

**MAIDSTONE BOROUGH COUNCIL**

**MAIDSTONE JOINT TRANSPORTATION BOARD**

**MINUTES OF THE MEETING HELD ON**  
**TUESDAY 8 DECEMBER 2009**

**PRESENT:**

**Maidstone Borough Council**

**Councillors J.A. Wilson (Chairman), English,  
Hinder, Marchant, Parr and Ross**

**Kent County Council**

**County Councillors Carter, Chittenden, Cooke,  
Daley, Horne (Substitute Member), Hotson,  
Robertson, Mrs Stockell and Whittle**

29. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chell, Mrs Parvin, Sherreard and Wilson.

30. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitution was noted:-

Councillor Horne for Councillor Sherreard

31. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

32. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

33. DISCLOSURES OF LOBBYING

Councillors Horne, English and Mrs Whittle declared they had been lobbied regarding Item 7 – Ware Street Crossing.

34. MINUTES

**RESOLVED:** That the Minutes of the meeting held on 21 October 2009 be approved as a correct record and signed.

35. WITHDRAWAL OF WARE STREET CROSSING - THURNHAM (RESOLVED 21 OCTOBER 2009)

The Chairman outlined the background to this issue which culminated in this Board supporting the scheme at the meeting on 21 October 2009. The Chairman stated that the work was due to start on 25 October 2009. On 23 October 2009 Kent Highway Services ("KHS") Officers received a telephone call from the Leader's office to stop the work.

The Chairman stated that he received notification of the cancellation 2 weeks later by email. The Chairman and the Leader of Maidstone Borough Council ("MBC") met with the Leader of Kent County Council ("KCC"). The Leader of KCC said at that meeting that he had received a telephone call from the father of the objectors.

The Chairman had convened this meeting of the Board as, in his view, there was no reason for the Leader of KCC to stop the work on the Ware Street Crossing and that this action was taken outside of the rules of the Joint Transportation Board ("JTB").

The Chairman referred Members of the Board to Paragraph 8.1 of the KCC/MBC Joint Agreement dated 28 May 2005, which reads:-

**"Executive Action**

8.1 The KCC Executive (meaning the KCC Cabinet Member for Highways, Waste and Environment) will normally act in accordance with the advice or views of the JTB. If the Executive is minded to act otherwise, no decision will be taken until after a discussion at the KCC Highways Advisory Board at which the Chairman and Vice-Chairman of the JTB may attend and speak."

The Chairman informed the Board that he had spoken to Geoff Wild, the KCC Monitoring Officer, who advised him that the Board could consider referring the matter to the KCC Scrutiny Committee or one Member could refer the matter to the Standards Board.

The Chairman then opened up the discussion to Members of the Board. Some Members expressed the view that, despite the circumstances, the correct procedure was not followed and should have been.

Councillor Carter joined the meeting during Members' discussion. Councillor Carter explained to the Board that on his return journey from holiday, he received a telephone call from his Secretary stating that a resident would like to speak to him about the crossing in Ware Street. He said he spoke to Mr Jones (the father of the affected residents) and stated that it became apparent that he and Mr Jones knew each other years ago when their children went to the same school. He stated that he had not had contact with Mr Jones since then.

Councillor Carter informed the Board that he was advised by his Secretary that the crossing was in his Division and that he had no idea it had been through the JTB. He asked his Secretary to find out if the crossing could

be delayed and other options looked at. He said his Secretary spoke to a Highways Officer and she was informed that there was a better location for the crossing. He then suggested to officers that the implementation of the crossing be delayed.

Councillor Carter then said that he received a call from Councillor Mrs Whittle explaining that the crossing was in her Division. He said he apologised and suggested that Councillor Mrs Whittle continue the dialogue with Highways officers and Mr Jones.

Councillor Carter apologised to the Board. He also informed the Board that he is meeting with District Leaders in January when they will be looking at the situation of all Joint Transportation Boards.

Councillor Mrs Whittle informed the Board that she had not been consulted on this matter as the KCC Councillor as Officers had not realised it was in her division.

Further discussion took place amongst Members of the Board.

Highways Officers were then asked to respond to the discussion that had taken place. Mr Corcoran confirmed there were alternative sites considered and feasible. However, it was their professional view, following consultation with residents and Parish Councils, that the proposed location was the best location despite the problems. Mr Corcoran said that he did explain to Councillor Carter's secretary that the matter had already been to the JTB. Mr Corcoran confirmed that Highways Officers had not changed their view that the proposed location is the best location.

RESOLVED:

1. That the Chairman and Vice Chairman of the JTB, together with Councillor Mrs Whittle, meet with the Cabinet Member for Highways, Waste and Environment to discuss the Ware Street Crossing situation and a full report be brought to the next meeting of the Board.
2. That the Chairman be given delegated authority to decide whether to report the breach of procedure to the KCC Scrutiny Committee and/or the KCC Standards Board.

36. DURATION OF MEETING

5.00 p.m. to 6.15 p.m.