
From: Bryan Sweetland, Cabinet Member – Environment, Highways & Waste
John Burr - Director of Highways & Transportation

To: Environment, Highways & Waste Cabinet Committee

Date: 15th November 2012

Subject: Joint Transportation Boards Agreement and Governance

Classification: Unrestricted

Summary:

A Joint Transportation Board (JTB) provides the mechanism for discussing highway and transport issues relating to a district area. The JTB is an advisory board and does not have decision making powers. Member representatives from the County Council, District Council and a Parish Council representative make up the constitution of the Board. The Parish representative may speak but has no voting rights.

There is an agreement in place with each District/Borough Council which governs the constitution of the JTB. This Agreement dates back to 2005 and is, in part, out of date. In tandem, a number of Joint Transportation Boards have requested a variation to the Agreement to allow additional Parish Council representatives to attend.

The Kent Association of Local Councils (KALC) has requested that Parish representatives are given voting rights along with the other members of the JTB.

This is a discussion paper inviting Members to give their views on the revised draft JTB Agreement attached in appendix 1 and the request from KALC to allow Parish representatives to vote.

1. Revised Draft JTB Agreement

County Council officers have produced a draft revised agreement which was presented to the JTB Chairs and Vice Chairs on 20th September 2012 and can be viewed in appendix one.

As well as up-dating the terminology of the Agreement to reflect up to date governance, the key changes can be viewed in paragraphs 2.3, 8.1 and 8.2.

Paragraph 2.3 encapsulates the request from some JTBS to allow additional Parish Council representatives to attend the JTB. Rather than drawing up separate Agreements for each District Council area, it is considered better to have one Agreement that provides the Chairman with some flexibility on this point.

Paragraphs 8.1 and 8.2 cover and further clarify referrals from JTBs which will be considered by the Cabinet Member for Environment, Highways and Waste.

2. County Council Governance

Together with the revision of the JTB Agreement, the County Council has reviewed its governance of the JTBs and is proposing to attach a form to all reports which require a recommendation to the County Council. This form will be signed off by the Director of Highways and Transportation or approved deputy ie Service Heads. As covered in paragraph 8.2, the County Council will normally act in accordance with the views or advice of the JTB except where the matter is a clear departure from policy. In this event, the matter will be referred to the Cabinet Member for Environment, Highways and Waste for discussion with the Chairman/Vice Chairman before a decision is confirmed. Confirmation of approvals will be reported back to the next meeting of the JTB. In the event of the Cabinet Member not approving a JTB recommendation, this will be notified to the Chairman in writing with the appropriate reason. This will be reported to the next meeting of the JTB.

3. Kent Association of Local Councils

KALC has formally requested that consideration be given to introducing voting rights for Parish representative/s attending the JTB. In principle this is a reasonable request. It is suggested that Members give consideration to each JTB having two Parish representatives with voting rights. It is important that KALC is responsible for arranging the Parish representative's attendance at JTBs and notifies the Chairman accordingly.

4. Moving Forward

The outcome of this discussion will be considered by the County Council's Cabinet. Once agreed with the Chairman and Vice Chairman of the JTB, it should then be individually ratified by each District Council through its own agreed constitution. A report will then be provided for each JTB confirming the revision to the Agreement and clarifying the Parish representation issue with the formal outcome. It is then anticipated that each District Council will enter into a revised Agreement with the County Council to reflect the changes approved.

5. Recommendation

- i) Members consider the revised draft JTB agreement
- ii) Members consider the KALC request for JTB Parish representatives to be given voting rights
- iii) Members views will be reported to the Cabinet Member for Environment, Highways and Waste for his consideration and decision before being reported back to JTBs.

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