

Wheel-clamping on private land

This fact sheet is about the rules for wheel-clamping vehicles parked on private land.

There are different rules for vehicles parked on public roads, which are not covered here.

Use of licensed wheel-clampers

Wheel-clampers used by private landowners must have a licence from the Security Industry Authority (SIA). It is a criminal offence for anyone without a licence to clamp your vehicle. It is also a criminal offence for someone to employ an unlicensed wheel-clamper, or for a landowner to allow a wheel-clamper who they know is unlicensed to operate on their property.

When you pay to have your vehicle released, the wheel-clamper must provide a receipt which includes the following information:

- the place where the vehicle was clamped
- their name and signature
- their SIA licence number (a 15 digit number on the front of their licence)
- the date.

Licensed wheel-clampers should also wear their SIA licence where you can see it at all times when they are working. You can check whether someone has a valid SIA licence by looking on a public register of licences on the SIA website at www.the-sia.org.uk, or from the SIA call centre on 0844 892 1025.

When can your vehicle be clamped

If you park on private land without the owner's permission, they can legally clamp your vehicle. However, they can only do this under certain conditions.

Some examples of when your vehicle might be clamped on private land are when:

- you have parked in a car park reserved for customers of a pub and you are not a customer
- you have parked in the car park of a block of flats, where you are not a resident
- you have parked in a car park reserved for employees of a company, when you are not an employee
- you have overstayed in a pay car park
- you have failed to display a ticket or permit properly, or at all

- you have parked across two spaces instead of one
- you have parked dangerously, or blocked an emergency access.

In order for your vehicle to be legally clamped:

- there must be notices up where you can clearly see them, warning that unauthorized vehicles will be clamped
- the landowner does not charge more than a reasonable fee to release your vehicle
- your vehicle is released as soon as you have said you will pay the release fee
- there is a way for you to get in touch with the landowner (or their agent) to make arrangements to pay, for example a telephone number on the warning notice.

It is a SIA requirement that a landowner must not clamp your vehicle if:

- it displays a valid disabled badge
- is a marked emergency service vehicle attending an emergency.

What to do if you are clamped

If you are clamped:

- keep calm, don't lose your temper or attempt to remove a wheel clamp - you could be sued for criminal damage if you damage the wheel-clamp. You could be also prosecuted for theft if you keep the clamp
- contact the telephone number shown and ask for release
- check whether warning signs and boundaries are clear enough. You could also take a photograph to use as evidence later on
- ask the wheel-clamper who they work for, whether the landowner's authority can be produced, and if they have a licence from the SIA. Ask to see the licence – it is your right as a clamped motorist.
- if you don't think a wheel-clamper is licensed, don't pay the release fee. If they refuse to release your vehicle without a fee, call the police. An unlicensed wheel-clamper is committing a criminal offence
- report unlicensed wheel-clampers to the SIA (see above)
- if the wheel-clamper uses threatening or intimidating behaviour, you should report this to the police
- if the wheel-clamper is licensed, you will have to pay the release fee, but insist on a receipt. Try to get the address and phone number at which the wheel-clamper can be contacted
- if you think you should not have been clamped, for example because the warning notices were inadequate, or the release fee was too high, the only way to get your money back may be through the courts. A solicitor will be able to advise you on what chance you have of winning your case.

Towing away

It may be necessary to tow away a vehicle parked on private land if it is:

- dangerously parked; or
- causing an obstruction; or
- blocking an emergency access.

If your vehicle is towed away from private land:

- look for any notices with contact information for the site owners or managers
- if you are in London and you think your vehicle has been towed away, you can use the TRACE service to find out where it is (tel 020 7747 4747)
- contact the local police station – they should be informed when a vehicle has been removed (do not dial 999 however!)
- you will have to pay to get the vehicle released, but you may want to get legal advice from a solicitor.

British Parking Association

You can also look on the website of the British Parking Association which acts as a trade association for companies that carry out parking enforcement activities on private land. Members of the Association must comply with a Code of Practice on wheel-clamping and vehicle removal. You can find the Code of Practice on the website at www.britishparking.co.uk.

Further help

Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

Other fact sheets on Adviceguide which might help

- Parking fines
- Small claims
- Using a solicitor

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This fact sheet was last updated on 12 January 2011, and is reviewed on a monthly basis. If it is some time since you obtained this fact sheet, please contact your local Citizens Advice Bureau to check if it is still correct. Or visit our website - www.adviceguide.org.uk - where you can download an up-to-date copy.