

## **EXECUTIVE NOTE**

### **THE ROAD TRAFFIC (PERMITTED PARKING AREA AND SPECIAL PARKING AREA) (CITY OF EDINBURGH) DESIGNATION AMENDMENT ORDER 2011**

**SSI 2011/323**

1. The Scottish Ministers make the following Designation Amendment Order in exercise of the powers conferred by paragraphs 1(1), 2(1) and 3(3) of Schedule 3 of the Roads (Scotland) Act 1991. The Order is subject to the negative resolution procedure.

#### **Policy Objectives and background**

2. 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 throughout the UK. Under Decriminalised Parking Enforcement (DPE), enforcement is not the responsibility of the Police or Traffic Wardens but is implemented by employees of the local authority, either directly or under contract.

3. The City of Edinburgh Council has operated DPE since October 1998 and has now requested that it be enabled to enforce arrangements for managing off-street car parks in Edinburgh, similar to other Councils who operate (DPE). A minor amendment to the Council's Designation Order is required.

4. Glasgow City, Aberdeen, Perth and Kinross, Dundee and South Lanarkshire Councils already enforce off-street car parks effective since 1 October 2006.

#### **Consultation**

5. In accordance with the requirements of the Road Traffic Act 1991, the Chief Constable of Lothian and Borders Police has been consulted and is content with the amendment. As stated above, the City of Edinburgh Council has operated (DPE) since October 1998 when a full consultation was completed.

#### **Business Regulatory Impact Assessment (BRIA)**

6. No BRIA was carried out as the proposal allows for existing powers to enforce off-street car parks which currently sit with the police, to become a local authority function.

#### **Financial Effect**

7. There will be no financial effect of the Scottish Government. Revenue generated under DPE accrues to the local authority and will be used to fund the scheme. The Road Traffic Regulation Act 1984 requires that any surplus monies be used to improve off-street parking.

Transport Scotland  
August 2011