
NORTH AYRSHIRE COUNCIL

24 January 2023

Cabinet

Title: Decriminalised Parking Enforcement and Car Parking Charges

Purpose: To: (i) provide Cabinet with information on 3 petitions received objecting to the introduction of car parking charges; (ii) advise on the outcome of local discussions held with ward members and local measures proposed following the introduction of DPE and car parking charges; (iii) consider and agree the level of parking charges to be introduced.

Recommendation: Cabinet is asked to:

- i) note the 3 petitions (as detailed in the separate report to this Cabinet) received objecting to the introduction of car parking charges, heard at a recent Audit and Scrutiny Committee;
- ii) consider and agree the recommendations for addressing local concerns including the introduction of resident parking permits and the removal of Bradshaw Street, Saltcoats from the chargeable car parks ; and
- iii) consider and agree the level of charges to be introduced in the car parks, noting that should option 3 (as detailed within Appendix 3) be the preferred option, then an alternative source of revenue funding will need to be identified to address the budget shortfall identified in paragraph 4.1 of this report.

1. Executive Summary

- 1.1 At a meeting of North Ayrshire Council on 28 February 2018, it was agreed to develop the introduction of Decriminalised Parking Enforcement (DPE) and the introduction of car parking charges.
- 1.2 Since the withdrawal of the Traffic Warden Service by the Police in 2012, the enforcement of parking violations has reduced significantly and is now generally only undertaken by the Police in response to complaints or issues of obstructive parking leading to a significant increase in visible parking violations and poor parking behaviours, with the Council having no enforcement powers to tackle this.

- 1.3 On 11 June 2019 Cabinet recommended that DPE be introduced across North Ayrshire and that car park charges should apply in Irvine, Kilwinning, Saltcoats, Largs and Brodick. However, following a call in to the Audit and Scrutiny Committee the matter was referred back to Cabinet to reconsider the previous decision in relation to the introduction of car parking charges in Brodick and the inclusion of Arran in DPE.
- 1.4 On 25 September 2019 full Council considered and supported DPE for the entire Council area but decided not to implement car parking charges on Arran. Arrangements commenced to implement the Council's decision, however the global pandemic emerged, and the introduction of the proposals was therefore put on hold, predominantly due to the re-prioritisation of Council resources and Scottish Government resources to respond to the pandemic.
- 1.5 At the budget setting meeting on 2 March 2022 full Council agreed to an increase in proposed charges from those previously agreed.
- 1.6 A motion was proposed at the Full Council Meeting on 21 September 2022 that in view of the pandemic and the cost of living crisis, the introduction of these measures should be paused and a further review of the impact of these measures on residents and local businesses should be undertaken. However, following a division and a roll call vote, Council agreed that 'in light of the deepening financial crisis, a proposal be brought to Cabinet to reconsider the level of charges proposed in the 2022/23 budget'.
- 1.7 Petitions objecting to the introduction of car parking charges were received from businesses and traders in Kilwinning, Irvine and Saltcoats citing that in their opinion the introduction of car parking charges would have an adverse impact on local businesses and that this may result in the closure of a number of small independent businesses in the towns affected. The petitions were heard by the Audit and Scrutiny Committee on 15 November 2022, and these were upheld and referred to Cabinet for further consideration. A separate report is presented to Cabinet today with full details.

2. Background

- 2.1 In 2012 the Traffic Warden Service was withdrawn by the Police. Parking violations in North Ayrshire are a criminal offence and Police Scotland is responsible for parking enforcement through powers under the Road Traffic Act. However, they are often unable to do so due to competing priorities/pressures.
- 2.2 Decriminalised Parking Enforcement (DPE) is a regime which enables the local authority to administer its own parking penalties, including the issuing of Penalty Charge Notices (PCNs) to vehicles parking inappropriately. In areas with DPE, stationary traffic offences cease to be criminal offences enforced by the Police and instead become civil penalties enforced by the local authority. Local authorities retain the income from penalty charges from parking offences to finance the operation, enforcement and adjudication of the DPE regime
- 2.3 There are many benefits of DPE and a key desired outcome of introducing DPE and parking charges is an improved regulation of traffic in our town centres, by directing long stay patrons to free parking slightly further out whilst providing chargeable and short stay parking close to retail and other town centre services. This is aimed at creating more turnover of parking spaces and improved availability and access for

people to get a parking space in Town Centres, thereby improving opportunities and ease of access to local business premises.

- 2.4 The introduction of these measures also aligns with National Transport Policy by encouraging more active and sustainable modes of transport. The Scottish Government has a target to reduce car usage by 20% by 2030 and car parking charges will help contribute to this target by shifting people towards using alternative and sustainable modes of transport.
- 2.5 Furthermore, there is a significant problem in that disabled parking bays are being abused with able bodied drivers parking in them preventing disabled badge holders from parking. There are also issues with inconsiderate drivers parking on double yellow lines, bus stops, 'keep clear' areas near schools etc and DPE powers will help the Council act on this. It should be noted that disabled badge holders will be able to park free of charge in the car parks where charges apply.
- 2.6 DPE is not financially viable on its own and requires additional income from car parking charges to support its operation. The income generated from penalty charges from on and off-street parking violations must be retained to finance the operation, enforcement and adjudication of the DPE regime.
- 2.7 For information, details of income generated from DPE through the issue of Penalty Charge Notices (PCNs) for other local authorities in Scotland for 2019/20 are included in Appendix 1. This shows that two Local Authorities, Angus Council and East Renfrewshire Council, operated DPE without car parking charges and both incurred a financial loss. More locally, East Ayrshire Council generated a net income of £604,138 by introducing car parking charges alongside DPE. In South Ayrshire, the data shows a net income achieved of £739,809.
- 2.8 Parking charges were initially agreed by the Cabinet on 18 June 2019 and full Council on 25 September 2019 and were set at:

Proposed Tariff	
Time (Mins)	Short Stay
60	£1.00
120	£1.50
240	£3.00
All Day	Not Permitted

However, at the Council's budget setting on 2 March 2022 the proposed charges were increased to the following.

Proposed Tariff	
Time (Mins)	Short stay
60	£1.50
120	£2.00
240	£3.50
All Day	Not permitted

- 2.9 The budget proposal agreed in March 2022 was based on estimated net revenue income of £440,000 from the introduction of car parking charges. However, following a recent financial evaluation in the preparation of this report there is a risk that the £440,000 net income forecast is unlikely to be achieved and it is more prudent to

assume that the sum of £300,000 net revenue income per year based on the March 2022 agreed car park charges is achievable.

- 2.10 This is due to a number of factors. Although the estimated income for charges and Penalty Charge Notices (PCNs) has remained constant, expenditure costs have increased significantly since the original Options Appraisal/Business Case was prepared in 2018/19. Pay awards, vehicle costs, fuel costs and other associated supplies and services costs have increased significantly, particularly in recent times. Furthermore, the original Options Appraisal/Business Case was based on external enforcement rather than internal enforcement. Whilst external enforcement would cost less per year to operate there are other non-financial benefits in operating an internal enforcement team. Internal enforcement would allow the Council more control over the deployment of the team to hot spots/ areas of concern and there is also a negative stereotype image of external enforcement teams having an over-zealous approach to enforcement duties. The Council also has experience in a similar type of enforcement activity through the Environmental Enforcement Team and this knowledge/experience will be valuable in the formation of the DPE enforcement team. It should be stressed however, that the anticipated net revenue position is based on an assumed level of car park vehicle occupancy. This activity level would likely be variable and require to be continually monitored.
- 2.11 To obtain DPE powers the Council must follow a statutory process and make an application to Scottish Government. North Ayrshire have submitted their application for DPE powers and have been advised by Transport Scotland that the implementation date that Scottish Government are working to has been further delayed from 1 July 2023 and is now likely to be around August/ September 2023.
- 2.12 Location plans of the proposed car parks where charges are to be introduced are shown in Appendix 2. The estimated vehicle occupancy in the car parks has been estimated as 25% to 35% to take account of potential displacement following the introduction of the new charging regime.
- 2.13 Petitions objecting to the introduction of car parking charges were submitted to the Audit and Scrutiny Committee on 15 November 2022. Three petitions were received in respect of the proposal to introduce car parking charges in Kilwinning, Irvine and Saltcoats. The objections were based on a number of factors including the financial impact on local businesses, the cost of living crisis, lack of consultation and impact on residential parking. The 3 petitions requested free parking remains in place. The Audit and Scrutiny Committee agreed to accept the three petitions and ask Cabinet to note their content when considering the intended report on the level of car parking charges at their meeting on 24 January 2023.
- 2.14 In Irvine it is proposed to introduce parking charges in 3 town centre car parks at Kirkgate, West Road and East Road. Officers met with Irvine Ward Members on 6 December 2022 to agree local needs, including a review of restrictions and the need for Resident Parking Permits as a result of displacement following the introduction of car parking charges. From officer inspections only the Kirkgate car park demonstrated overnight and daytime occupation of the car park by residents. It is therefore proposed to introduce resident parking permits for residents of Hill Street affected by the introduction of the parking charges. It is proposed that the first permit would be free of charge, and it is suggested that an additional permit should incur an administration fee of £100. It is also proposed to introduce a small number (6 bays) of time limited free

(30 mins) free parking at East Road Car Park to assist with short stops required to access local businesses in the town centre.

- 2.15 In Kilwinning it is proposed to introduce car parking charges in 2 car parks, these being at Almswall Road and at Oxenward. Officers met with Kilwinning Ward Members on 5 December 2022 to consider local needs. Following officer inspections only the Almswall Road car park demonstrated resident parking during the day. It is proposed that resident parking permits are issued to the residents that are fronting and abutting Almswall Road car park and also the residential properties affected on Almswall Road. It is suggested that the first permit would be free of charge, and that any additional permit should incur an administration fee of £100. It is also suggested that there should be some time limited free patient parking (up to 60 minutes) on Almswall Road for up to 5 vehicles and time limited patient parking at Oxenward Surgery for 2 vehicles (up to 60 minutes). In addition, it is proposed some time limited free parking (up to 60 minutes) in Woodwynd West for up to 6 spaces and Oxenward (Boulevard) for to 2 vehicles to assist with short stops required to access local businesses in the town centre.
- 2.16 In Saltcoats it was proposed to introduce car parking charges in Vernon Street, Bradshaw Street, Windmill Street and Kirkgate. Officers met with the Saltcoats Ward Members on 8 December 2022 to agree local needs. From officer inspections of the car parks only the Bradshaw Street car park demonstrated a need for resident parking permits. However, if residential parking permits were issued for Bradshaw Street, there would be little scope to recover any income. It is therefore proposed this car park is removed from the proposals for car parking charges. Residential parking permits were not considered necessary in any of the remaining car parks. A long-term lease of the Kirkgate car park is currently being finalised and parking charges are necessary to fund the lease agreement. Local members also discussed the benefits the enforcement of current parking restrictions could deliver for local businesses such as the one hour short stay at Hamilton Street. This would generate more traffic turnover and more business for local traders as this is currently being abused by people parking for longer than the one hour.
- 2.17 In Largs there is already car park charges in place at the Seafront Car Park and at Bellman's Close. it is proposed to introduce further parking charges in the car park at Gateside Street. Officers met with North Coast Ward Members on 8 December 2022 to agree local needs. It is proposed to introduce resident parking permits in the Gateside Street car park for residential properties in the immediate vicinity of the car park. It is proposed that the first permit would be free and that any additional permit should incur an administration fee of £100. In addition, it is proposed to introduce time limited free parking in Fraser Street and Morris Street (up to 60 minutes) for visitors. This will remain unlimited to the residents of Fraser Street and Morris Street who have no access to off street parking.
- 2.18 Options for the level of parking charges are provided in Appendix 3. It should be noted that car parking charges will apply from Mon-Fri between 0900-1700 hours for Irvine, Kilwinning and Saltcoats. For Largs, car park charges will apply seven days per week from 0900-1700 hours.
- 2.19 To implement and manage the DPE and car parking charges regime, enforcement staff will be required. The enforcement of DPE will require the recruitment of 1 Supervisory Parking Attendant and 6 Parking Attendant's. This will enable 130 hours

of on and off-street enforcement per week excluding travel time and administration. Shift working will be required for the Parking Attendants to ensure enforcement can be delivered over the full week. The Enforcement Team will be employed by the Council, however assistance with the administration and processing of the PCN's will be through collaboration with an external partner. The costs of delivering Decriminalised Parking Enforcement have been factored into the financial modelling.

2.20 At the Full Council Meeting on 21 September 2022 a motion was considered which proposed that in view of the pandemic and the cost-of-living crisis, the introduction of car parking charges should be paused and a further review of the impact on residents and local businesses should be undertaken. However, following a division and a roll call vote, Council agreed that 'in light of the deepening financial crisis, a proposal be brought to Cabinet to reconsider the level of charges proposed in the 2022/23 budget'. To assist Cabinet in its consideration of the level of charges to be introduced, a number of charging options have been modelled and are included at appendix 3 for consideration.

3. Proposals

3.1 It is proposed that Cabinet:

- i) notes the 3 petitions (as detailed in the separate report to this Cabinet) received objecting to the introduction of car parking charges, heard at a recent Audit and Scrutiny Committee;
- ii) considers and agrees the recommendations for addressing local concerns including the introduction of resident parking permits and the removal of Bradshaw Street, Saltcoats from the chargeable car parks; and
- iii) considers and agrees the level of charges to be introduced in the car parks, noting that should option 3 (as detailed within Appendix 3) be the preferred option, then an alternative source of revenue funding will need to be identified to address the budget shortfall identified in paragraph 4.1 of this report.

4. Implications/Socio-economic Duty

Financial

4.1 Capital amounting to £300,000 was allocated for this project. The costs associated with land purchase adjacent to Bellman's Close and associated infrastructure were met from this. Details on potential revenue income are provided in Appendix 3. The budget proposal agreed on March 2022 was based on estimated net income of £440,000 from the introduction of car parking charges. However, following a recent financial evaluation in the preparation of this report it has been assessed that the £440,000 income forecast is unlikely to be achieved and the sum of £300,000 net revenue income per year based on the March 2022 agreed car park charges is a more realistic estimate. This is due to a number of factors. Although the estimated income for parking fee charges and Penalty Charge Notices (PCNs) has remained constant, expenditure costs have increased significantly since the original Options Appraisal/Business Case was prepared in 2018/19. Pay awards, vehicle costs, fuel costs and other associated supplies and services costs have increased significantly, particularly in recent times. As well as this the removal of Bradshaw Street, Saltcoats due to lack of available spaces has reduced income by £10,217. Furthermore, the

original Options Appraisal/Business Case was based on external enforcement rather than internal enforcement. Whilst external enforcement would cost less per year to operate there are other non-financial advantages in operating an internal enforcement team as stated above at para 2.10. In terms of existing budgeted resources an approved net budget of £440,000 income is currently reflected in the Council's financial plans for 2023/24. The anticipated financial impact from this report ultimately depends on the level of car parking charges approved. In the case of option 1 or option 2 being approved, there would be an anticipated full year budget shortfall of between £135,000 to £140,000. Due to the variable activity level of car park occupancy and resultant income this position would be subject to monitoring during the course of 2023/24 with any adverse variance managed within the context of existing Council resources. These resources include additional temporary budget provision for 2023/24 associated with areas of key inflationary pressure, including pay, fuel etc. Any anticipated recurring adverse variance beyond 2023/24 would be incorporated into the budget planning for 2024/25. However, in the case of option 3 being approved, with an anticipated net deficit of £176,000, this would result in a budget pressure of over £616,000 from the Council's budgeted resources. With no variable income generated from car parking to mitigate this financial risk on a recurring basis, appropriate substitute savings to this value would require to be identified in order to address the budget gap. Finally, in the case of option 1 and option 2 and in particular, a model of operation where the 1st hour parking is free, this would present a significant financial impact and would also require substitute savings to be identified.

Human Resources

- 4.2 The enforcement of DPE will require the recruitment of 1 Supervisory Parking Attendant and 6 Parking Attendants.

Legal

- 4.3 Legislation contained in The Road Traffic Act 1991 enables local authorities to decriminalise parking offences and allows local authorities to introduce their own parking penalty regime. A Traffic Regulation Order which consolidates our on-street parking restrictions and a Traffic Regulation Order which enables parking charges in our car parks have been promoted and were issued on 28 July 2022. The Penalty Charge Notice (PCN) charge is set by the Scottish Government and the Council cannot amend this.

Equality/Socio-economic

- 4.4 Improved car parking opportunities and better management of parking will improve accessibility to town centres for all.

Climate Change and Carbon

- 4.5 The introduction of DPE and car parking charges aims to support sustainable and active travel and reduce the impact of transport on our communities. This also includes aims to reduce the volume of traffic travelling through our towns and to facilitate public transport to support a shift towards more sustainable travel behaviour.

This aligns with the Council's agreed Environmental Sustainability and Climate Change Strategy workstreams of: Green Economy; Transport and Travel; and Sustainable Operations. Furthermore, it aligns with the Council's commitment to reduce carbon emissions through our declaration of a Climate Emergency and will contribute to the ambition to achieve net zero by 2030.

Key Priorities

- 4.6 The introduction of DPE and car parking charges will contribute to the Council's strategic objectives of growing our economy, increasing employment and regenerating towns through the creation of improved turnover in parking spaces in town centres and new and improved opportunities for sustainable and active travel to key employment areas, town centres, services and local attractions.

Community Wealth Building

- 4.7 The introduction of DPE and car parking charges supports the creation of 7 new jobs within the area.

5. Consultation

- 5.1 As part of the implementation of DPE it is a statutory duty to publish plans to introduce car parking charges and this was issued through a Traffic Regulation Order on 28 July 2022. Local ward members in areas where parking charges are being introduced were consulted in December 2022 in respect of the measures to be introduced to mitigate local concerns. It is also proposed that further engagement takes place with local residents and businesses in the areas affected by parking charges and that information in the format of a Frequently Asked Questions document be published to share updates on the project.

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For further information please contact **Thomas Reaney, Head of Neighbourhood Services**, on **01294 324890**.

Background Papers

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Decriminalised Parking Enforcement

Local Authorities' Income and Expenditure: 2019 to 2020

Contents

Background	3
Scottish Government position on DPE	3
Local authorities with DPE powers	3
Penalty Charges	6
Penalty Charge Levels – Background	6
Number of PCNs Issued by local authorities	6
Number of Bus Lane Enforcement Charges issued by local authorities	8
Financing of DPE	8
Glossary	11

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, Orkney Islands Council and Aberdeenshire Council, or are authorities who have decided that enforcement powers are not necessary or are not desired for reasons such as cost of implementation.

DPE introduced	Actively working towards DPE	Not formally engaged with SG on a DPE proposal
Aberdeen City (2003)	Aberdeenshire	Clackmannanshire
Angus (2017)	North Ayrshire	Dumfries & Galloway
Argyll and Bute (2014)	Orkney Islands	Moray
City of Edinburgh (1998)		Na h-Eileanan an Iar (Western Isles)
Dundee City (2004)		Scottish Borders
East Ayrshire (2012)		Shetland Islands
East Dunbartonshire (2014)		West Dunbartonshire
East Lothian (2017)		West Lothian
East Renfrewshire (2013)		
Falkirk (2018)		
Fife (2013)		
Glasgow City (1999)		
Highland (2016)		
Inverclyde (2014)		
Midlothian (2018)		
North Lanarkshire (2017)		
Perth and Kinross (2002)		
Renfrewshire (2010)		
South Ayrshire (2012)		
South Lanarkshire (2005)		
Stirling (2017)		

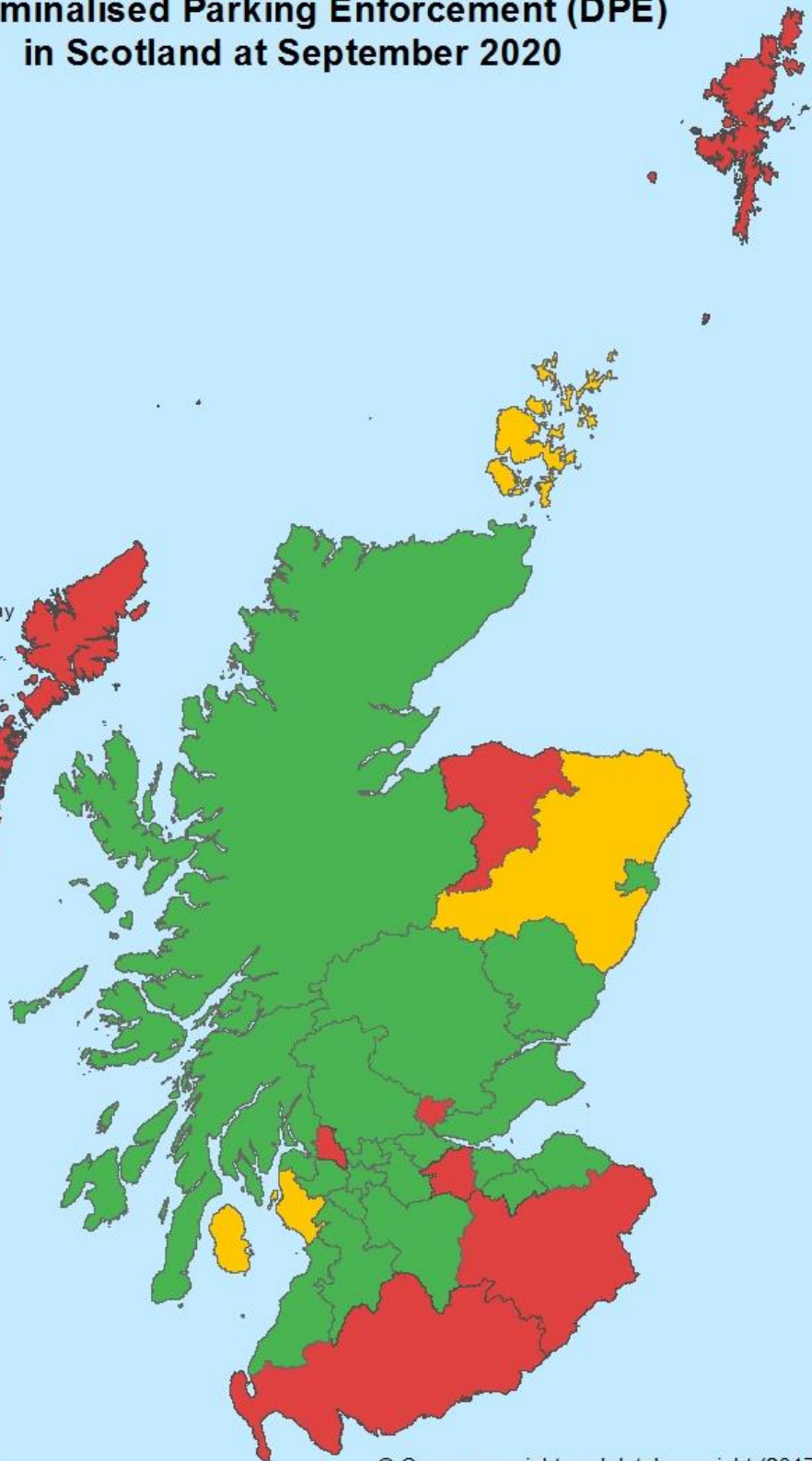
Table 1: Local authorities with or without DPE powers

Decriminalised Parking Enforcement (DPE) in Scotland at September 2020

Legend

- Introduced
- Being Introduced
- Not Introduced

- Aberdeen City
- Aberdeenshire
- Angus
- Argyll and Bute
- City of Edinburgh
- Clackmannanshire
- Dumfries and Galloway
- Dundee City
- East Ayrshire
- East Dunbartonshire
- East Lothian
- East Renfrewshire
- Falkirk
- Fife
- Glasgow City
- Highland
- Inverclyde
- Midlothian
- Moray
- Na h-Eileanan Siar
- North Ayrshire
- North Lanarkshire
- Orkney Islands
- Perth and Kinross
- Renfrewshire
- Scottish Borders
- Shetland Islands
- South Ayrshire
- South Lanarkshire
- Stirling
- West Dunbartonshire
- West Lothian



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Figure 1: DPE map of Scotland

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 guidance¹ 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.

¹ Road Traffic Act 1991 – Review of Penalty Charge Notice Levels Revised Guidance (2001), Scottish Executive
<http://www.gov.scot/Resource/Doc/918/0096509.pdf>

Local Authority	2017/18	2018/19	2019/20
Aberdeen City	40,392	38,967	36,842
Angus	6,273	6,626	8,217
Argyll & Bute	6,269	6,696	5,775
City of Edinburgh	191,563	183,965	191,479
Dundee City	21,837	29,130	31,949
East Ayrshire	6,262	6,900	6,097
East Dunbartonshire	5,301	6,348	6,137
East Lothian	10,040	9,540	10,063
East Renfrewshire	5,176	4,859	3,614
Falkirk*	-	2,881	7,689
Fife	21,890	21,768	19,864
Glasgow City	125,505	146,412	152,579
Highland	9,477	10,000	10,386
Inverclyde	8,059	9,117	8,635
Midlothian*	-	6,855	6,939
North Lanarkshire*	-	6,018	11,863
Perth & Kinross	14,469	15,852	13,401
Renfrewshire	6,823	6,974	5,191
South Ayrshire	5,824	7,213	8,991
South Lanarkshire	20,952	21,281	22,320
Stirling	9,975	9,586	12,189

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

- * Falkirk Council's DPE regime commenced on 19 November 2018
- * Midlothian Council's DPE regime commenced on 2 April 2018
- * North Lanarkshire Council received their powers in November 2017 however their DPE regime did not commence until November 2018

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 financial year. 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	2018/19	2019/20
Aberdeen City	27,295	21,170
City of Edinburgh	28,668	54,586
Glasgow City	96,506	115,534

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 2019 to 2020.

Local authority	PCN income	Pay & display/other income	Total income	Expenditure	Annual balance
Aberdeen City	1,311,333	7,288,265	8,599,598	3,521,099	5,078,499
Angus	187,339	0	187,339	314,918	-127,579
Argyll & Bute	178,419	1,024,112	1,202,531	360,375	842,156
City of Edinburgh	5,898,735	27,207,305	33,106,040	9,230,474	23,875,566
Dundee City	1,059,719	4,141,757	5,201,476	2,871,520	2,329,956
East Ayrshire	258,568	1,127,677	1,386,245	782,107	604,138
East Dunbartonshire	204,174	345,474	549,648	323,798	225,850
East Lothian	316,255	295,388	611,643	448,363	163,280
East Renfrewshire	133,257	0	133,257	220,481	-87,224
Falkirk	270,215	497,182	767,397	421,718	345,679
Fife	523,000	3,318,000	3,841,000	2,840,000	1,001,000
Glasgow City	5,484,781	19,305,557	24,790,338	8,547,211	16,243,127
Highland	306,453	829,908	1,136,361	1,144,081	-7,720
Inverclyde	369,421	39,103	408,524	390,975	17,549
Midlothian	184,224	51,922	236,146	282,632	-46,486
North Lanarkshire	369,108	1,410	370,518	282,873	87,645
Perth & Kinross	526,945	3,028,038	3,554,983	2,528,140	1,026,843
Renfrewshire	131,316	759,506	890,822	569,525	321,297
South Ayrshire	296,999	798,687	1,095,686	355,877	739,809
South Lanarkshire	748,579	1,577,928	2,326,507	2,326,507	0
Stirling	332,070	713,824	1,045,894	739,660	306,234

Table 4: Local authorities with DPE – income & expenditure (£) – financial year 2019-2020

The information provided in Table 4 has been provided by the local authorities concerned. Figures from the councils who have recently set up DPE regimes may be affected by initial setting-up costs. Figures have also 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 reported that the Bus Lane Infringement Surplus was used for strategic road improvements, transport and roads related projects.
- Argyll and Bute Council reported that the surplus income is used to maintain the car park facilities (including surface maintenance and upgrading parking machines to cashless) and for road improvements. Road improvements included: high friction surfacing to carriageways, footway improvements (incl. crossing points), pedestrian barrier and vehicles activated warning signs.
- East Dunbartonshire Council reported that as part of the Councils budget setting process, a significant additional capital commitment of £7.5m was agreed for 2020/21 and beyond to support the need of sustained and increasing investment in the roads network.

This capital allocation supplements previous additional sums from the General Fund Revenue Budget for reactive roads maintenance. Such developments and additional commitments would not have been possible, to this extent, without the contribution from the surpluses generated by decriminalised parking enforcement.

- East Lothian Council reported that the additional income was used to improve passenger facilities at their coastal car parks.
- Glasgow City Council reported that the surplus income is 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 reported that the income provides investment and maintenance funding for car parks. If it is not utilised in-year, it is held in the Car Park Trading Account.
- Stirling Council reported that the surplus will be used for the provision of additional and revised on-street parking within the Council area.

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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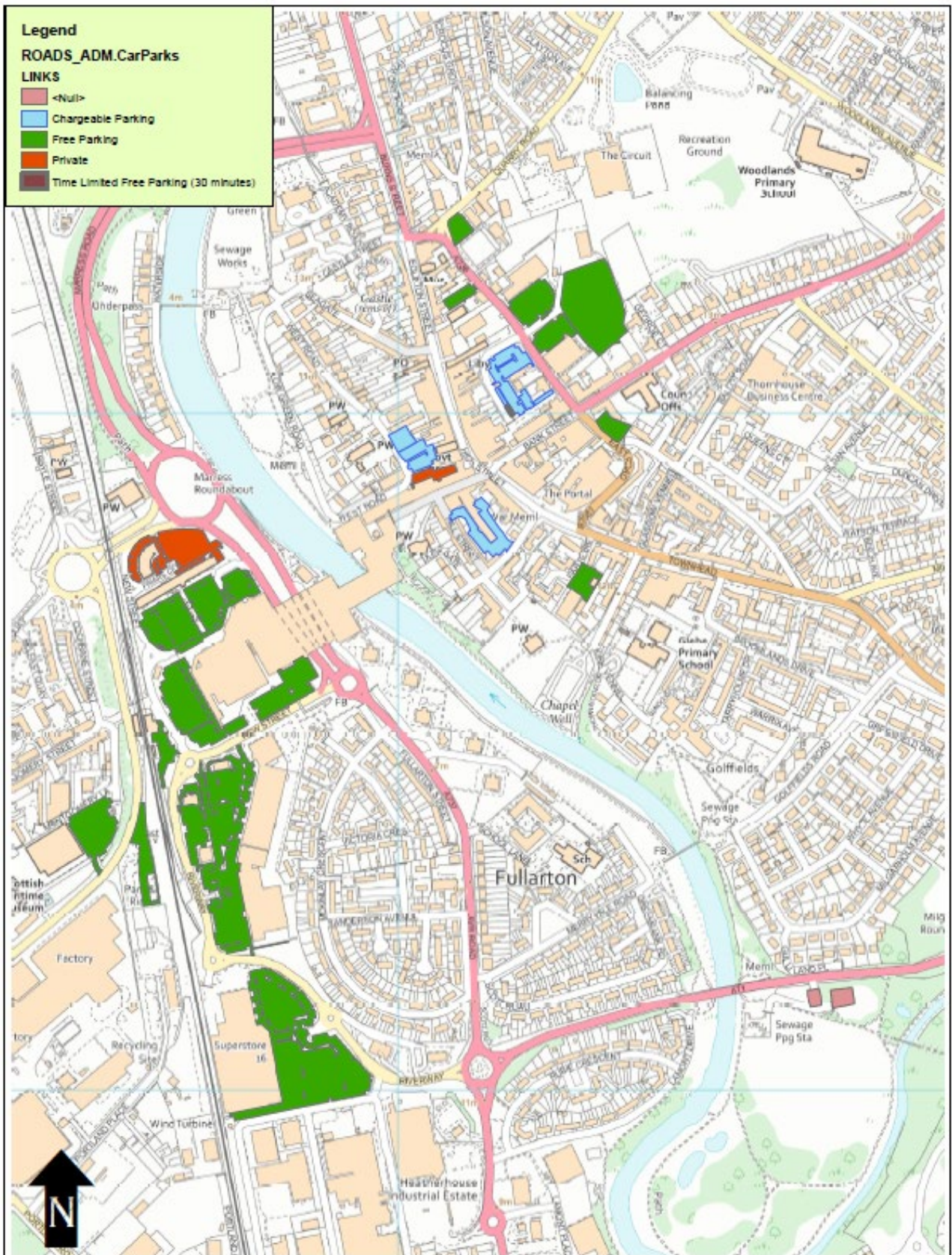
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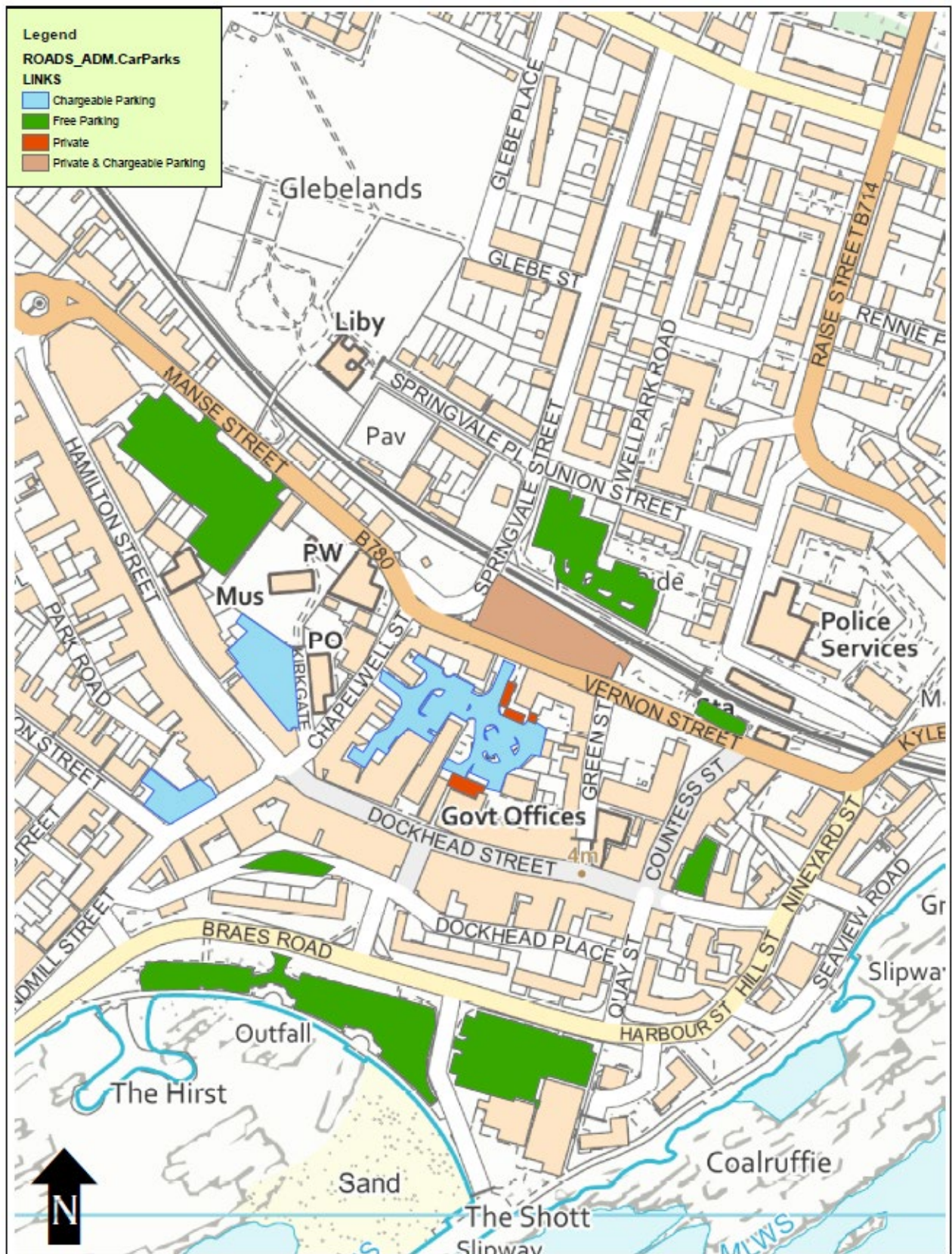
Proposals for Irvine



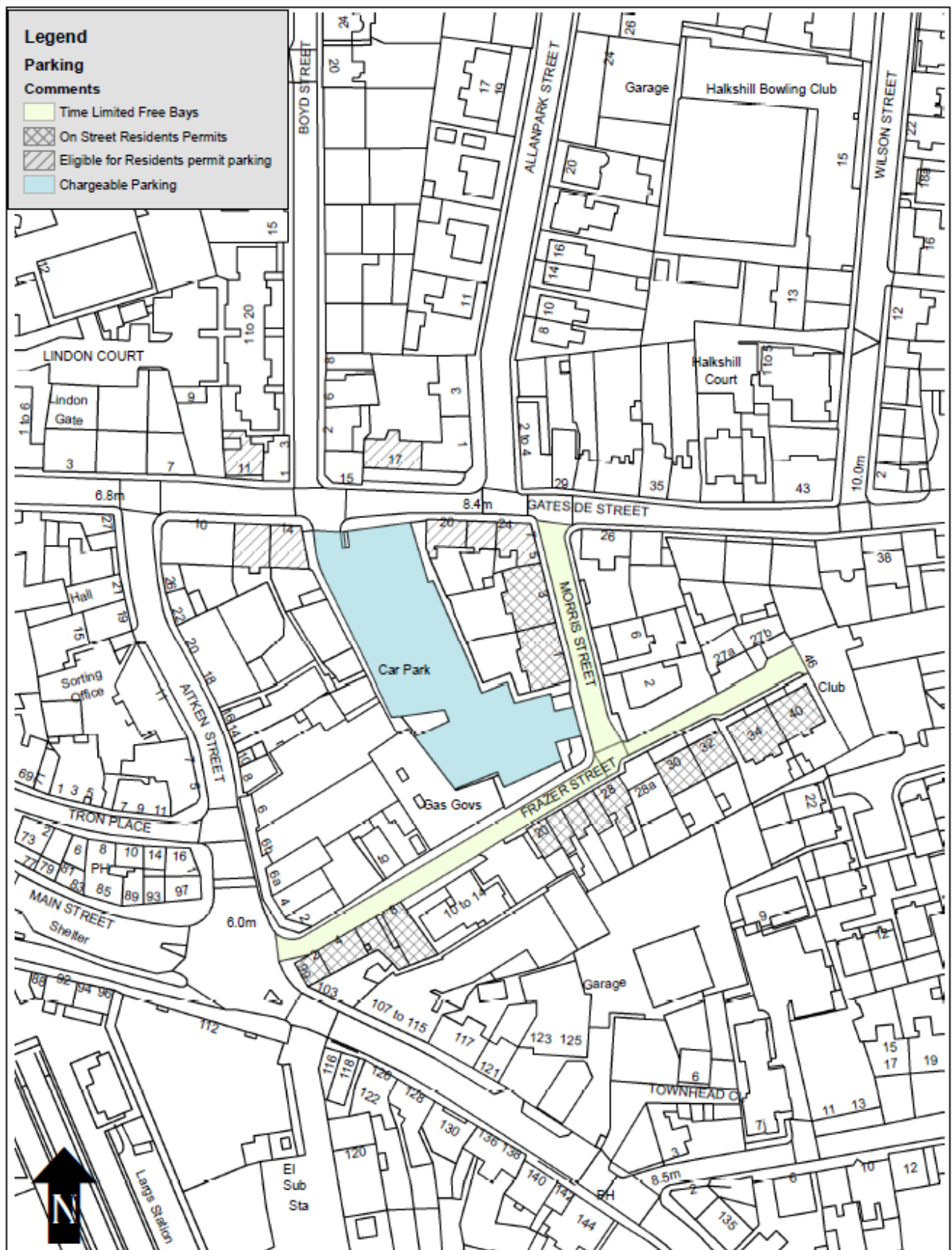
Proposal for Kilwinning



Proposals for Saltcoats



Proposals for Largs



Decriminalised Parking Enforcement (DPE) and Car Parking Charges Financial Options

As per para 2.18 of the report options on the level of parking charges are provided below.

Options are based on:

- i) DPE supported by parking charges as set at the Council Budget meeting in March 2022,
- ii) DPE supported by parking charges. This is set at the lower level of £1 for the first hour with a tariff of £3.50 for between 1 and 4 hours.
- iii) DPE on its own with no car parking charges. Note the estimated operating costs are slightly reduced to reflect there would be no requirement to maintain ticket/pay stations within car parks.

For information an assessment of the provisions of the first hour free parking has been included.

Note: Options are based on an In-house Enforcement Team supported by outsourced back-office administration and processing.

Option 1. DPE plus Car Parking Charges - Tariff as set at Council Budget Meeting in March 2022

1 hour / £1.50 – 2 hours / £2.00 – up to 4 hours / £3.50

Annual Operating Costs	Estimated Income from PCN's	Income from Parking Charges	Net Surplus / Deficit
£506,975	£292,000	£515,119	£300,144

(1st Hour free parking results in a reduction in car parking income of £313,778 resulting in an overall deficit of **-£13,634**)

Option 2. DPE plus Car Parking Charges with a lower charge for up to one hour

1 hour / £1.00 – up to 4 hours / £3.50

Annual Operating Costs	Estimated Income from PCN's	Income from Parking Charges	Net Surplus / Deficit
£506,975	£292,000	£520,349	£305,374

(1st Hour free parking results in a reduction in car parking income of £209,185 resulting in net income of £96,189)

Option 3. DPE only – No Parking Charges

Annual Operating Costs	Estimated Income from PCN's	Income from Parking Charges	Net Surplus / Deficit
£468,301	£292,000	£0	-£176,303