

COUNCIL

20 APRIL 2023

CAPITAL ADDITION – ENFORCEMENT OF MOVING TRAFFIC OFFENCES

Portfolio Holder: Councillor Alan Jarrett, Leader of the Council

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Summary

Following Cabinet approval for the enforcement of Moving Traffic Offences in Medway in October 2022, and Cabinet and Council approval of the revenue impacts in the budget report in February 2023, this report seeks approval to reflect the implementation costs in the Council's Capital Programme.

1. Budget and policy framework

- 1.1. It is the responsibility of Cabinet to ensure that expenditure remains within the budget approved by the Council but it remains the responsibility of Council to approve schemes for inclusion in the capital programme.

2. Background

- 2.1. In October 2022 the Cabinet agreed to support the civil enforcement of moving traffic offences across Medway, and to delegate authority to the Chief Executive to apply to Government for enforcement powers (decision ref 121/2022 refers).
- 2.2. In February 2023 the Cabinet and Council agreed the 2023/24 Capital and Revenue Budgets. The revenue budget agreed includes income net of the cost of implementation (as set out at Appendix 3B to the Council report and the Leader's amendments which were agreed at the meeting) as follows:

Introduction of Moving Traffic Offences - increased income net of cost of Implementation	£309,000
Introduction of Enforcement of Red routes - increased income net of cost of implementation	£232,000

Introduction of Enforcement of School Streets - increased income net of cost of implementation	£245,000
Leader's amendment:	£200,000
Total	£986,000

3. Capital Addition

- 3.1. The budget report to Cabinet and Council in February did not reflect the implementation costs required to enable the enforcement of these offences as an addition to the capital programme, funded by borrowing, and therefore it is necessary to formally approve this scheme in the capital programme. The Council's Interest & Financing budget for 2023/24 includes the cost of this borrowing, and the Front Line Services budget includes the income the enforcement activity in anticipated to generate in 2023/24. As such there is no financial implication to this addition, however, if the addition is not approved the Council will not be able to meet the income budget associated with the enforcement activity, resulting in a significant budget pressure for 2023/24.
- 3.2. Council is therefore asked to approve an addition to the capital programme for the implementation costs to enforce Moving Traffic Offences in Medway of £2,019,488, funded from borrowing.

4. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Implementation costs not included in the capital programme	If the capital scheme is not approved, it will not be possible to implement moving traffic offences in Medway and a budget pressure of £986,000 will arise in 2023/24.	Council agree the addition to the capital programme	D3

Likelihood	Impact:
A Very high B High C Significant D Low E Very low F Almost impossible	1 Catastrophic (Showstopper) 2 Critical 3 Marginal 4 Negligible

5. Financial implications

- 5.1. The Council's Interest & Financing budget for 2023/24 includes the cost of this borrowing, and the Front Line Services budget includes the income the enforcement activity is anticipated to generate in 2023/24. As such there is no financial implication to this addition, however if the addition is not approved the Council will not be able to meet the income budget associated with the enforcement activity, resulting in a significant budget pressure for 2023/24.

6. Legal implications

- 6.1. Additions to the Capital Programme are a matter reserved for Full Council and this report asks Council to agree that an addition is made to fund the implementation costs to enable the enforcement of Moving Traffic Offences in Medway.
- 6.2. Moving traffic enforcement powers are set out under Part 6 of the Traffic Management Act 2004. The Council will be required to ensure that all moving traffic restrictions to be enforced are underpinned by accurate Traffic Regulation Orders and indicated by lawful traffic signs and road markings.

7. Recommendation

- 7.1. Council is recommended to approve the addition of £2,019,488 to the Capital Programme, funded from borrowing to meet the costs of implementing the enforcement of Moving Traffic Offences in Medway.

Lead officer contact

Katey Durkin, Chief Finance Officer

Appendices

None

Background papers

[Cabinet report 18 October 2022: Enforcing Moving Traffic Offences in Medway](#)

[Cabinet report 7 February 2023: Capital and Revenue Budgets 2023/24](#)

[Council report 23 February 2023: Capital and Revenue Budgets 2023/24](#)