



# Approved Operator Scheme Code of Practice for Parking on Private Land The Consumer Guide



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The British Parking Association (BPA) has set up an Approved Operator Scheme (AOS) and produced a Code of Practice which all members must abide by. This aims to protect the rights of:

- car park users
- car park operators, and
- the owners of private land used for car parking.

When you park in a car park, HGV or coach park displaying the AOS logo this means the car park operator uses parking tickets to enforce the restrictions they have in place, to make sure the car park runs smoothly and in the interests of all users. The AOS logo means you can expect to be treated fairly and reasonably if you receive a parking ticket.

Here is an outline of the benefits you get by parking in a car park displaying the AOS logo. If you would like more details about the private operators' commitments and the standards they work to, please visit the BPA website at <http://www.britishparking.co.uk/AOS> where you can read and download the AOS Code of Practice.

- You will be dealt with professionally by any attendants in the car park and by any staff you may contact if you get a parking ticket.
- If you enter a car park and decide not to park, you must be given a reasonable amount of time to leave.
- If you are a disabled driver the operator of the car park must have made 'reasonable adjustments' to make their car park accessible (though they may still charge you to park in their car park).

## Signage

There will be a sign at the entrance to the car park that will explain in the broadest terms that the car park is private land and that it is managed by an AOS operator:

There will also be other signs in the car park itself which set out the terms and conditions for parking. These should be clear and easy to understand. The signs will say:

- how long you can park
- whether you should pay to park
- how much you should pay to park
- what happens if you break the terms and conditions for parking
- who to contact if you want to challenge a parking ticket.

AOS operators know how important good signs are in making it clear what the parking restrictions are on private land. Over the next three years they will be working to a more common standard for signs to continue to help make the rules even clearer to drivers. We know this is one of the most important areas to get right in car parks.

## Parking tickets and charges

If you break the terms and conditions of parking, the operator may issue a parking ticket. They can give this directly to you, attach it to the vehicle or send it to the 'registered keeper' by post. The driver is responsible for paying the parking ticket.

If you are the registered keeper of a vehicle, you might receive a parking ticket through the post for a driver who is using the vehicle. If you were not driving this vehicle when it broke the terms and conditions of the car park or private land, we recommend that you give the driver's details to the operator. If you cannot do this, remember that in England and Wales the law says you could have to pay any parking charges for the parking ticket.

The BPA is an accredited trade association recognised by the DVLA. The law says that our members are allowed to ask the DVLA for the registered keeper's details if they can show 'reasonable cause'. The DVLA accepts that breaking the terms and conditions of a car park or private land is a reasonable cause.

The amount on the parking ticket must be reasonable and not excessive. Usually we would not expect you to be charged more than £100.



Sometimes the operator will charge more than £100 but this will rarely happen. The operator will have had to justify to us why their charges are higher than £100.

You will be offered a discount for paying the parking ticket promptly. The discount should be at least 40% of the full amount on the ticket.

If you do not pay promptly, it is possible that debt collection costs may be added.

## How to appeal a ticket

If you want to challenge the operator for issuing the parking ticket, you should contact them giving your reasons.

- The operator must reply within 14 days saying they have received your challenge.
- They must tell you what they are going to do within 35 days.

If the operator replies saying they do not agree with your challenge and requests payment, they must offer you the right to appeal to the independent appeals service and they must tell you how to do this.

Parking on Private Land Appeals (POPLA) is an adjudication service specifically for tickets issued on private land. For more information visit their website at <http://popla.org.uk/>

POPLA is free to you and its decision will be binding on the operator. However, you can only use the appeal service if you live in England or Wales, and the parking ticket was for a car parked on private land in England or Wales. This service does not cover Scotland or Northern Ireland.

Your consumer rights are not affected if you challenge the parking ticket with the operator, or if you use the appeals service. For further information, please visit the Citizens Advice Bureau website at <http://www.citizensadvice.org.uk/>

## Advice on what to look for when parking

We want you to be able to park properly and easily so there are some things you can do to make it less likely that you will receive a parking ticket:

- Always check the signs when you park, whether you park in a private car park or a car park that belongs to a local authority. **Never assume you know what the terms and conditions are.** Most car parks either make a charge for parking, have a limit on how long you can stay or both. Other terms and conditions may apply as well.
- Always consider other car park users when you park. So don't use bays reserved for disabled people or people with young children unless you are entitled to.
- Don't assume you can avoid the car park rules simply because you cannot see a parking attendant. Many car parks now use cameras to make sure motorists keep to the terms and conditions for parking.
- If you get a parking ticket don't ignore it. It could cost you more in the long run and you could lose your right to appeal.
- Since October 1st 2012, it has been against the law to clamp or remove a vehicle without lawful authority. This means that on most private land it is unlikely that you will be clamped, but there are still instances where it could happen.

Further advice on parking both on-street and off-street can be found in the Which? Guide to parking, produced in conjunction with the BPA and available on our website at <http://www.britishparking.co.uk/Public-advice-on-parking-rules-and-regulations>

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It's very easy to avoid a parking ticket:  
**don't park where you shouldn't,  
and pay when you should.**



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