



# Not Yet a Smooth Operator

## An opinion on the Approved Operator Scheme

By Penny Winder, Director, Alpha Parking

Standards in the parking industry have moved on in leaps and bounds in recent years, and that has to be a good thing both for the customer and the parking industry. After all, an ever-growing number of people are motorists and need to park regularly so efficient parking management is a must to avoid a severe effect on traffic congestion and hence on the life-blood of our towns, cities and countryside.

As well as providing better standards for the consumer, parking is a growing industry sector that employs thousands of people. Many of us agree that our media image deserves to be better than it often is, but nonetheless within the industry there is recognition that there are still areas for improvement.

Standards and customer service are improving and the majority of players are very professional but we are still all too familiar with media headlines about 'clamping cowboys' and so on.

The Approved Operator Scheme (AOS), which is supported by the BPA Code of Practice and is also government endorsed, is a good thing in terms of deterring the minority of 'bad apples' and in raising and standardising quality levels in this important and unregulated private sector.

At Alpha Parking, we welcome this - yet we have concerns that, if not properly managed, problems could pose real risks to the credibility of the whole scheme. I will explain why shortly, but here is some background to give our concerns some context.

In contrast to the detailed legislation for the publicly run "on" and "off" street parking industry few standards are applied to parking facilities on private land, although this is a huge sector with many thousands of operators throughout the UK.

The AOS scheme begins to address this gap and fits within the BPA's five year strategy, which highlights the desire to set and raise standards within the industry further while supporting the needs of the consumer.

The AOS framework covers private owners and operators who conduct a range of services. These services can include; wheel clamping and vehicle removal or enforcement by ticketing or automatic number plate recognition cameras and 'back office' functions such as data management and debt recovery.

Any member operator of the BPA involved in off-street private parking enforcement must join the AOS scheme. The attraction of doing so and meeting the standards set out by the AOS is that it allows access to the DVLA database, vital if an operator needs car registration details in order to obtain payment for a fine.

This is because last September the Transport Minister announced that from April 2010 all trade operators needing details from the DVLA database, including those who operate on private land, must become members of an Accredited Trade Association. Within the parking industry, this means the BPA/AOS.

In addition, the Crime and Security Bill was given Royal Assent before Parliament was dissolved. The new Act introduces company licensing for clamping companies who operate on private land. Previously only individuals had to be licensed.

Under the plans, to qualify for a licence all clamping companies must be licensed by the Security Industry Authority (SIA), and abide by an enforceable Code of Practice, such as the AOS.

All of this provides a marvellous opportunity to raise standards within such a key part of the developing parking industry. The BPA with the AOS scheme should be applauded for moving the initiative forward and supported in its efforts. However, we do have concerns about the robustness of the AOS three-pronged approach:

1. A Code of Practice has been approved covering the main standards with two detailed appendices on "Vehicle Immobilisation and Removal" and "Parking Tickets"
2. Compliance audits will be carried out on members and perspective members
3. An annual "points system" has been introduced to penalise members who do not comply. Anyone receiving 12 or more points in a year can be disciplined and, potentially, excluded from the scheme

Overall, this seems logical and sensible; however, our concerns are about the detail and we would like greater clarity on some areas. For instance:

- Training qualifications are to be 'on going' and the level 2 NVQ in Controlled Parking Areas is "suggested". It is open to interpretation on how strongly this will be enforced by the AOS and how many staff should receive the qualification
- How exactly are the audits going to work with medium to large sized companies? If one car park does not meet the requirements is the whole group disallowed?
- Care is taken in the Code to refer to a "Parking Ticket" not a "Parking Charge Notice" but there are replica procedures and naming between the CPE and AOS procedures. Is this over complicated and bureaucratic for the private parking sector and is there a danger that the public could become confused eg when receiving an NtO from a private parking enforcer under AOS guidance?
- The signs and lines requirements are detailed but the terms are open to different interpretations eg "there must be enough signs placed in locations throughout the site so that drivers are given the chance to be aware of the risk involved..."
- The penalty system is sensible in concept but open to subjective assessment, argument and frustration. What exactly is the difference between a "Minor contravention on signs and notices" (maximum two points incurred) and a "Major contravention on Signage and/or Notices (maximum three points incurred) and a "Significant failure in communication to customers"? (This is an incredibly wide definition incurring a maximum of five points).
- To work and earn respect, the AOS guidelines need to be fair, consistent and clear. I've listed some examples where this does not seem to be the case; a final example where ambiguity and frustration could arise is again in the penalty points system. Each level of contravention carries a points charge which is described as "a maximum of...points" A Level 4 contravention incurs a penalty of a maximum of five points -



who will decide the level of points applied between 1-5 and on what basis, how is this recorded and how can members be sure that a fair and equal system is being applied?

We believe the AOS has tremendous potential in terms of acknowledging and setting standards and we certainly support the initiative. But we feel it is important to raise these discussion issues - we'd like to know more about how the guidelines will be applied in practice, given the importance of this initiative.

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