



**TRANSPORT  
SCOTLAND**  
CÒMHDHAIL ALBA

# **Decriminalised Parking Enforcement**

## **Local Authorities' Income and Expenditure: 2021 to 2022**

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## Background

The Road Traffic Act 1991 introduced provisions enabling the decriminalisation of most non-endorsable parking offences in London and permitted similar arrangements to be introduced elsewhere in the UK by secondary legislation. Currently 21 local authorities in Scotland operate Decriminalised Parking Enforcement (DPE) regimes in their areas. DPE is a regime that enables a local authority to enforce its own parking policies, including the issuing of Penalty Charge Notices (PCNs) to motorists breaching parking controls in specified areas. DPE seeks to ensure that parking policies are implemented effectively and the underlying objective of DPE operation should be to achieve 100% compliance with parking controls and therefore no penalty charges.

In areas with DPE, stationary traffic offences cease to be criminal offences enforced by the police and instead become civil penalties imposed by local authorities. Enforcement of certain parking offences such as obstructive or dangerous parking remains the responsibility of Police Scotland.

## Scottish Government position on DPE

The Scottish Government's position is that decriminalised parking enforcement powers should contribute to a local authority's overall transport objectives and thereby contribute to National and Regional Transport Strategies. Parking policies are an essential part of a local authority's traffic management strategy and should be designed to manage the traffic network effectively, improving or maintaining traffic flow and reducing congestion. This improves road safety and the local environment and encourages, where appropriate, increased use of more sustainable and healthy forms of travel.

The integration of enforcement powers and parking policy should enhance local authority accountability to its residents for overall parking policy, as well as enabling better monitoring of the effectiveness and value of parking controls to ensure that such parking policy is responsive to public needs.

## Local authorities with DPE powers

There are 21 local authorities in Scotland that have acquired DPE powers and these are listed in Table 1. The remaining local authorities, also listed in the table, are either actively working towards DPE, such as North Ayrshire Council, or are authorities who have decided that enforcement powers are not necessary at this time or are not desired for reasons such as cost of implementation.

Local Authority	Status	Year
Aberdeen City	DPE	2003
Aberdeenshire	Non-DPE	N/A
Angus	DPE	2017
Argyll and Bute	DPE	2014
City of Edinburgh	DPE	1998
Clackmannanshire	Non-DPE	N/A
Comhairle nan Eilean Sar	Non-DPE	N/A
Dumfries and Galloway	Non-DPE	N/A
Dundee City	DPE	2004
East Ayrshire	DPE	2012
East Dunbartonshire	DPE	2014
East Lothian	DPE	2017
East Renfrewshire	DPE	2013
Falkirk	DPE	2018
Fife	DPE	2013
Glasgow City	DPE	1999
Highland	DPE	2016
Inverclyde	DPE	2014
Midlothian	DPE	2018
Moray	Non-DPE	N/A
North Ayrshire	DPE Pending	N/A
North Lanarkshire	DPE	2017

Local Authority	Status	Year
Orkney Islands Council	Non-DPE	N/A
Perth and Kinross	DPE	2002
Renfrewshire	DPE	2010
Scottish Borders	Non-DPE	N/A
Shetland	Non-DPE	N/A
South Ayrshire	DPE	2012
South Lanarkshire	DPE	2005
Stirling	DPE	2017
West Dunbartonshire	Non-DPE	N/A
West Lothian	Non-DPE	N/A

Table 1: Local authorities with or without DPE powers

## Penalty Charges

### Penalty Charge Levels – Background

Under Section 74 of the Road Traffic Act 1991, as amended by the Orders designating the permitted and special parking areas in the local authority area, it is the duty of the local authority operating DPE to have regard to any guidance issued by the Scottish Ministers in respect of the levels of parking charges.

The current guidance dates to April 2001. The amounts payable by a motorist issued with a PCN by a local authority and – for general context – in respect of parking related Fixed Penalty Notices (FPNs) issued by Police Scotland, are as follows.

PCNs (DPE) are in an initial amount of £40, £50 or £60. Those amounts are discounted by 50% if paid within 14 days or increased by 50% if certain follow-up enforcement action is required. FPNs (not DPE) are in an initial amount of £30, rising to £45 if certain follow-up enforcement action is required.

### Number of PCNs issued by local authorities

Table 2 below indicates the number of PCNs that have been issued by local authorities with DPE powers over the last three financial years. The information is collated from information provided by the local authorities in question. Further information on these figures can be obtained from the relevant local authority.

Local Authority	2019/20	2020/21	2021/22
Aberdeen City	36,842	35,295	25,721
Angus	8,217	2,404	3,988
Argyll & Bute	5,775	4,401	5,659
City of Edinburgh	191,479	98,721	156,047
Dundee City	31,949	18,680	21,634
East Ayrshire	6,097	2,550	6,801
East Dunbartonshire	6,137	4,900	10,890
East Lothian	10,063	10,154	12,107
East Renfrewshire	3,614	77	721
Falkirk	7,689	2,741	6,315
Fife	19,864	7,294	13,011
Glasgow City	152,579	65,686	109,297
Highland	10,386	8,070	12,812
Inverclyde	8,635	1,017	4,327
Midlothian	6,939	4,696	6,827
North Lanarkshire	11,863	2,707	9,003
Perth & Kinross	13,401	5,872	18,955
Renfrewshire	5,191	2,470	4,070
South Ayrshire	8,991	3,025	7,951
South Lanarkshire	22,320	5,065	13,341
Stirling	12,189	4,551	11,029

Table 2: Number of PCNs issued by local authorities with DPE

## Number of Bus Lane Enforcement Charges issued by local authorities

Table 3 below indicates the number of Bus Lane Enforcement Charges that have been issued by local authorities with DPE and Bus Lane Enforcement powers in the last three financial years. The information is collated from information provided by the local authorities in question. Further information on these figures can be obtained from the relevant local authority.

Local Authority	2019/20	2020/21	2021/22
Aberdeen City	21,170	18,679	83,482
City of Edinburgh	54,586	36,492	58,448
Glasgow City	115,534	46,703	95,068

Table 3: Number of Bus Lane Enforcement Charges issued by local authorities with DPE (only applicable to local authorities with Bus Lane Enforcement powers)

## Financing of DPE

Ministers' guidance to local authorities seeking to acquire DPE powers is that the system should insofar as possible be self-financing. Section 55 of the Road Traffic Regulation Act 1984 provides that any deficit accrued by a local authority as a result of the authority's operation of DPE must be made good out of the local authority's general fund. Section 55 also requires that any surplus may only be used to make good any amount charged to the general fund over the preceding 4 years or for certain transport-related purposes including; the provision and maintenance of off-street parking or, where the local authority consider that further provision of off-street parking is not necessary or desirable, the provision or operation of (or facilities for) public passenger transport services; or for road improvement projects in the local authority area.

Under Section 55 of the 1984 Act, as amended, a local authority operating a DPE regime is required to keep an account of their income and expenditure in respect of designated parking places and additional parking charges, in the permitted and special parking areas.

The following table provides the income and expenditure figures for each of the 21 local authorities who have been operating DPE regimes in their areas from 2021 to 2022.



Local authority	PCN income	Pay & display/other income	Total income	Expenditure	Annual balance
Aberdeen City	1,978,515	5,179,122	7,157,637	304,106	6,853,531
Angus	50,323	0	50,323	322,422	-272,099
Argyll & Bute	167,453	800,718	968,171	516,300	451,871
City of Edinburgh	4,597,298	25,721,723	30,319,021	21,298,448	9,020,573
Dundee City	1,270,724	2,600,326	3,871,050	2,876,903	994,147
East Ayrshire	259,405	691,344	950,749	783,574	167,175
East Dunbartonshire	359,600	332,300	691,900	471,400	220,500
East Lothian	295,487	601,042	896,529	596,801	299,728
East Renfrewshire	27,873	0	27,873	98,995	-71,122
Falkirk	120,720	363,100	483,820	340,018	143,802
Fife	840,990	1,379,086	2,220,076	2,182,342	37,734
Glasgow City	3,139,440	19,664,211	22,803,651	10,315,901	12,487,750
Highland	347,030	614,518	961,548	962,492	-944
Inverclyde	167,473	0	167,473	386,938	-219,465
Midlothian	173,483	6,320	179,803	294,342	-114,539
North Lanarkshire	232,910	300	233,210	256,800	-23,590
Perth & Kinross	841,939	2,599,759	3,441,698	2,914,824	526,874
Renfrewshire	89,909	230,467	320,376	359,599	-39,223
South Ayrshire	225,345	1,212,044	1,437,389	483,311	954,078
South Lanarkshire	412,326	1,090,351	1,502,677	1,784,731	-282,054
Stirling	279,780	557,438	837,218	833,607	3,611

Table 4: Local authorities with DPE – income & expenditure (£) – financial year 2021-2022

The information provided in Table 4 has been provided by the local authorities concerned. Figures have been provided for pay & display income, vehicle impound income and permit income, to inform our understanding of the overall position.

The precise uses to which any DPE surpluses have been put are a matter for the relevant local authority. For the purposes of this report to committee, the Scottish Government has been advised by local authorities of the following:

Aberdeen City Council stated that their 2021/22 surplus will be used to fund the following approved projects in 2022/23:

- LEZ Management
- Cycle Counter Network expansion
- Core Path Priority Works
- Cycle Advanced Stop Lines and Advisory Lining Refresh
- Footway Repairs due to trees
- Union Terrace West footway
- Hazlehead Park to Hazlehead footpath improvements
- Castlegate safety defects

City of Edinburgh Council stated that the income is used to pay for the operational costs of the DPE scheme in Edinburgh, thereafter any surplus would be used to fund; maintenance (parking lines and signs), Park and Ride Sites, supported bus services and road/transport improvements (ranging from road safety initiatives, cycle lanes to active travel measures).

East Ayrshire Council stated that their 2021/22 surplus will be used for reinvestment in roads related projects including parking equipment maintenance/replacement programmes.

East Dunbartonshire Council stated that as part of the Councils budget setting process a significant additional capital commitment of £9.7m was agreed for 2022/23 and beyond to support the need of sustained and increasing investment in the roads network.

This budget included £1m to support improvements in footpaths and other works, including flood prevention with the surplus of being used to support increased borrowing costs for this, and the programme as a whole.

East Lothian Council stated that their 2021/22 surplus will be used for Coastal Car Park Infrastructure improvements.

Falkirk Council stated that their 2021/22 surplus will be used for road improvements.

Fife Council stated that their 2021/22 surplus will be used for traffic Management works related to the provision of road signs and lines.

Glasgow City Council stated that their 2021/22 surplus will be used to assist in the strategic transport management objectives including the expansion of new parking zones and other transport related matters.

Perth and Kinross Council stated that their 2021/22 surplus provides investment and maintenance funding for car parks. If it is not utilised in-year, it is held in the Car Park Trading Account.

South Ayrshire Council stated that their 2021/22 surplus will be used for various road related projects.

Further details on how each local authority has spent any surplus generated from DPE in a particular year can be obtained from the local authority concerned.

## Glossary

DPE	Decriminalised Parking Enforcement
FPN	Fixed Penalty Notice
LA	Local Authorities
PCN	Penalty Charge Notice



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