

## Other Sites – Parking Charge Notices

What brought this issue to the fore were the highly questionable activities of the private-parking operator at Tices Meadow, Aldershot Park Ward, after the sale of the garage-block sites. That all blew up three months ago when residents there started getting parking charge notices (PCNs).

Faced with the difficulties caused by private-parking operators across the borough as sales of these sites went on, I launched an online survey on 10 February 2018 (*Appendix 1 – Survey form*).

The online survey obtained some 273 responses containing many hundreds of descriptions of unfairness, abuse and bullying of residents by private-parking operators.

Nearly 50 responses related to sites other than Aldershot Centre for Health (ACH) and the garage sites (formerly owned by First Wessex). ACH and the garage sites are the subjects of earlier reports. I am therefore focussing this third report on Other Sites.

As might be expected from a borough including two town centres, retail parks and stores, business parks and private housing estates, there are many private-parking operators, each with different terms and conditions.

### Data analysis

I analysed 273 responses to the five open-ended questions that gave the respondents the opportunity to give their views on different aspects of the systems and how private-parking companies treated them.

*Appendix 2 – Other Sites Data* comprises 158 comments in response to Questions 7 to 11.

### **Question 7. Please would you give your reasons as to why the parking charge notice was not justified – 48 comments.**

Perhaps the most serious cause for concern on Other Sites is the lack of special consideration for wheelchair users and disabled, who face extra difficulties in their activities.

*“Both occasions were at restaurants (McDonald's, Tumbledown Dick and Burger King, Wellington Avenue) and both times I had a wheelchair user in a wheelchair adapted vehicle.*

*I did not notice the signage on both occasions, probably because I was preoccupied with the needs of the wheelchair user.*

*It takes 10 mins to release the karabiners and exit the vehicle via the tail lift, plus 10 mins to enter the vehicle via the tail lift and re-secure the wheelchair. This is 20 mins of the allotted hour's parking.*

*For the wheelchair user who has cerebral palsy, including difficulty with eating, this does not allow enough time for her to eat a meal.*

*I believe disabled customers are being treated less favourably than others by not being allowed to park for long enough to eat a meal.*

*I appealed on the grounds of disability discrimination. The first time I never heard any more from the parking company. The second time my appeal was not allowed and so I have appealed further to POPLA. I am awaiting the outcome of this.*

*The letter threatened that I will have to pay £100 instead of £60 if I appeal to POPLA and the appeal is not upheld.*

*I may consider pursuing a case under the Equality Act if this appeal is not upheld, as I believe this is a clear case of disability discrimination.*

*I do not think parking companies should be allowed to flout the law by refusing to acknowledge that someone with quadriplegic cerebral palsy needs longer than other customers to eat a meal. I believe they are treating disabled people less favourably than everyone else by not allowing them to park at a restaurant for long enough to eat a meal.”*

Morrisons Car Park, Westgate, Aldershot, attracted the largest number of complaints about Other Sites – 7.

*“Westgate, Aldershot. Parked for 5 hours, spent a fortune having a meal for 9 people, panto for 9 people. Then a charge for £80! First and last time parking there (I usually walk, but there were elderly family in group, so hubby drove).”*

*“Morrisons Aldershot - had a meal, watched a film and got some shopping - and got an £80 fine for it.”*

There were 4 complaints about parking charges on the road next to Costa Coffee.

*“Parked next to Costa (Farnborough Airport) in the road as car park full. The road is a no through road and no problem with access. No lines on the road only a poorly placed sign - £60.”*

The high levels of charges for even minor breaches of the terms and conditions of parking aggrieved many respondents, including one taking advantage of the survey to complain about Rushmoor Borough Council.

*“I have been threatened with court action / bailiffs from Rushmoor Borough Council. I wrote to the MP to intervene as the threat was out of proportion to a 50p per hour ticket. It’s not the private car parks, it’s the Council-run ones that are worse!!!”*

*“We did technically violate the rules of the car park, but we find the size of the penalty disproportionate. The rules also seem unreasonable/unclear – we were in the Solartron car park in Farnborough. We went into Pets at Home and bought something.*

*We then went across the road to one of the other shops for maybe half-an-hour. Apparently, leaving the car park violates the rules. We thought because we had bought something it would be OK.*

*The layout of roads in that area means it is not practical to move from car park to car park if you want to visit different shops in the area. It is much simpler to just walk across the road.”*

*“I parked for 7 minutes in a hotel car park and received a £60 parking fine.”*

Residents of some estates with private roads have cause for grievance when the private-parking operator appointed by the managing agent issues them with PCNs.

*“Signage is incorrect, as it states the private company are members of the BPA; however, they are members of the IPC. I have email evidence from the BPA advising they are not to use their logo.*

*We have 22 PCNs, one of which I went to court for and WON, as it was ruled by the judge that it clearly states in my tenancy I have a right to park.*

*One of my neighbours is currently going to court for the same thing. CPM have notified us they have discontinued this claim although there are more to come!!”*

*“It was resident parking where I am a resident there; even after proving this, I still had to pay £350.”*

*“Private parking on our estate is nonsensical. Only come around at 3 am and penalise people who live on the estate for parking in V(istor) spaces.*

*We don't have a numbered space, even though we are told all properties have equal rights – clearly they don't, as some houses have garage, numbered space and access to V space.*

*I have 2 numbered permits for spaces that don't exist.*

*We are close to the station, so surely they should be coming in the day time and catching those without ANY type of permit.*

*We are literally paying them to fine us – it's ridiculous.”*

**Question 8. Please would you set out any complaint about signage, notices or road markings used by a private parking company? – 31 comments.**

By far the most frequent topic of complaint was signage, with two-thirds of the comments about it.

*“Notices blend into the car park too much at Morrisons. They also changed the parking length & gave no notification.”*

*“There were no road markings and no signs on the lamp posts immediately near where I parked – hence not seeing one further down the road.”*

*“(Morrisons, Aldershot) Parking restricted to 3 hours. Internal signage absolutely fine and clear but signage at entrance says that parking restrictions up to 5pm parking, but, if you enter at 5 minutes to 5 you are still restricted to 3 hours – which wasn't clear and is also misleading. Asked for the sign to be removed but it's still there”*

**Question 9. Please would you set out any complaint about the process for appealing against a parking charge notice? – 28 comments.**

The general impression is that appeal processes are dysfunctional in terms of being bureaucratic, lengthy, complex and, finally, not independent.

*“Appeals are routinely denied. The 'independence' of the appeals process is non-existent.”*

*“The appeal services are all owned by the same people, i.e., IPC, DRP, Gladstone’s are all the same people.”*

*“They just ignored the evidence presented. There was no ability to prove anything – I had a receipt – but that was deemed to be ‘not proof’ – and they didn’t even return it, which meant I had no proof of the purchase I had made from the shop (so, if I’d had a problem with the purchase, I had no recourse).”*

*“The ‘appeal process’ is difficult, loaded, not independent, and almost certain to be rejected. Also, engaging with either the parking company or the allegedly independent appeal adjudicator just grants them credibility and authority they don’t merit.”*

*“Who is the independent person who decides if your appeal stands? – Quite obviously, they were not independent and were just a fob off.”*

*“Appeals only in writing and its pointless. They always tell you your appeal has not be upheld – 3 TIMES I have tried.”*

**Question 10. Please would you set out any complaint about letters warning you about what will happen if you do not pay a parking charge notice? – 22 comments.**

Over half the complainants reported finding these letters threatening or intimidating.

*“Threatening letters were received. Threats of private bailiffs turning up unannounced to remove money and goods at their discretion - plus incredible levels of charges.”*

*“The letter threatened that I will have to pay £100 instead of £60 if I appeal to POPLA and the appeal is not upheld.”*

*“They’re threatening, relentless and intimidating.”*

**Question 11. Please would you set out any other comments about the way that a private parking company has treated you? – 29 comments.**

The respondents were almost unanimous in condemning the business practices of private-parking operators and the detrimental effect they have.

*“We parked at the Solartron retail park with a 94-yr-old friend who had just come out of hospital. She was unable to walk but wanted to purchase a new bed. We assisted her and parked in a disabled bay outside the shop using a wheelchair to get her in the shop.*

*The parking attendant issued a penalty notice and my husband had to pay the fine – even though the attendant apologised and said it would go no further if we just rang the number!*

*They would not listen, and we were forced to pay the fine.*

*I told the shop in question that I was cancelling the bed along with the wardrobes, chest of drawers, etc.*

*We went to Guildford the next week and ordered all the same items there.*

*I never shop at the Farnborough Retail Park since that incident.”*

*“This kind of company shouldn't be permitted to exist - there is no social good, of any kind, enabled by the exploitative business practices they follow.”*

*“I believe the car parking attendant is in a van that is parked at the end of the road just waiting for some innocent driver to park his vehicle. There were 3 other cars parked in this road at the same time we were there. Money grabbing, I call it. Why put a Costa in a busy spot and give it a small car park?”*

*“Basically, aggressive debt collectors and work on intimidation and scaring people.”*

*“We feel that these companies are predatory. The charge notice was dated within moments of us leaving the car park – they were clearly watching and waiting for it to happen.*

*A huge number of other cars also had penalty charge notices on the same day as us.”*

## **Summary**

The systems that private-parking companies are operating in Rushmoor are subject to numerous complaints that they are very unsatisfactory from the points of view of the respondents who fell foul of them often through little or no fault of their own.

No one disputes the need for parking to be controlled. But it seems that the way that some land-owners, including public companies and authorities, do so by contracting with private-parking firms is leading to resentment on the part of motorists, residents, shoppers, and disabled.

## **Recommendation**

That Rushmoor Borough Council carries out scrutiny, including using this evidence, to improve the systems operated by private-parking firms, with better signage and road markings, independent appeals and ombudsman, conforming to the Disability Discrimination Act, and unthreatening, unintimidating communications.

*Councillor Alex Crawford JP*

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