

**Report to Council**

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**Date of Meeting: 29<sup>th</sup> January 2026**

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**Subject: Parking Enforcement / Decriminalised Parking Enforcement Plan**

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**Report by: Senior Manager - Environment**

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**1.0 Purpose**

- 1.1. The purpose of this report is to provide Council with an update on the progress of Council Motion of 15 May, 2025 on Parking Enforcement.

**2.0 Recommendations**

- 2.1. Council is asked to note:

- 2.1.1 That the Chief Executive has written to Police Scotland as provided for in paragraph 3.1 and subsequently met with Police Scotland's Local Area Commander, Chief Inspector Garry Smith to convey the position of Council following the motion by Councillor Holden in May 2025.
- 2.1.2. the preliminary findings from initial works on Parking Enforcement Review by Police Scotland Local Area Commander outlined within section 4 of this report.
- 2.1.2 the DPE Project Plan as outlined in the table in paragraph 5.2.
- 2.1.3 that an update to the Feasibility Study Report carried out in 2019 will be required as provided for in paragraph 5.3.
- 2.1.4 the reprioritisation of up to £0.1m of delegated budget to deliver initial DPE project works as detailed in paragraphs 7.1 and 7.2

- 2.2. Council is asked to agree:

- 2.2.1 that Officers will bring forward a future paper for a decision on completion of Phase 3 of the DPE Project Plan.

### **3.0 Background**

- 3.1 Council at their meeting on the 15 May 2025 passed a Motion that asked Officers to write to Police Scotland requesting that they undertake a review of their current approach to parking enforcement within Clackmannanshire and outline what steps they are prepared to take to ensure that public confidence is maintained in this key part of Police Scotland's public safety duty.
- 3.2 Officers we're also requested as part of the same Motion to bring forward an outline plan with options to a future council meeting in relation to its decision on 24 October 2019 to pursue a Decriminalised Parking Enforcement (DPE) Scheme in Clackmannanshire, no later than the end of 2025.

### **4.0 Police Scotland Engagement**

- 4.1 Following the approval by Council of a Motion presented at Council in May 2025, the Chief Executive wrote to Police Scotland's Local Area Commander, Chief Inspector Garry Smith, to convey the position of Council in relation to Police Scotland's responsibilities and approach to Parking Enforcement within Clackmannanshire. A subsequent follow up in person meeting took place.
- 4.2 As part of the in person meeting the Local Area Commander agreed to undertake a review of Parking which is currently underway. Initial work has included the canvassing of the Force, which has identified five Local Authorities like Clackmannanshire that have not yet decriminalised parking. There is no operational Police Scotland resource dedicated to parking enforcement in these areas.
- 4.3 Each of the areas confirmed that Police Scotland's approach is consistent and as Chief Inspector Smith advised in his correspondence to Council Officers, Police Officers respond to threat, harm and risk accordingly and where capacity allows parking enforcement. Protecting people most at risk of harm is their priority but Police Scotland recognises that road safety and crime is a local priority in Clackmannanshire.
- 4.4 Chief Inspector Smith continues to have conversations internally within Police Scotland regarding the suggestion to reintroduce a Clackmannanshire Traffic Warden. Traffic Wardens and their roles were withdrawn across the Force in 2014. This followed national consultation and approval by the Force Executive and the SPA Board. This brought efficiencies with staff being redeployed across the organisation. Chief Inspector Smith does indicate that it is highly unlikely that the Force would consider the reinstatement of a role in Clackmannanshire.
- 4.5 Members will be aware that Forth Valley Division introduced the 'Enhancing Community Policing Model' in September 2025. This was designed following a thorough review of local policing involving in-depth research and engagement. Police Scotland attest that the model brings a nationally consistent frontline policing approach across the country for the first time in Police Scotland's tenure. There was no contributing evidence which would support a dedicated parking enforcement resource. The Force believes that model as it matures will allow flexibility and capacity to respond to local demands such as parking concerns.

4.6 The Chief Inspector reports that where an enforcement ticket is issued in Clackmannanshire, 28 days are given to pay the £30 fine. Non-payment is escalated to the Forces Central Processing Office (CPO) who send a Notice to the registered keeper giving 21 days to pay. Non-payment results in CPO registering a fine with Scottish Courts and Tribunals Service at 150% to amount, £45. The Chief Inspector is seeking data to understand compliance/reoffending rates in Clackmannanshire, and how fine enforcement may influence reoffending.

4.7 In 2025, officers issued 284 parking tickets. In the month of December, Officers issued 29 tickets during high visibility foot patrols in and around the Town Centre. The focus will continue where capacity allows.

4.8 The Local Area Commander has reaffirmed that Road Safety and Road Crime remain a priority for the local division. Police Scotland have committed to tasking Police Officers to address parking concerns where possible recognising that there are competing demands. The Local Area Commander emphasises that the public and other stake holders should continue to report concerns which will allow Police Officers to assess, attend and, where necessary, enforce parking.

## 5.0 Considerations for Decriminalised Parking Enforcement (DPE)

5.1 The Motion agreed in May 2025 required Officers to provide and outline plan and options. Offers have explored steps required to take up a DPE Scheme and to bring car parking infrastructure up to adequate construction and quality standards, recognising that to progress DPE will require significant capital investment and initial revenue costs.

5.2 The following table sets out the anticipated plan phases to delivery DPE Project Plan :

| DPE Project Plan: Phases   | Start   | End    |
|--|---------|--------|
| 1. Procure DPE Scheme Expertise (1-5 mths)                                       | Feb 26  | Jun-26 |
| 2. Scoping & Development Work (8-10mths)   | Jul-26  | Sep-26 |
| 3. Traffic Regulation Order Audit & Business Case & Council Approval (11-19mths) | Oct-26  | Jun-27 |
| 4. Application to Ministers (20-22mths)  | Jul-27  | Sep-27 |
| 5. Enforcement Setup (23-28mths)   | Oct-27  | Feb-28 |
| 6. Car Park Infrastructure Upgrade (23-28mths)                                   | Oct-27  | Feb-28 |
| 7. Public Comms & Soft Launch (29-31mths)  | Mar-28  | May-28 |
| 8. Go-Live & Monitoring (32-37mths)  | June-28 | Nov-28 |

- 5.3 A necessary component of the DPE Scheme delivery will be to procure appropriate consultative expertise to oversee the business case development and infrastructure delivery. This will include the updating of the Feasibility Study Report carried out in 2019 to reflect current day costs and conditions.
- 5.4 At this stage early indications and research against other similar authorities of scale and size provide an outturn of circa £100k developmental costs to carry out Stage's 1 to 3 of the project plan.
- 5.5 In the Council's approved capital Programme, there are approved capital budget allocations of £0.114m in 2028/29 and £0.475m in 2029/30. These budget allocations would be available to the Council to progress DPE implementation in the future subject to appropriate governance of the specific proposals

## **6.0 Sustainability Implications**

- 6.1 The proposed DPE Scheme supports Scottish Government policies and the Council's Local Transport Strategy for restraint of traffic growth in urban areas, encouraging sustainable healthy travel. It also compliments other Government measures such as encouraging the use of public transport, restraint of commuter-based parking and provides a valuable tool in improving the economic well-being and attractiveness of town centres. DPE is a traffic management and a 'Placemaking' improvement tool and not a revenue earner.
- 6.2 By integrating DPE with a structured charging policy for town centre on and off-street parking, the scheme can be financially self-sustaining. These Parking Management proposals will assist in the Council's duty to respond to its duties under the Climate Change (Scotland) Act 2009.
- 6.3 The creation of the necessary Special Parking Area (SPA) needed to introduce a DPE Scheme will allow the Council to enforce additional parking restriction powers that exist under the Transport (Scotland) Act 2019. This work is carried out in phase 4 of the Council's Project Plan.

## **7.0 Resource Implications**

- 7.1 The estimated costs required for governance purposes are based upon Total Estimated Fee: £80,000 – £100,000 based on 400–500 professional hours at blended rates £160–£200/h. These figures are calculated from similar consultancy work carried out for the Council.
- 7.2 Some of the estimated costs (Consultancy/appointments) for the project expertise will be funded through Environmental Services staffing vacancy underspend realignment for a temporary period.
- 7.3 Subsequent DPE Implementation and investment costs will be reported to Council on completion of Phase 3 of the plan.

#### 7.4 Staffing

7.4.1 The appointment of the Project Expertise is integral to success of the implementation of DPE and the design of the ongoing management, maintenance and enforcement arrangements.

### 8.0 Exempt Reports

8.1 Is this report exempt? No

### 9.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all.

Our families: children and young people will have the best possible start in life

Women and girls will be confident and aspirational and achieve their full potential.

Our communities will be resilient and empowered so they can thrive and flourish.

(2) **Council Policies**

Complies with relevant Council Policies Yes

### 10.0 Impact Assessments

10.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website) No

10.2 If an impact assessment has not been undertaken you should explain why :

The service is responding to an accepted motion requiring a programme of steps towards the development of a DPE Scheme to be submitted. Once direction is given to proceed with a DPE scheme the service will come back to council with a full EQIA.

### 11.0 Legality

11.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 12.0 Appendices

12.1 Please list any appendices attached to this report.

N/A

## 13.0 Background Papers

13.1 Have you used other documents to compile your report?

No

(All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

### Author

| NAME          | DESIGNATION                | TEL NO / EXTENSION |
|---------------|----------------------------|--------------------|
| Stuart Cullen | Transportation Team Leader | 2593               |

### Approved by

| NAME          | DESIGNATION                  | SIGNATURE   |
|---------------|------------------------------|---|
| Iain McDonald | Senior Manager (Environment) |  |