars ever made. My favourite car of all time is the Jensen Interceptor, which was of course made in West Bromwich, so it is appropriate that you are in the Chair today.

I also thank all Committee members, who are not conscripts forced to be here by the Whips, but are here because they have an interest in the subject we are considering. I am most grateful to them. I also place on the record my gratitude to the hon. Member for Makerfield, who is leading on the Bill for the official Opposition. She has apologised for not being here today due to other commitments, but she has made it clear that she fully supports what I am trying to achieve with the Bill. I am most obliged to her for that.

The heart of the Bill is clause 1. It requires the Government to create a new mandatory code of practice across the private parking sector, which will end the inconsistent and unfair treatment of British motorists by rogue parking operators. It is important that motorists know when they enter a car park that they are entering into a contract that is reasonable, transparent and involves a consistent process. Poor signage, unreasonable terms, exorbitant fines, aggressive demands for payment and an opaque appeals process have no place in 21st-century Britain. In short, self-regulation has not worked, which is why the Bill is necessary.

It is necessary because of incidents that have happened to motorists like Mr O'Keefe, who was driving on a private industrial estate looking for a particular retail outlet. He could not find where he wanted to go, so he stopped for 15 seconds in a lay-by to check his satellite navigation settings. He was caught by a passing security

van equipped with a camera, and a week later he received a ticket for £100 for stopping in breach of a sign situated further back on the road, which he later realised he had passed at 30 mph. The parking company agrees with his version events—it does not dispute the facts—but is still pursuing him, and he continues to receive threatening letters.

Even homeowners have been hit, like the residents of a Salford block of flats who in just one month had more than 200 tickets issued to them for parking in their own car parks. They were given one day's notice to display their newly issued permits. The firm responsible posted warning letters through residents' mailboxes just one day before the introduction of the new scheme. However, many residents were away—some at work, some on holiday—and, despite having a right to park there, their cars were ticketed.

Kevin Brennan (Cardiff West) (Lab): I am grateful to the right hon. Gentleman, who is my very good friend, for introducing the Bill and for giving those examples. Often when such problems occur—I know that my hon. Friend the Member for Cardiff South and Penarth has faced similar problems—people write to their Member of Parliament. I wrote to one particular company, New Generation Parking, which never bothered to even reply to me, as a Member of Parliament. That kind of arrogance has to stop. Does the right hon. Gentleman agree, as I think he did on Second Reading, that the Minister should make sure that a requirement to respond to Members is in the code of practice?

Sir Greg Knight: I would hope that the code of practice would lead to every parking organisation behaving in a business-like and proper manner, and treating motorists fairly. One of the reasons that the Bill does not set out the code of practice is to allow wide consultation and to take into account points such as that just made by the hon. Gentleman, who is my honourable Friend. It is important that we have the widest possible consultation to ensure that the code of practice, when it is crystallised, formulated and produced by the Minister, is as wide and as comprehensive as possible.

If I could mention one other case, a pensioner mis-keyed her number plate into an automated machine when paying for her parking and got one digit wrong. On returning to her car, she discovered that the innocent mistake had resulted in a ticket. On appeal, she was able to point out that it was an honest mistake. She was also able to prove that no other car on the Driver and Vehicle Licensing Agency database had the registration number that she had keyed in. The parking company still demanded payment. In my view, the Bill is sorely needed.

Kevin Hollinrake (Thirsk and Malton) (Con): As well as examples of poor practice, does my right hon. Friend agree that there are some examples of good practice? I returned to my car last week at the car park I use when I come to London every week and, for the second time, I saw that a parking ticket was stuck to my window. I realised what I had done: I had forgotten to pay the fee when I left for London the previous Monday. I opened the plastic wrapper of the parking ticket and instead of being a parking ticket, it had a note inside

saying, “Did you forget?”. So there are examples where people do the right thing. They realised that I was a regular customer of theirs.

Sir Greg Knight: I am grateful for that example. My hon. Friend clearly has an unknown admirer, because I doubt that happens on many occasions.

The advisory code of practice is currently being formulated. I am grateful to the Minister, because after the House gave the Bill an unopposed Second Reading, he immediately started consulting on what should be in the code of practice. I have been to some of those consultation sessions to listen to what other people are saying. The code, although not yet ready for publication, is coming along very well indeed.

A summary on the code is available and has been distributed to Members. I will refer to a few aspects of it. There will be obligations on the operators of private car parks in the code, which will include the type of “equipment and technology used”, “clear signage”, “clear and accessible displays of the terms and conditions”, and the requirement that there be a transaction period and a grace period.

We need to ensure that a motorist has a choice before committing him or herself to park in a particular car park. With the advent of CCTV cameras, in some cases what happens is that a vehicle registration plate is recorded upon the motorist entering the car park. The motorist then sees the terms that apply to the car park and decides not to park there, but gets a ticket because the car was seen going in and coming out. That cannot be right. There must be a grace period of five or 10 minutes—perhaps even longer in a multi-storey car park—which would allow the motorist to change his or her mind.

Mr Robert Goodwill (Scarborough and Whitby) (Con) *rose—*

Giles Watling (Clacton) (Con) *rose—*

Sir Greg Knight: I give way first of all to Scarborough and Whitby.

Mr Goodwill: Thank you. I myself witnessed a situation in Haworth. There was a notorious parking firm operating using clamps, which have now been outlawed. In that case, a couple who had parked their car went to a nearby shop to enact a small transaction in order to get some change. In that short time, they were blocked in by the parking company vehicle and clamped. They can no longer clamp, but these scoundrels are reverting to other methods, which my right hon. Friend’s Bill will prevent.

Sir Greg Knight: That is indeed the case. I am moving down the coast; I am now going to Clacton.

Giles Watling: I want to pick up on the notice of free parking, which my right hon. Friend brought up. In a particular scam in Clacton last year, some 400 tickets were issued in Ravensdale car park, which had a very large sign that said, “Free parking”. In very small print, hidden round the back, were the terms and conditions that nobody saw. People expected that they would be able to park for free. It was a scam; some 400 tickets

were issued and many were challenged. A certain local councillor, Councillor Richard Everett, was very strong in fighting those tickets and got a lot of money back for people, so it is worth fighting. I support the Bill, because this must never happen again.

Sir Greg Knight: That is just the sort of case that I would expect the code of practice to cover. I now move inland to South West Bedfordshire.

Andrew Selous (South West Bedfordshire) (Con): We had a similar case in Dunstable to the one my right hon. Friend described. The Quadrant car park in the middle of Dunstable was, on some occasions, completely full. Cars that came in, tried to find a parking space and, on seeing no space, drove out again were being issued with tickets. I managed to get that issue resolved after communicating with the company. Does my right hon. Friend agree that that sort of thing should not happen and causes unnecessary distress?

Sir Greg Knight: My hon. Friend is absolutely right and I am grateful to him for giving that example.

Steve Double (St Austell and Newquay) (Con): I congratulate my right hon. Friend on bringing forward the Bill. I had a similar experience to the hon. Member for Cardiff West, who highlighted the fact that these parking firms rarely engage with MPs. It was only after I named and shamed the parking company in the House that it started to respond to me.

Does my right hon. Friend agree that one of the reasons the Bill is important is the impact this issue has on tourism? As the MP representing Newquay, every week I get letters from tourists who come to Newquay, only to find a fine waiting on their doorstep when they get home. They then write and complain to me, as the MP, saying that they will never come to Newquay again because of the way they have been treated. These measures, therefore, are important in supporting our tourism industry and ensuring that people feel welcome to come to places such as Newquay.

Sir Greg Knight: My hon. Friend makes a good point. I can concur, as I too represent a tourist area.

Andrew Selous: To elaborate on the excellent point made by my hon. Friend the Member for St Austell and Newquay, the proper functioning of a car park in a friendly, courteous and correct manner is essential to the health of our town centres. If people are scarred by receiving tickets, they will not come and shop, and keep our town centres going and our small businesses in business.

Sir Greg Knight: My hon. Friend is absolutely right.

Turning to the rest of the Bill, clause 3 requires the Secretary of State to review the code from time to time, which I think is necessary, because just as new rules are introduced, new loopholes are found by those who wish to get around the regulations that apply to them. Clause 4 requires the code, when it is finalised, to be published. Clause 5 gives details of the effects of the parking code. I am pleased that it makes it clear that the parking code itself will be admissible in any court proceedings. If a

[*Sir Greg Knight*]

parking company takes a motorist to court and it is then revealed that it failed to follow the statutory code of practice, I would expect the courts properly to take that into account.

Over 19 million journeys every day end at a parking space. This is an issue that affects all voters, regardless of geography, class or age. The Bill seeks to introduce transparency and fairness.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Bailey. It is a pleasure to be here with other members of the Committee today. I pay tribute to the right hon. Gentleman, who has done so much work to bring the Bill forward. I am pleased to support him in his effort.

This matter has long been of concern to me. I have looked with interest at all the clauses of the Bill and the draft code that the Minister helpfully sent out. I hope that we can engage with him over the coming weeks and months to ensure that the code is as robust and tough as possible, and that the Bill provides the review that is necessary, as the right hon. Gentleman said, to ensure that further loopholes are not found and that companies do not seek to avoid the code.

My constituency of Cardiff South and Penarth, which neighbours that of my hon. Friend the Member for Cardiff West, has a huge number of apartment units and is one of the most densely populated constituencies in Wales. There are many multiple apartment blocks that have large parking areas outside and parking is at a premium. Understandably, some restrictions are needed to ensure that the rightful owners or renters of parking spaces—or their visitors—can benefit from the exclusive use of their space.

11.45 am

However, that population density and those parking arrangements have been severely abused by several parking companies. I can say from the many letters that I have received from constituents, and from my own experiences, that the current situation cannot continue. I was fined for parking in my own space. Letters were sent to me and I appealed. There was no reply to me then or on a second occasion. I received no further information about the matter. I made it clear that I was the legal user of that space and was entitled to use it, and I gave my address and stated that I was appealing the fine. My permit, I think, had slipped slightly to the side of a window and could not be seen by the operator.

Only months later did I discover that multiple legal letters from solicitors' firms and so on had been sent to a previous address of mine that had been secured from the DVLA—a key issue at the heart of the Bill. Essentially, I was being taken to court for parking in my own space, unbeknown to me, because I did not receive any of the correspondence until the landlord of the place where I had been living sent me the pile of letters. Too many of my neighbours and too many of my constituents have had very similar experiences—some of them to the extent where, on a point of principle, they have refused to pay the fines and refused to engage with the solicitors' letters. Some have even found themselves on shows like "Can't pay? We'll Take it Away!"—all for parking in their own space.

Mr Goodwill: The hon. Gentleman mentioned solicitors' letters. Does he applaud the provision in the Bill that parking companies should not send letters that look like they have come from a solicitor when they are just from the parking company?

Stephen Doughty: I applaud the fact that the Bill addresses that issue, and indeed I will discuss the issue of solicitors shortly.

There are other areas where the activities of such companies are a huge problem. I have had many complaints from taxi drivers in my constituency, who are regularly harassed and prosecuted when, for example, they are parked in a supermarket car park in one of the out-of-town shopping areas in my constituency, waiting to pick up an elderly constituent with their shopping.

The other area is hospital parking, and I want to single out one company for some pretty shady practices. That is ParkingEye, about which I have received multiple complaints regarding multiple hospitals from people with serious medical conditions, NHS staff and others who have been caught. I have a letter here from a constituent who was a medical student working in the oncology department at University Hospital Llandough in my constituency, who had applied for a permit. There had been some mistake with the email address so, unbeknown to her, she ended up with huge fines from that company and no recourse. My team and I have engaged on behalf of many constituents to try and get their fines overturned, but sometimes, as my hon. Friend the Member for Cardiff West said, the companies do not even respond. We cannot get through to them. It is not possible to get a straight answer from them. I very much hope that the code of practice will address those issues.

Kevin Brennan: On ParkingEye and hospital parking, at St David's Hospital in my constituency, where parking is free, patients are nevertheless required to fill in the vehicle registration number on a computer screen in reception, and even when assisted by the receptionist they have received parking notices because the system is not working properly. There have been dozens and dozens of cases like that in my constituency casework.

Stephen Doughty: Indeed. Among others, I have details with me of the case of a constituent who had travelled to St David's Hospital in my hon. Friend's constituency, as many of my constituents do, and been caught up in exactly that situation.

I mentioned that I wanted to talk about solicitors' firms. It is very clear to me that there is collusion between parking companies and solicitors' firms—so-called roboclaims companies. They are often set up adjacently and involve the same directors and personnel. Incidentally, the same personnel get involved in the so-called appeals bodies. I hope the Minister looks closely at that. What discussions has he had with the Ministry of Justice and the Solicitors Regulation Authority?

Steve Double: Does the hon. Gentleman share my view that it appears that achieving a certain level of fines is part of many parking firms' business plans? Without collecting fines, those businesses would not be viable.

Stephen Doughty: Absolutely; that is exactly the point. Essentially, it is a money-making enterprise that takes advantage of motorists up and down the country. They operate in a very business-like fashion, which is why I call them roboclaims companies. A lot of the operation is automated. Fines are issues and the companies assume that a certain number of people will pay them. The rest are automatically referred into a legal process involving bailiffs and others, and all the companies are interconnected.

The companies are jamming up parts of our legal system. A number of cases were being processed by Northampton Crown court. When people tried to contact the court to get information about their case, they were unable to get through on the phone lines because there were so many cases.

What discussions is the Minister having with the Ministry of Justice and the Solicitors Regulation Authority, which I met a few months ago to raise concerns about a number of named companies, and which has advised me that it is looking at the practices of those firms and whether they are operating in an appropriate way?

One individual who wrote to me about this said:

“I now pretty much know exactly how the parking companies and in particular the IPC have been running this scam for the past 5 years. Basically both of the appeals processes are a complete and utter sham, (and part of that sham is Gladstones Solicitors itself).”

I should be clear that that is Gladstones Solicitors in Knutsford—other companies might have a similar name. The letter continues:

“The appeals process at Excel/VCS is run by a team of minimum wage office workers with no legal knowledge or experience whatsoever, who are given 6 minutes to read an appeal, and 12 minutes to reply. Most of these replies are obviously cut and pasted from existing templated replies (sometimes referring to issues which are not part of the motorists appeal), with a few lines added in to make it look specific to your claim. The IAS (Independent Appeals Service) which the IPC offers as a second chance appeals service is also very similar, cut and paste answers, dubious legal statements etc... It is claimed by the head of the appeals service (retired Judge Bryn Holloway) that this is a completely independent fair process, it is not.”

The letter mentions two individuals—Will Hurley and Bryn Holloway—and concludes:

“This is a typical example of the clear collusion between the IPC, their members and the IAS...all to the detriment of the motorist”.

When the Minister is putting the code of practice together, I urge him to consider on a cross-Government basis what we can do about roboclaims companies and solicitors' firms that profit, often in shady ways, off the back of people who are just going about their daily lives and business.

Will the Minister say more about information? A number of examples have been given. Far too often, individuals entering car parks do not see the notices and requirements. Visitors to residential parking places often have no clear information about how to park. Somebody came to the block where I live to do emergency boiler repair work—it needed to be carried out immediately to avoid serious damage—and returned to their van to find that they had been fined. I know of people on emergency medical appointments and carers who have been caught up. It is not appropriate and we need to look at what discretion can be applied in such cases. We also need to look at the information provided at entry.

Lastly, will the Minister say something about the devolution aspect? We are dealing with the DVLA. The Bill makes it clear that it applies to England, Wales and Scotland, but obviously some of these matters cross into devolved Administration territory. I am sure that there would be warm support for a unified approach across the United Kingdom, but what conversations has he had with the Welsh Government and others about how the measure can be applied? People cross borders and travel around the country. Solicitors and the DVLA are obviously UK Government matters, but transport and highways issues are often devolved, and Wales has a different local government system.

Sir Greg Knight: The hon. Gentleman has made the very good point that it should be the norm that a motorist can read the sign listing the terms and conditions before entering the car park, but does he agree with this point? On some occasions that will not be possible, such as when the car park is in a conservation area, and that is why the transaction period is necessary—because where a motorist does have to enter a car park to see what the terms are, they should also be able to go out again without incurring a fee or fine.

Stephen Doughty: I completely agree. Indeed, I am aware of individuals having been fined just for spending two minutes in a car park and coming out—perhaps they just made a wrong turn. That is of course an absurd situation, so I wholeheartedly support the measures in the Bill. I have looked at the draft code of practice. There are a couple of areas where I would like to make suggestions to the Minister offline, and perhaps the right hon. Member for East Yorkshire, about how we could tighten it up even further. I hope that the Minister will be able to have conversations with us going forward, but I commend the Bill and very much hope that we can deal with these awful companies and their associated legal agents and ensure a fair deal for motorists and residents up and down the country.

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Bailey. I, too, commend the right hon. Member for East Yorkshire on his success in getting the Bill this far. My Licensing of Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill was parked just after his at Second Reading. He avoided the chop; I did not. But there is no bitterness: this is an extremely important Bill.

I will say to the Government that it is three years since the consultation document “Parking reform: tackling unfair practices” was published. It has been a long wait. I think that really the Government should have responded and introduced legislation, but in the absence of a Government who are able to deal with the pressing problems of the day, I am delighted that the right hon. Gentleman has introduced this Bill. I agree with much that is in it.

It is important to state at the outset that huge numbers of people drive every day—I think the right hon. Gentleman mentioned the figure of 19 million cars on the road every day—and the vast majority of people manage to find somewhere to park and do it successfully, and many in the industry work very professionally and very well. There is sometimes a danger in these debates that we hear only of the awful experiences. They are awful,

[Daniel Zeichner]

but the vast majority of people, and the vast majority of people in the industry, are doing their best to make the system work successfully, so it really is the rogues that we are trying to deal with here.

I think that the number of people who get a parking charge notice each year is between 1% and 1.5%. Obviously, it is never good to get one, but we do need a regulated system. There is no such thing as free parking; there are always costs associated with it.

I also pay tribute to the advice that I have had, over the few years I have been following this issue closely, from the British Parking Association, which is a reputable organisation trying to achieve decent standards and a proper outcome for members. It has been looking for this kind of code for many years, and I very much hope that we will be able to get it on the statute book as soon as possible, because the longer we go on in the current situation, the greater the number of people who will suffer.

I have one major query for the Minister. The point has been raised with me by many people in the industry. At the heart of this is the information that the DVLA passes to operators; the major sanction through this measure will be to stop rogue operators getting that information. Unfortunately, that will not solve the entire problem. That does not mean that we should not do it, but we need to be aware; we should not raise expectations too high, because I am afraid that the real rogues will carry on. They will just stick one of these things on people's windscreens and they will not even need the information from the DVLA. I am told that some 30% of people just pay up, because they are intimidated.

Giles Watling: Does the hon. Gentleman agree that because of the very large amounts of money that can be involved in such scams—a company called Smart Parking was involved in one such scam on my patch, in Clacton—organised crime can get involved, which can be intimidating? This is not that much different from the old Denver boot that used to be put on vehicles some time ago, indiscriminately across the country.

Daniel Zeichner: I am grateful for the intervention. The hon. Gentleman is absolutely right. At the bottom end of this, we are dealing with some very difficult people, and I am afraid that their not having access to DVLA information will not stop them trying to extort in this kind of way. That is one of the things on which I hope the Minister will have something to say. It is not an easy problem to resolve, because this is a complex area of contract law. The question is always, how will we enforce the Bill's provisions? If they are not enforced, passing the legislation makes us feel better, but it does not necessarily resolve the problem on the ground. My thinking is that we have to get to a point where motorists have confidence that they can ignore some of these intimidating tactics. In my view, that is the only way that we will be able to get around it.

12 noon

Mr Goodwill: The hon. Gentleman mentions ignoring intimidating letters. Of course, if the company does not have access to DVLA information, which if it does not

abide by the code of practice it will not, it will not know the owner of the car. A person may or may not respond to the ticket put on the window, but the company will not be able to follow it up with letters.

Daniel Zeichner: The right hon. Gentleman is absolutely right, but the problem is that about 30% are intimidated. That is the problem, and the point I am making is that until we can give people confidence, we will need a very strong message and very clear designation. I do not know whether the Minister has given any thought to how we might go about that, but it is certainly where I would like to go with it ultimately. Until we do that, the numbers will remain significant, and I fear we will still get complaints in our postbags about the practice.

With that caveat, I think that the proposals are a significant step forward. I am sure that they will get support across the House, and the sooner we see them in legislation the better.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): It is a pleasure to serve under your chairmanship, Mr Bailey. I do not want to detain the Committee for long, but I congratulate my right hon. Friend the Member for East Yorkshire on introducing the Bill, and more generally on his work to highlight this issue, which affects millions of people every day.

I was pleased to speak on behalf of the Government in support of the Bill on Second Reading. I pay tribute to all hon. Members for the important contributions they have made, both today and on Second Reading, highlighting the unfair practices that are being carried out every day, affecting their constituents. We heard then, and we heard again today, that Members are doing their absolute best to stand up for their constituents and to highlight these practices, which need to be stamped out. Indeed, that is what the Bill is designed to address.

I will turn briefly to some of the specific questions raised by hon. Members, but first I pay tribute to my right hon. Friend the Member for Scarborough and Whitby, who, in a previous guise as a Transport Minister, himself took steps to tighten up practices in the parking industry. Those steps have already been mentioned today, and he was far too modest to take any credit for them, but we should pay tribute to him for tightening up the rules regarding the unfair use of automatic number plate recognition and clamping.

The hon. Member for Cardiff South and Penarth spoke passionately today, as he did on Second Reading, about the issues affecting his constituents. I am pleased to say that in general, all the issues that he raised are likely to be covered by the new code of practice. I would be delighted to meet him when we return from the recess to discuss any further points in more detail, but he spoke well on Second Reading about threatening solicitors' letters. What he said stayed with me, and I am determined to ensure that the code of practice has specific guidance on that point, which affects so many people.

Stephen Doughty: I appreciate what the Minister has said. What discussions has he had, or will he have, with the Ministry of Justice and the SRA? Just to convey the scale of this, another firm that I mentioned, called

BW Legal, regularly issues 10,000 county court judgments a month, and is known to have issued 28,000 in one month. A significant proportion of them relate to parking. They are jamming up our court system, and are often totally unjustified.

Rishi Sunak: The hon. Gentleman makes a very good point. I am pleased to tell him that we will engage directly with the MOJ and the SRA. To date, I do not believe that we have done so, but we will happily do that. He makes a very good point about the impact on the court system. More broadly, on the point that he raised on Second Reading and today about county court judgments and, in his personal experience, letters going to previous addresses, I am relatively confident that we can address that in the code of practice by including some clauses about reasonable efforts by parking operators to find a more up-to-date address.

The hon. Gentleman talked about the appeals process, which of course should be independent. I am pleased to tell him that, as part of the code of practice in the Bill, it will be scrutinised, funded through the levy. That will ensure independent scrutiny of the appeals process, as well as the associations and operators, to ensure that appeals are working not in the manner that he highlighted, but in one that is fair to those who need to avail themselves of such a process. He talked about information, which many other hon. Members talked about, and of course the code of practice will outline the information that should be standardised on tickets and signage, so that there is good practice and consistency across the industry.

On the devolved Administrations, I am pleased to tell Committee members that the Welsh and Scottish Governments are represented on the working group that has been engaged in developing the code of practice, and are in extensive dialogue with the team in my Department, to ensure uniformity of execution of the Bill and to confirm that all the various matters have been put in place as required.

I have an update for the Committee. The explanatory notes are out-of-date with regard to the legislative consent motion. Originally, the advice from the Scottish Government was that that would not be required, but that advice changed and they believe that they require it. That motion has now been passed, so I am pleased to say that the Bill will have force in Wales and Scotland, and that all legal requirements have been satisfied in that regard.

I pay tribute to the experience of the hon. Member for Cambridge in transport matters. He has spent a considerable time in the House weighing in on such issues, so it is a pleasure to have his experience on the Committee. I will touch briefly on the issues he raised. He made a good point about rogue operators. I am confident that not having access to the DVLA will deal with the vast majority of problems that hon. Members have mentioned, because the lifeblood of trying to extort money from people is having access to their details.

By standardising tickets, complaints processes, fees and lots of other things, the code of practice will offer us the opportunity to educate the British public when the Bill has passed. From that point forward, one will be able to say to the people of the United Kingdom, “This is what tickets should look like. These are the various things that you should expect to see on them”—

whether that is a kitemark or something else. In that way, through consumer education, we will hopefully ensure that they will be able to check for some kind of mark or language that would not be on rogue parking tickets. By bringing everything together in a standard way, that education process can happen in a way that it cannot today. I hope that that will deal with most of those issues.

I am also happy to look at the law that already exists to tackle people who are doing things that are presumably illegal, such as trespassing or interfering with other people’s private property. As I said, however, the huge opportunity comes from the code of practice, which standardises behaviour and practical things such as the information contained on signage and tickets, so that we can get to the point where people know what to look for on a parking ticket.

Mr Goodwill: Does the Minister agree that one reason why people often fall into those traps is that local authorities are generally very straightforward and honest with people in their parking areas, and offer free parking that is free? For example, in Scarborough, all parking is free for tourists after 6 o’clock.

Rishi Sunak: I am sure everyone watching the Committee will have heard that advertisement to visit my right hon. Friend’s constituency. Near to my own as it is, I also encourage them to visit the Yorkshire Dales and the North York Moors.

Kevin Hollinrake: While we are on the subject of Yorkshire, as well as putting on record my thanks to APCOA Parking at York railway station for letting me off my parking ticket, I ask the Minister to join me in recognising the fantastic efforts of Malton Estate. It owns private car parks in the centre of Malton and gives two hours of free parking throughout the day. That has incentivised more shoppers to come into the town, and is one of the reasons why Malton is now Yorkshire’s food capital.

Rishi Sunak: I pay tribute to the car parking practices in Malton that my hon. Friend describes. It is evidence of what my hon. Friend the Member for South West Bedfordshire said, which is that good, honest and fair car parking is vital for the health and wellbeing of our town centres and high streets. We all want to see it encouraged across our constituencies.

Kevin Brennan: I will resist the temptation to advertise the delights of Cardiff, although they are great and many. We are all grateful to the Minister for sending us the draft advisory code of practice summary in advance of the sitting. Paragraph 12(b), which covers complaints handling, states:

“There should be a requirement to issue an acknowledgement or full response to a complaint in a timely manner”.

Does he agree that if a parking company failed to respond to correspondence on such a matter from a Member, and if that wording is included in the final code, it would, in effect, be in breach of the code of practice?

Rishi Sunak: I should have mentioned that the code of practice includes the issue that the hon. Gentleman has raised both on Second Reading and in Committee.

[*Rishi Sunak*]

This is just a summary of the code of practice. The details, including timescales and exactly what will be required, will be fleshed out. However, in broad brushes, he is right: the code of practice is there to be adhered to. Parking operators will be audited as to whether they are adhering to it, partly by the trade association that they belong to and partly by an independent scrutiny body that will be funded by the levy. There will be sufficient scrutiny of operators' behaviour in this regard, and replying to correspondence will be one factor considered when their behaviour is evaluated.

Stephen Doughty: The Minister is being very generous with his time. I have one specific question about paragraph 4 of the draft code of practice summary, which covers clear signage and surface markings. We have talked about clear signage, but surface markings are also important. For example, at the entrance to blocks of flats in Cardiff there is often a barrier. However, around Cardiff City's football stadium—they are in the premier league this season; many people will be coming to watch—it is not often clear where the public road ends and private land begins. Football fans are often caught out, suddenly finding themselves on private land on the boundary between my constituency and that of my hon. Friend the Member for Cardiff West.

Kevin Brennan: It is in my constituency.

Stephen Doughty: The stadium is in my hon. Friend's constituency; the road where many people park is not. People often get caught out without realising that they are on private land, because no clear boundary is indicated between the public highway and the private land. Will the Minister look at that issue?

Rishi Sunak: I do not want to get drawn into that intra-Cardiff debate; I will leave the hon. Gentlemen to conclude that after the Committee. I am happy to look into the issue that the hon. Member for Cardiff South and Penarth mentions. Cardiff is wonderful and is represented here in force, but I think Yorkshire is slightly more represented. Yorkshire Members remind everyone to visit the delights of Yorkshire over this summer.

In conclusion, I thank Committee members for their constructive comments, this morning and on Second Reading. I look forward to working with not only my

right hon. Friend the Member for East Yorkshire but all Committee members to bring this important piece of legislation on to the statute book as soon as possible, so that we can start to right the wrongs that so many of our constituents have had to endure. This is a fantastic example of Members from all parties working together to solve a practical problem that will make a meaningful difference to people's everyday lives.

I commend the Bill to the Committee.

Sir Greg Knight: I thank all colleagues who have contributed to the debate. Each has brought to bear some of their and their constituents' experiences of unfair practices, which emphasises that the Bill is overdue and necessary. I also thank the hon. Member for Perth and North Perthshire, who cannot be here because of other proceedings but who has indicated his support on behalf of the Scottish National party, so the Bill really does have all-party support. I thank the Minister for his diligence, help and assistance.

I commend the Bill to the Committee.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 11 ordered to stand part of the Bill.

Question proposed, That the Chair do report the Bill to the House.

Sir Greg Knight: May I thank you, on behalf of the Committee, for your superb chairing of our proceedings, Mr Bailey? I also thank you for your comments before the Committee started that, if you were not chairing it, you would like to be a Committee member, because you support what we are trying to do. I am most grateful for that. However, I accept that the Chair is totally impartial.

Kevin Brennan: I know that my friend, the right hon. Gentleman, would also like to thank the Clerks, the Doorkeepers and everybody else responsible for looking after us during this lengthy proceeding.

Question put and agreed to.

Bill accordingly to be reported, without amendment.

12.15 pm

Committee rose.

