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## The Voice of Leaseholders

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# Protection of Freedoms Bill ignores flat residents' concerns over car clamping ban.

The Federation of Private Residents' Associations (FPRA), which represents flat owners in England and Wales, is currently lobbying Home Office Minister Lynne Featherstone MP to think again about her proposed ban on clamping cars on private property, as it will cause major problems for ordinary residents living in blocks of flats.

The Home Office has so far ignored all the issues we have raised. The car clamping ban is to be included in the Coalition's The Protection of Freedoms Bill, published today,

Lynne Featherstone's knee-jerk proposal to ban wheel clamping may not be the populist measure she anticipated. She has failed to appreciate that thousands of ordinary residents living in blocks of flats with car parking spaces are victims of illegal car parking. And as anyone involved in the management of parking knows, the only serious deterrent to illegal parking is the threat of clamping. The issuing of penalty tickets is not an effective deterrent because they are very difficult to enforce, as highlighted by BBC Watchdog.

Lynne Featherstone says that landowners can erect barriers around their property to control illegal parking. This might be fine for well-heeled companies, the landed gentry and government departments, but it displays a dismal ignorance of how this can be achieved in blocks of flats.

The FPRA have pointed out to the Home Office that

1. Residents and leaseholders of blocks of flats may not be able to install barriers because the terms of the lease will not allow them;
2. If the lease does allow or if it is amended to allow (a very complicated and costly process) the installation of barriers, the cost of installing and maintaining them will fall on the ordinary leaseholder, which includes pensioners and the not-so-well-off. Will the government contribute to this cost?
3. Barriers are restrictive and inconvenient to residents, visitors and trade vehicles interfering with the free movement in and out of where they live, work or visit.

Federation Chairman Bob Smytherman said:

'Lynne Featherstone's understanding of car clamping is depressingly naive. She seems to just think that it's a black and white issue of drivers as victims, when in fact victims are also residents whose lives are plagued by illegally parked cars. She naively thinks 'landowners' can just erect barriers, having no understanding that 'landowners' also includes ordinary people - leaseholders - in blocks of flats who could be forced to pay for the installation and management of barriers, if the lease allows it. And most likely the lease will not allow it, in which case there is little that those residents can do to effectively keep out unwanted cars. This will bring misery to a lot of people'

The FPRA argues that the real problem is rogue car clampers, and the solution is to regulate the system, not ban the practice. Therefore the FPRA is calling on the Home Office to work with us to come up with proposals to provide robust regulation of the wheel clamping industry, and avoid this rash and ill-conceived piece of legislation.

Ends

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**Notes to Editors:**

The FPRA now have a dedicated section on the web-site for flat owners to contact their MP to support our calls to ban the rogues not the practice. [www.fpra.org.uk](http://www.fpra.org.uk).

The FPRA is a non-political, not-for-profit advice, support and lobbying organisation for our members who include private residential leaseholders, tenants' and residents' associations and residential management companies as well as those companies where the leaseholders together own the freehold of their own residential block.

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