Dear Edward

I am writing to advise you about impending amendments that the UK Government are intend to lodge in relation to Sir Greg Knight’s Parking (Code of Practice) Bill during the Report Stage, which is scheduled to take place on Friday, 23 November 2018.

The amendments cover a number of things, such as allowing the Secretary of State to delegate functions relating to the investigation of breaches of the parking code to persons other than public authorities. Other amendments focus on using the levy to cover the establishment and maintenance of an independent appeals service, while the final amendment enables the Secretary of State to appoint an independent appeals adjudicator in respect of charges issued for private parking facilities.

I welcome these amendments as we have been pressing the UK Government on the establishment of a single appeals service, which is fully independent of the private parking industry, for some time. This amendment provides transparency and fairness to all regarding how appeals will be handled in the future, and more importantly, it will operate across the whole of the country thereby removing the need for two separate appeals systems, whereby one would not operate in Scotland and thus causing concern amongst Scottish motorists.

My officials confirm that the proposed amendments are within the scope of the Legislative Consent Memorandum (LCM) that was approved by the Scottish Parliament on 5 June 2018, and that no further LCMs are required for this Bill.

We will continue to work with the UK Government and with the industry to ensure that Scotland is fully represented in the development of the Code of Practice and secondary legislation.

I hope this is helpful.

MICHAEL MATHESON

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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