



Department for Levelling Up,  
Housing & Communities

**Jacob Young MP**  
*Minister for Levelling Up*  
2 Marsham Street  
London  
SW1P 4DF

Clive Betts MP  
Chair, LUHC Committee  
House of Commons  
London  
SW1A 0AA

22 Mar 2024

Dear Clive,

**LETTER FROM CHAIR OF LUHC SELECT COMMITTEE ON PRIVATE PARKING CODE OF PRACTICE – DRAFT MINISTERIAL RESPONSE**

Thank you for your letter of 11 March to Guy Opperman and myself regarding the Private Parking Code of Practice (the Code).

As your letter mentions, we published a Call for Evidence on a draft Regulatory Impact Assessment (RIA) in July last year. In your letter you ask what the findings of the Call for Evidence were. The Call for Evidence has helped strengthen our evidence base and make improvements to the RIA. As such, an updated RIA is being developed, which will highlight specific areas where the Call for Evidence has led to revisions.

We are planning to launch a full consultation on our preferred options for parking charge caps and debt recovery fees, alongside the updated RIA, in due course. You ask how this consultation will differ from the Call for Evidence. The Call for Evidence and the consultation are two distinct processes: the former was seeking evidence to strengthen the evidence base for the RIA, whilst the latter will be seeking views from interested parties on decisions on parking charges and debt recovery fees. We plan to publish a final RIA and a response to the consultation as soon as possible after the consultation has concluded.

Your letter asks when the Government plans to publish the Code. As you are aware, we took the decision to withdraw temporarily the proposed Code in July 2022 following legal challenges from the private parking industry. These challenges focused on the proposed caps on parking charge and debt recovery fees, with no other elements of the Code being challenged. As a result, with the exception of potential changes to parking charge and debt recovery fee caps, we are not proposing to make any further substantive changes to the Code. We hope to be in a position to implement the Code as soon as possible.

Alongside this, we are continuing to develop the wider enforcement framework which will support the implementation of the Code. This includes:

- The creation of a Single Independent Appeals Service to handle second-stage appeals against private parking charge notices (PCNs);
- Strengthening of the current system of self-regulation by producing a certification scheme, independently assessed by the United Kingdom Accreditation Service (UKAS), to which parking trade associations must adhere if their members wish to request access to DVLA data; and
- The establishment of a Scrutiny and Oversight Board to monitor the Code's effectiveness and make recommendations to DLUHC about how to improve it.

You also ask for an update on how we are taking into account the recommendations your Committee previously raised in your correspondence of 2 December 2021.

**Regulating different types of parking arrangements:** I reiterate the response on this given by Dehenna Davison MP and Richard Holden MP in their letter of 17 April 2023. The forthcoming consultation will seek views on making allowance for different types of arrangement and contraventions through the parking charging system. The consultation will seek views on different options for levels of parking charges and this will inform our final decision on the levels at which parking charges and debt recovery fees should be set.

**Scrutiny and Oversight Board:** We are working to establish the Board as soon as possible. We are currently finalising the appointment of the Scrutiny and Oversight Board's Chair, and plan to launch the campaign for the remaining seven Board members in the coming months. We hope to have a full complement of Board members in place later this year. A monitoring framework that regularly collects data regarding industry activity (e.g. total parking charge notices issued etc.) is being established for the Scrutiny and Oversight Board to monitor the effectiveness of the Code. We expect this to be in place ahead of the Code coming into effect.

**Improving the appeals process:** The Code will set out the detailed process for appealing a parking charge notice and will require operators to use the new Single Independent Appeals Service. The Code will specify mitigating circumstances that parking operators must have regard to. Work is underway to establish a trusted, straightforward, and accessible service which gives motorists confidence that all appeal decisions are fairly and transparently made.

**Debt recovery fees:** As explained above, we will be consulting on debt recovery fees in the forthcoming consultation which will set out in more detail our thinking on this and consultee responses will inform our final decision on the level of debt recovery fees.

**Education of motorists:** As Dehenna and Richard previously explained, effective communication to motorists forms an important part of the Code, with issues such as information about the new Single Independent Appeals Service clearly signposted and explained as appropriate. We are also planning to undertake proactive communications with the launch of the new system to support motorists. Through implementation of the Code, we can expect motorists' understanding of the nature of enforcement arrangements to improve,

which is likely to lead to a reduction in the number of parking charges issued by parking operators.

**Impact Assessment:** I have provided an update on this earlier in this letter.

I am committed to publishing the new Code as soon as possible to begin to raise standards in the industry. The Code will put in place a new framework that will protect the interests of motorists, whilst enabling operators to manage their parking efficiently.

I am copying this letter to Guy Opperman at the Department for Transport.

Best wishes,

A handwritten signature in black ink, appearing to read 'Jacob Young', with a stylized, cursive script.

**JACOB YOUNG MP**  
*Minister for Levelling Up*