



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

Decriminalised Parking Enforcement

Local Authorities' Income and Expenditure: 2022 to 2023

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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 22 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 22 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 West Dunbartonshire 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	2023
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	DPE Pending	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) can be set at an initial amount of up to £100 (this was increased from £60 as of 1 April 2023.. 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	2020/21	2021/22	2022/23
Aberdeen City	35,295	25,721	27,325
Angus	2,404	3,988	3,913
Argyll & Bute	4,401	5,659	6,842
City of Edinburgh	98,721	156,047	167,474
Dundee City	18,680	21,634	29,193
East Ayrshire	2,550	6,801	6,620
East Dunbartonshire	4,900	10,890	7,852
East Lothian	10,154	12,107	11,858
East Renfrewshire	77	721	2,038
Falkirk	2,741	6,315	6,571
Fife	7,294	13,011	19,691
Glasgow City	65,686	109,297	145,081
Highland	8,070	12,812	14,728
Inverclyde	1,017	4,327	4,357
Midlothian	4,696	6,827	7,249
North Lanarkshire	2,707	9,003	12,948
Perth & Kinross	5,872	18,955	20,347
Renfrewshire	2,470	4,070	5,321
South Ayrshire	3,025	7,951	9,367
South Lanarkshire	5,065	13,341	20,023
Stirling	4,551	11,029	11,853

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	2020/21	2021/22	2022/23
Aberdeen City	18,679	83,482	56,109
City of Edinburgh	36,492	58,448	70,793
Glasgow City	46,703	95,068	86,904

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 2022 to 2023.

Local authority	PCN income (£)	Pay & display/other income (£)	Total income (£)	Expenditure (£)	Annual balance (£)
Aberdeen City	1,073,347	6,322,265	7,395,611	463,986	7,097,340
Angus	107,280	0	107,280	345,971	-238,691
Argyll & Bute	174,849	773,170	948,019	551,554	396,465
City of Edinburgh	5,012,086	27,873,603	32,885,689	8,777,311	24,108,377
Dundee City	934,871	729,870	1,664,742	1,166,836	497,905
East Ayrshire	200,479	810,870	1,011,349	978,865	32,484
East Dunbartonshire	272,570	380,417	652,987	410,568	242,419
East Lothian	383,000	508,904	799,747	606,471	193,276
East Renfrewshire	66,915	0	66,915	220,842	-153,927
Falkirk	148,923	496,273	645,196	375,076	270,120
Fife	551,257	2,636,299	3,187,556	2,240,398	-947,158
Glasgow City	4,881,165	27,186,291	32,067,456	16,809,976	15,257,479
Highland	362,466	868,556	1,231,022	1,189,462	41,561
Inverclyde	229,380	34,550	263,930	396,775	132,845
Midlothian	177,987	52,795	230,782	310,495	-79,713
North Lanarkshire	394,653	0	394,653	345,233	49,419
Perth & Kinross	880,986	2,945,982	3,826,968	3,415,155	411,813
Renfrewshire	134,213	421,357	555,570	763,110	-207,540
South Ayrshire	217,178	775,068	992,246	639,434	352,812
South Lanarkshire	624,731	1,242,389	1,867,120	1,630,099	237,021
Stirling	312,978	712,175	1,025,153	1,255,054	-229,901

Table 4: Local authorities with DPE – income & expenditure (£) – financial year 2022-2023

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 surplus from the parking account was used to support Roads Maintenance activities in year. The Bus Lane Enforcement surplus is reported to committee annually along with a proposed programme of projects for the following year.

Angus Council declared that their surplus was used on staffing costs.

Argyll and Bute Council reported that their surplus was used to maintain the off-street car parks (surface, signs and lines) and, over the last number of years, to upgrade parking terminal stock for both off and on street parking.

Dundee City Council advised that their surplus was used on transport spend including car park maintenance, transport infrastructure and road improvements.

East Dunbartonshire Council declared that their surplus was invested in delivering the strategic priorities, service delivery and organisation planning. This includes provision of safe and stronger communities and planning for growth. This also includes road improvements, parking provision to support the local economy and economic development.

East Lothian Council reported that their surplus was used to fund Coastal Car Park Infrastructure improvements.

Falkirk Council advised that their surplus was used for road improvements.

Fife Council confirmed that their surplus was used to meet the cost of the provision and maintenance of off-street parking accommodation. Any remaining funds would be used for the provision of:

- Road improvements
- Public Transport Services

Glasgow City Council stated that their surplus income was 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 advised that their surplus income was used for investment and maintenance for car parks.

South Lanarkshire Council reported that their surplus income was used for services and Road Improvements

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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Published by Transport Scotland, January 2024

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