

Private Landowners who use Unlicensed Wheelclampers Face Prison Next Week

Private landowners have got the weekend to check that wheelclampers they employ to protect their property are licensed to do so or risk a jail sentence, says The AA Motoring Trust.

From Tuesday 3 May, pub landlords, vicars, shopkeepers and anyone who uses a wheelclamping firm to deter motorists from parking on private land must ensure that the clampers have a licence from the Security Industry Authority.

Failure to do so could lead to a maximum prison term of five years and an unlimited fine.

The licensing system under the Private Security Act 2001, which comes into effect on 3 May following a two-month extension to allow wheelclamping firms to complete training, forces so-called vehicle immobilisers to:

- Hold and display a licence allowing them to clamp cars
- Have carried out a period of training, which includes when to clamp and when to remove vehicles, discretionary parking, individual behaviour, and dealing with conflict
- Pass a criminal record check
- Issue receipts to motorists they clamp. The receipts must show the location of the vehicle, name and signature of the clumper, the clampers licence number, and the date
- Exempt blue badge-owning disabled drivers and marked emergency service vehicles from being clamped.

There are a couple of critical aspects of the new regulations that drivers need to be wary of, says Paul Watters, head of roads and transport policy for The AA Motoring Trust.

Firstly, licences are issued to individuals, not companies, and motorists will be able to check the clampers details online at the [Security Industry Authority's \(SIA\) website](#).

Secondly, the SIA cannot stipulate how wheelclamping is carried out, or set conditions on signage or the size of the release fee. Case law, setting legal precedents on clear signing and 'reasonable' release fees, is irrelevant when it comes to the licence. Motorists would have to go to civil court to argue their case.

Watters adds: Despite these drawbacks, which could be solved with a statutory code of practice, the new regulations end 20 years of misery inflicted by rogue wheelclampers who have made millions of pounds by trapping unsuspecting and often innocent motorists. Scottish lawmakers outlawed clamping in 1992, calling it 'extortion'.

Private landowners have the right to protect their property from selfish motorists who park where they shouldn't. However, clamping should always be a parking control of last resort on private land, not a first choice.

[Wheelclamping on Private Land](#) (114K)