

Road Policy Team  
**Roads Directorate**

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Issued to all Local Authorities via email

Our ref:  
PCN Guidance

Date:  
17 February 2023

Dear Sir / Madam

## **ROAD TRAFFIC ACT 1991 – REVIEW OF PENALTY CHARGE NOTICE FOR PARKING ENFORCEMENT – REVISED GUIDANCE - EFFECTIVE 1 APRIL 2023**

This revised guidance is only applicable to those local authorities in Scotland which have a decriminalised parking regime (DPE). It is being copied to other local authorities for information only.

Local Authority Circular 1/95 “Guidance on Decriminalised Parking Enforcement outside London” set out the procedures local authorities outside London in England and Wales must follow when applying for decriminalised parking enforcement powers. However, Scottish local authorities have used this guidance when creating decriminalised parking regimes within their local authority areas.

Paragraphs 4.19 of this Circular set out the guidance on the level of charges for Penalty Charges which were linked with the level of fixed penalty notices for non-endorsable parking offences.

The Scottish Government undertook a public consultation which considered the levels of fines associated with Penalty Charge Notices (PCNs) and published the analysis of the responses in September 2022.

<https://www.transport.gov.scot/publication/penalty-charge-notices-for-parking-enforcement-consultation-analysis-report/>

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. Since that decision was made there has been increased calls from local authorities and other interested parties asking that Scottish Ministers review that decision and asking for local authorities be given further fiscal powers to decide if they wish to increase the levels of PCN or not given that rates have not increased for 22 years.

In light of this the Scottish Ministers hereby issues 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 penalty charges notices. Given the current financial climate, the Scottish Government would urge local authorities to be aware of the implications of this increase may have on members of the public and advise that local authorities be mindful to use the lower limit where appropriate.

**From the 1<sup>st</sup> April 2023**, the maximum amounts payable by a motorist issued with a Penalty Charge Notice (PCN) may now be in the range of:

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

Any enquiries on the contents of this letter should, in the first instance, be addressed to Road Policy Team, Transport Scotland, Atlantic Quay 5, 150 Broomielaw, Glasgow, G2 8LU, Telephone 0141 272 7100 or email [roadpolicy@transport.gov.scot](mailto:roadpolicy@transport.gov.scot).

Yours faithfully



**Fred O'Hara**  
Head of Road Policy