

Scottish Ministers

By email

24 June 2026

Dear Scottish Ministers,

In May 2026, Environmental Standards Scotland (ESS) completed its work on the effectiveness of the regulatory framework governing stationary vehicle idling in Scotland, including the operation of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003 (the '2003 Regulations').

During ESS' consideration, recommendations were made to the Scottish Government aimed at improving the effectiveness of this framework, and to support local authorities in addressing unnecessary vehicle idling. While the Scottish Government accepted some of the recommended improvements, it felt unable to agree with the recommendation that it review (with a view to increasing) the level of the fixed penalty notice (FPN) which can be issued when a stationary idling offence is committed¹.

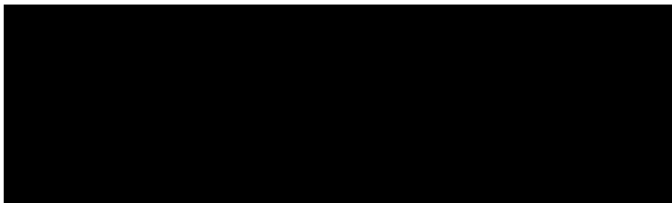
Whilst acknowledging the Scottish Government's position, ESS maintains the view that an enforcement system that is rarely used on the basis of the cost to administer it is structurally flawed and risks defeating the purpose of the statutory regime.

¹ ESS found that the current £20 penalty (set by Regulation 8(b) of the 2003 Regulations) risks undermining the effectiveness of the enforcement regime, as it disincentivises enforcement and fails to operate as a credible deterrent.

Accordingly, ESS has decided to issue an Improvement Report recommending that Regulation 8(b) of the 2003 Regulations be reviewed so that the value of the FPN no longer amounts to an operational barrier to local authorities, and acts as a credible and thus effective deterrent to drivers committing stationary idling offences. In accordance with the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 (the 'Continuity Act'), a copy of the Improvement Report has been laid in the Scottish Parliament and published on ESS' website.

Under Section 30 of the Continuity Act, Scottish Ministers must now prepare an Improvement Plan and lay it before the Parliament, setting out what they propose to do in response to the recommendation within the Improvement Report.

Yours sincerely



Mark Roberts
Chief Executive