

Lynne Featherstone
Home Office Minister
House of Commons
London SW1A 0AA

6 September 2010

Dear Ms Featherstone

Banning of car clamping on private land: its impact on residents of blocks of flats

I am writing on behalf of the Federation of Private Residents' Associations, which represents the interests of 550 member associations that are actively involved in the management of their own blocks of flats. These community-level associations are usually run by volunteers who have often have clubbed together to buy the freehold of their buildings and any surrounding land, including communal car parking areas.

With regard to your proposal to introduce a wheel clamping ban on private property in November 2010 Freedom Bill, we are very concerned at the negative impact this may have on the residents of privately owned blocks of flats.

Illegal parking in parking areas belonging to blocks of flats is already a major problem, and we fear that removing the deterrent of clamping will further exacerbate this problem. The effectiveness of clamping lies in the threat that the illegal car-parker may return to their car to find it immobilised. The illegal car-parker is not so deterred by the threat of a parking ticket.

You are reported in the newspapers as saying that private landlords can install barriers to keep out unwanted cars. We ask whether you have considered the impact of this on blocks of flats. There are three key issues:

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 allows or 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 the cost?
3. Barriers are restrictive and inconvenient to residents, interfering with their free movement in and out of where they live.

Clearly there is a problem with rogue clampers, but it is not so clear how much abuse occurs on private land compared to public land. Many of the lurid newspaper

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stories about clamping abuse are about clampers working on behalf of local councils. Do you actually have any figures on clamping abuse on private property?

Surely the route to solving the problem is to effectively regulate the clamping industry (a maximum fine that clampers can charge?), not the disproportionate knee-jerk reaction to ban it entirely.

We ask you to consider in more detail the possible (unintended) consequences of a clamping ban, particularly on those millions of people who live in flats.

Best wishes.

Yours sincerely

Stephen Guy
FPRA Committee Member

P.S Please note that any response may be published in our members' Newsletter and website unless we are requested otherwise.