

REPORT TO: Cabinet

MEETING DATE: 14 March 2023

BY: Executive Director for Place

SUBJECT: Decriminalised Parking Enforcement – Increase in Penalty Rates

1 PURPOSE

- 1.1 The purpose of this report is to update East Lothian Council of the Scottish Government guidance on increases to Decriminalised Parking Enforcement Penalty Charge Maximum Rates.

2 RECOMMENDATIONS

- 2.1 To note the increase of parking fines for Penalty Charge Notices.
- 2.2 To approve adoption of the higher rate of charges.

3 BACKGROUND

- 3.1 Following a national review of Police Scotland services in June 2013, the Traffic Warden Service ceased patrols in East Lothian on 28th February 2014. Delegated powers for Decriminalised Parking Enforcement were adopted in East Lothian in December 2016.
- 3.2 At that time the level of charges for Penalty Charge Notices (PCNs) approved by the Scottish Government and adopted by East Lothian Council were £60 with a reduction to £30 if paid within 14 days.
- 3.3 The Scottish Government undertook a public consultation which considered the levels of fines associated with PCNs and published the analysis of the responses in September 2022.

- 3.4 At that time Scottish Ministers did not feel that it was appropriate to raise the levels due to the cost of living crisis but committed to keeping that decision under review in the coming year.
- 3.5 Since that decision was made increased calls from local authorities and other interested parties asked that Scottish Ministers review that decision and asked for local authorities be given further fiscal powers to decide if they wish to increase the levels of PCNs.
- 3.6 Scottish Ministers have now issued revised guidance to local authorities in Scotland with a decriminalised parking regime notifying them of revised levels of the maximums that can be charged for PCN.
- 3.7 From the 1st April 2023, the amounts payable by a motorist issued with a PCN may now be in the range of:

Level of PCN	Paid within 14 days	Paid between 15 days and service of Notice to Owner	Paid between issue of Notice to Owner and service of charge certificate	Paid after service of charge certificate
Lower	£40	£80	£80	£120
Higher	£50	£100	£100	£150

- 3.8 For context; communication with other local authorities including City of Edinburgh Council, Glasgow City Council, Aberdeen Council and Perth and Kinross Council has indicated that they will implement the higher rate.

4 POLICY IMPLICATIONS

- 4.1 Decriminalised Parking Management contributes towards providing a Safer Environment - a key priority for East Lothian Council.
- 4.2 Decriminalised Parking Management also contributes towards East Lothian's Single Outcome Agreement Outcome 9 – *East Lothian's homes and roads are safer.*

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - Any surplus generated will be re-invested into parking related activities in accordance with the Act.

6.2 Personnel - the implementation will be carried out within existing resource levels.

6.3 Other - None

7 BACKGROUND PAPERS

7.1 None

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