

Dear Colleague

CAR PARK MANAGEMENT AT NHSSCOTLAND HEALTHCARE SITES – CLARIFICATION OF CEL 38 (2008)

1. This circular is intended to clarify the intent of CEL 38 (2008) which announced that car parking charges at NHSScotland operated car parks would end from 31 December 2008.
2. As part of their car park management plans a number of NHS Boards use unauthorised parking notices (or similar device) to control their car parking and prevent misuse, such as exceeding the maximum permitted parking time, not parking within a designated space, parking in a staff only car park without the appropriate permit displayed etc.
3. However, these are not fines (ie governed by Road Traffic Act legislation) but are civil remedies open to any private landowner. It has been drawn to the Scottish Government's attention that these remedies could be interpreted as a charge.
4. Therefore, for the avoidance of doubt:
 - NHS Boards are not able to charge for parking at NHSScotland operated car parks. The status of the three PFI car parks remains as outlined in paragraph 9 of CEL 38 (2008).
 - **NHS Boards are able to use unauthorised parking notices** (or similar device) to control their car parking by imposing a penalty charge where the conditions of car park use are breached.

Yours sincerely

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CEL 5 (2010)

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