

To: Cabinet Member for Planning, Highways, Transport and Waste, Mr Matthew Balfour

From: Benjamin Watts, General Counsel

Subject: **Proposed amendments to the Joint Transportation Board agreement between Maidstone Borough Council and Kent County Council**

Classification: Unrestricted

Past Pathway of Paper: Maidstone JTB – 19 April 2017

<https://services.maidstone.gov.uk/meetings/ieListDocuments.aspx?CId=137&MId=2652&Ver=4>

Future Pathway of Paper: Non-key Cabinet Member Decision

Summary: This report sets out for the consideration of the Committee the proposed decision of the Cabinet Member for Planning, Highways, Transport and Waste to formally adopt the JTB agreement as amended and attached at appendix 1 in line with the wishes of the Maidstone JTB which agreed to request the changes at a meeting earlier this year.

Recommendation(s):

That the Cabinet Member agree to adopt the amended Joint Transportation Board agreement between Maidstone Borough Council and Kent County Council, appended to this report.

1. Background

- 1.1 In 2013 the Kent Association of Local Councils (KALC) requested that Parish Council representation at Joint Transportation Boards be increased to two members and that those two members be permitted voting rights.
- 1.2 Under the existing JTB agreement only one Parish representative may be appointed and although that representative may speak there are currently no voting rights attached to the appointment.
- 1.3 The agreement was duly amended by officers at Kent County Council to include the KALC recommendation and to include any other changes made necessary by committee or governance changes that had occurred in the time since it was originally signed.
- 1.4 Each JTB was consulted on the matter as was the KCC Environment and Transport Cabinet Committee. Despite the Cabinet Committee endorsing the proposed decision and amended agreement it was not taken by the KCC Cabinet Member for Environment and transport at that time as it was not

possible to amend the agreement in such ways that were acceptable to all JTB's across the County.

2. Developments

- 2.1 Maidstone JTB, by agreement at its meeting of 19 April 2017, has requested that amendments to its individual agreement with KCC be made to adopt the recommendations of KALC as described in 1.1 above.
- 2.2 Nothing in the current agreement precludes amendments to individual agreements.
- 2.3 The amended document at appendix 1 reflects the recommendations of KALC and also makes amendments to the reporting and dispute resolution procedures to improve current practice and reflect changes to committee structures that have occurred since the original agreement was entered in to, eg. The decommissioning of the Highways Advisory Board.

3. Financial Implications

- 3.1 There are no financial implications of the proposed amendments.

4. Legal implications

- 4.1 There are no direct legal implications of the propose amendments, however more clearly set out reporting and recording methods will strengthen any resulting decisions of either Council.

5. Equalities implications

- 5.1 There are no equalities implications resulting from the proposed amendments.

6. Governance

- 6.1 It is necessary that each council agrees the amendments in accordance with its own governance procedures. This proposed non-key Cabinet Member decision satisfies both statutory and local requirements for KCC and Maidstone Borough Council plans to have the amendments agreed at its Council meeting scheduled for 27 September 2017.

7. Conclusions

- 7.1 The proposed decision will allow the wishes of the Maidstone JTB to be reflected within an individual agreement. In addition the amended agreement corrects any factual inaccuracies that have occurred over time since the original agreement was signed and strengthens reporting and recording procedures.

8. Recommendation:

That the Cabinet Member agree to adopt the amended Joint Transportation Board agreement between Maidstone Borough Council and Kent County Council, appended to this report.

9. Background Documents

9.1 None

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9.1 Maidstone JTB 19 April 2017 (Report, appendices and minutes)
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10. Contact details

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