



Department for Transport

Alex Shipp
[Email to:
xxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxx
xxxxxx.xxx]

John Munns
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Web Site: www.gov.uk

Our Ref: GT51/2/2/F0010496

13 September 2013

Dear Mr Shipp,

Freedom of Information Act Request - F0010496

Thank you for your request dated 19 August 2013 in which you asked for the following information:

“Parking Eye claim that 'the figure [for parking charges for breach of contract] of £100 has been endorsed as a reasonable upper level of charging across the industry and both the parking charge amounts and the reduction of £40 for early payment within 14 days were prescribed and approved by the British Parking Association in consultation with the Department for Transport in 2012.'

- 1) Do you agree with this statement?
- 2) If so, please provide all available documentary evidence regarding this consultation, such as meeting notes, emails, letters to the BPA and the like.”

Firstly I should explain that the Freedom of Information Act 2000 provides a general right of access to recorded information held by public authorities. It does not cover views, opinions or the seeking of agreements to specific matters unless of course these were recorded at the time a request was received.

Having carried out a thorough search of our paper and electronic records, I have established that the specific information you requested is not held by this department because the DfT does not prescribe or formally approve the British Parking Association (BPA) code, as it is the industry's code of practice of self regulation. The BPA code recognises the principle of a charge being based on a “reasonable pre-estimate of loss”.

In case you find it helpful, the DfT issued Guidance to accompany the Protection of Freedoms Act 2012. You may be particularly interested in page 23 (paragraph 3) about parking charges on private land. The Guidance may be downloaded at the following link:

<https://www.gov.uk/government/publications/guidance-on-section-56-and-schedule-4-of-the-protection-of-freedoms-act-2012-recovery-of-unpaid-parking-charges>

If you are unhappy with the way the DfT has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the DfT's Information Rights and Records Unit at:

Zone D/01
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: xxxxxxxxxxxxxxxxxxxxxx@xxx.xxx.xxx.xx

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

John Munns

Your right to complain to DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF