Dear Sir/Madam,

DISABLED PERSON'S PARKING BADGES (SCOTLAND) BILL

The above Bill was introduced in the Scottish Parliament by the Scottish Government on 17 December 2013.

The Finance Committee has responsibility, within the parliamentary scrutiny process, for the examination of the cost implications of Bills.

The estimated financial implications of the Bill's provisions are set out in the Financial Memorandum (FM) accompanying the Bill (page 5 of the Explanatory Notes).

The Financial Memorandum

The Bill relates to the blue badge scheme which provides concessions to disabled people allowing them to park where restrictions may otherwise apply. The FM states that the Bill—

- “aims to strengthen enforcement of the blue badge scheme by providing the power to cancel and retain badges in certain circumstances and by allowing local authorities to appoint a new type of enforcement officer; 
- will allow elements of the form of the blue badge to be set administratively by the Scottish Ministers; and
- will allow the Scottish Ministers to make regulations ensuring that people refused a blue badge on eligibility grounds will be able to seek a review of that decision.”

Costs on the Scottish Administration (paragraphs 5 – 6)

The FM states that “no costs are expected for the Scottish Administration as a result of the Bill as they are not responsible for the administration and enforcement of the blue badge scheme.”

Costs on local authorities (paragraphs 7 - 17)

The FM explains that local authorities are responsible for issuing blue badges to people in their areas. In addition, 12 local authorities have implemented
Decriminalised Parking Enforcement (DPE) to date, enabling them to administer their own parking penalty schemes and to retain the fines arising from them. Police Scotland is responsible for parking enforcement in the remaining 20 local authority areas although two of these are currently in the process of adopting DPE.

The Bill would enable local authorities operating DPE to appoint people other than parking attendants to act as enforcement officers. The FM states that "it is likely that they will only appoint where it makes financial sense to do so." (i.e. where the costs of appointment would not be disproportionate when compared to the estimated costs of blue badge misuse.)

The FM assumes that the cost of an enforcement officer would be £26,000 per annum, inclusive of overtime and on-costs. It also estimates that training and one-off office and equipment costs might amount to between £3,000 and £4,000.

The FM emphasises that the Bill would not oblige local authorities to appoint enforcement officers although it suggests that their appointment would create efficiencies by freeing up parking attendants’ time to deal with other parking violations. It also notes that costs could be reduced by sharing the resource between neighbouring local authority areas.

The Bill would require all local authorities to put in place a process to review any refusal of a blue badge on eligibility grounds. No fee is provided for in the Bill so the FM expects the costs of such a review to be met by the local authority. The FM does note, however, that 20 out of 32 local authorities already provide such a service and meet the resulting costs.

The FM estimates that the costs of a review would amount to around £19.25 and that across Scotland, there might be around 200 review requests per annum. Allowing for the “significant uncertainty” around the number of reviews per year, the FM trebles this figure resulting in an estimated total cost to local authorities of £11,550 per annum.

**Costs on other bodies, individuals or businesses (paragraph 18 – 26)**

The FM states that the Bill would create new offences associated with blue badge misuse and that this is the only provision in the Bill expected to give rise to costs for other bodies, individuals or businesses.

The FM states that individuals convicted of such an offence would bear costs in the form of any fine imposed on them.

The FM also states that there would be costs for various parts of the justice system but these “are uncertain since it cannot be known how many prosecutions there will be for the new offences.” It suggests, however, that “it is unlikely the costs will be significant and [they] should be readily absorbed within existing budgets.” (para 20)

Expanding on this prediction, the FM suggests that the total cost of the Bill’s provisions to the Scottish Court Service might amount to somewhere between £4,225 and £8,350 per year.
The FM also suggests that the Crown Office Procurator Fiscal Service could expect to incur around £8,375 per annum in prosecution costs as a result of the Bill.

The Bill is estimated to result in costs to the Scottish Legal Aid Board of around £8,225 per annum.

**Purpose**

For information, the Local Government and Regeneration Committee is the lead committee and it intends to take oral evidence in the spring before reporting on the Bill’s general principles around May.

To facilitate the parliamentary timetabling of the Bill, the Finance Committee invites you to respond to the attached questions by **Friday 28 February**. All responses should be sent electronically (in MS Word - no confirmatory hard copy required) to finance.committee@scottish.parliament.uk. Written responses will be handled in accordance with the Parliament’s policy for handling written evidence received in response to calls for evidence.

If you have any queries, please contact the clerks to the Committee on 0131 348 5451 or by email at finance.committee@scottish.parliament.uk.
Finance committee questionnaire

This questionnaire is being sent to those organisations that have an interest in, or which may be affected by, the Disabled Persons’ Parking Badges (Scotland) Bill’s Financial Memorandum (FM) (page 5 of the Explanatory Notes).

In addition to the questions below, please add any other comments you may have which would assist the Finance Committee’s scrutiny of the FM.

Consultation

1. Did you take part in the consultation exercise which preceded the Bill and, if so, did you comment on the financial assumptions made?

2. Do you believe your comments on the financial assumptions have been accurately reflected in the FM?

3. Did you have sufficient time to contribute to the consultation exercise?

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

6. If relevant, are you content that your organisation can meet the financial costs associated with the Bill which it will incur? If not, how do you think these costs should be met?

7. Does the FM accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?

Wider Issues

8. Do you believe that the FM reasonably captures costs associated with the Bill? If not, which other costs might be incurred and by whom?

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?