

Transport and Environment Committee

10.00am, Thursday, 16 November 2023

Bus Lane Penalty Charge Levels

Executive/routine
Wards

Executive
All

1. Recommendations

- 1.1 It is recommended that Committee approves seeking authority from Scottish Ministers to increase the level of bus lane penalty charge notices to £100.00, reduced to £50.00 if paid within the first 14 days.

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Executive Director of Place

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Report

Bus Lane Penalty Charge Levels

2. Executive Summary

- 2.1 This report seeks approval to ask the Scottish Government to grant authority to the Council to increase the Penalty Charge Notice (PCN) fees for bus lane infringements to £100.00, reduced to £50.00 if paid within the first 14 days.

3. Background

- 3.1 The Council commenced decriminalised bus lane camera enforcement in 2012.
- 3.2 At that time, the bus lane charge level was set at the same value as a PCN, more commonly known as a parking ticket. The full charge amount was set at £60.00, reduced to £30.00 if paid within the first 14 days. The rate has not changed since decriminalised bus lane enforcement began. This significantly reduces the deterrent effect of a bus lane charge notice over time.
- 3.3 The Scottish Government undertook a [public consultation on proposals to change the PCN charge levels](#) and an analysis of the responses was published in September 2022.
- 3.4 The bus lane charge levels have not increased in over 10 years, however Transport Scotland recently indicated they would be open to considering requests from Councils who wished to vary the charge.

4. Main report

- 4.1 Bus lane camera enforcement encourages greater compliance with the bus lane regulations, which can improve public transport reliability and reduce bus journey times, making public transport a more attractive alternative to private car travel.

PCN Charges

- 4.2 New guidance issued by Transport Scotland in February 2023 notified Scottish Local Authorities that the PCN charge levels, for parking tickets alone, were being varied, with a higher band being introduced, as shown in Table 1 below:

Table 1: Penalty Charge Notice Bands

Level of PCN	Paid with 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 the Charge Certificate
Lower	£40	£80	£80	£120
Higher	£50	£100	£100	£150

- 4.3 The new guidance came into effect on 1 April 2023 and, following approval of the Council's budget for 2023/24, the PCN charge level in Edinburgh increased up to £100.00, reduced to £50.00 if paid within the first 14 days, on 5 June 2023.

Bus Lane Penalty Charges

- 4.4 Under Regulation 4 of *The Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011*, to enable an enforcing authority to increase the bus lane penalty charge level, they must apply to the Minister for Transport for approval to change the level of charge.
- 4.5 To improve compliance and public transport reliability in the city, it is proposed that the Council should seek authorisation from the Scottish Government Minister for Transport to increase the bus lane penalty charge in Edinburgh. The letter should be submitted on behalf of the Council by the Convener of Transport and Environment.
- 4.6 It is recommended that the bus lane charge level should be at the higher charge band of £100.00, reduced to £50.00 if paid within the first 14 days, to mirror the PCN charge levels that apply in the city.
- 4.7 Committee are advised that Glasgow City Council have already written to the Minister for Transport requesting an increase to the bus lane penalty charge level to the higher charge band of £100.00, reduced to £50.00 if paid within the first 14 days. They received approval for this change on 23 August 2023 and it will be implemented in 2024.

5. Next Steps

- 5.1 Should the recommendations be approved, the Transport Convener will write to Scottish Ministers requesting additional powers to increase the bus lane penalty charge level.

6. Financial impact

- 6.1 There are no adverse financial impacts arising because of this report.
- 6.2 Should the bus lane charge level increase, this could result in additional income for the Council each year. However, it is hoped that a higher charge will encourage greater compliance with bus lane regulations.

7. Equality and Poverty Impact

- 7.1 There is no equality, human rights (including children's rights) or socio-economic disadvantage implications as a result of this report.

8. Climate and Nature Emergency Implications

- 8.1 There are no significant climate or nature emergency implications as a result of this report.
- 8.2 However, greater compliance with the bus lane regulations can improve public transport reliability and reduce bus journey times, making this a more attractive alternative to private car travel. This could help reduce emissions and meet the Council's Net Zero targets.

9. Risk, policy, compliance, governance and community impact

- 9.1 There are no known risk, policy, compliance, governance or community impacts arising as a result of this report.

10. Background reading/external references

- 10.1 None.

11. Appendices

None.