

# AGENDA

## MAIDSTONE JOINT TRANSPORTATION BOARD MEETING



Date: Tuesday 8 December 2009

Time: 5.00 pm

Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors Carter, Chell, Chittenden, Cooke,  
Daley, English, Hinder, Hotson,  
Marchant, Parr, Mrs Parvin, Robertson,  
Ross, Sherreard, Mrs Stockell, Whittle,  
Wilson and J.A. Wilson (Chairman)

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Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers

**Continued Over/:**

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**Issued on 25 November 2009**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact JANET BARNES on 01622 602242**. To find out more about the work of the Committee, please visit [www.digitalmaidstone.co.uk](http://www.digitalmaidstone.co.uk)

**David Petford, Chief Executive, Maidstone Borough Council,  
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

5. Disclosures of lobbying
6. Minutes of the Meeting held on 21 October 2009 1 - 5
7. Withdrawal of Ware Street Crossing - Thurnham (Resolved 21 October 2009)
8. Kent County Council and Maidstone Borough Council Agreement on Joint Transportation Boards 6 - 16

## **MAIDSTONE BOROUGH COUNCIL**

### **MAIDSTONE JOINT TRANSPORTATION BOARD**

#### **MINUTES OF THE MEETING HELD ON** **WEDNESDAY 21 OCTOBER 2009**

**PRESENT:**                    **Maidstone Borough Council**

**Councillors J.A. Wilson (Chairman), English,  
Hinder, Horne (Substitute Member),  
Marchant, Parr and Wilson**

**Kent County Council**

**County Councillors Chittenden, Cooke, Daley,  
Robertson, Mrs Stockell and Whittle**

**ALSO PRESENT:**        **Councillors Beerling, Moriarty and Paine**

15.    APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Chell.

16.    NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitution was noted:-

Councillor Horne for Councillor Mrs Parvin

17.    NOTIFICATION OF VISITING MEMBERS

Councillors Beerling and Paine indicated their wish to speak on Item 12 – Fant Traffic Calming Scheme.

Councillor Moriarty indicated his wish to speak on Item 10 – Objection to Traffic Orders.

18.    DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Chittenden disclosed a personal interest in Items 10 and 13 as he is the Ward Member.

19.    DISCLOSURES OF LOBBYING

All Councillors declared that they had been lobbied on Item 12 – Fant Traffic Calming Scheme.

Councillor J E Wilson declared that he had been lobbied on Item 13 – Pheasant Lane Closure.

20. MINUTES

RESOLVED: That the Minutes of the Meeting held on 29 July 2009 be approved and signed as a correct record, subject to Councillor Hinder's apologies being noted.

21. QUESTIONS/STATEMENTS BY MEMBERS OF THE PUBLIC

Martin Pepper, Chairman of Boxley Parish Council, addressed the Board regarding the petition for a reduction in the speed limit on Walderslade Woods Road submitted at the last meeting. Mr Pepper said he was disappointed that this matter was not on the Agenda this evening. Mr Pepper mentioned that the petition now had 500 signatures.

Mr Pepper was informed that an update would be provided under Item 8.

Mr Roy Jones, on behalf of his daughter, addressed the Board regarding the Ware Street Crossing. Mr Jones' daughter lives at No. 96, outside which the crossing is proposed to be sited. Mr Jones said that they were not objecting to the crossing, just the position of it. Mr Jones had suggested a position further west of the proposed site which does not affect residents. Mr Jones mentioned that No. 94 were unaware of the proposed crossing and are also objecting. Mr Jones asked the Board to re-consider the position of this crossing.

Geraldine Brown, Chairman of Yalding Parish Council, addressed the Board. Mrs Brown mentioned she had raised a query regarding the minutes of the last meeting regarding Origin and Destination ("O&D") Surveys and the fact that officers had been asked to provide details on the content required for these surveys. Mrs Brown also mentioned that Keith Ferrin had not upheld the proposed 20mph speed limit and now that Central Government had re-introduced this, she would like to know the views of the Board regarding this limit for areas around schools.

Gillian Tatnell addressed the Board regarding the petition she submitted to the previous meeting for Walderslade Woods Road. Mrs Tatnell informed the Board that the petition had now reached over 500 signatures and that the petition had now closed. Mrs Tatnell mentioned that she had been offered support for the petition by Councillor Sullivan from Tonbridge & Malling Borough Council. Mrs Tatnell re-iterated that the footpath that runs alongside the road is well used by all who live on the residential estate as it is the only pedestrian exit from the estate. Mrs Tatnell informed the Board that the road is unsafe; there have been numerous accidents with casualties and one death (albeit 4 years ago). Mrs Tatnell asked the Board for their support of this petition.

Members were informed by Officers that the County Cabinet Member is looking to clarify with the Director of Kent Highway Services as to when the Freight Transport Strategy will be published.

Members raised the issue of the O&D Surveys and, following discussion, RESOLVED: That Councillors Parr and Mrs Stockell and Mrs Geraldine Brown, Chairman of Yalding Parish Council, would meet with Mr Andy Corcoran of Kent Highway Services to establish the details of the O&D Survey required in order to obtain detailed costings with a view to seeking alternative funding.

22. ORAL UPDATE ON PETITIONS SUBMITTED TO KENT HIGHWAY SERVICES

Mr Corcoran provided an oral up-date on petitions as follows:-

Coxheath Traffic Calming – modification works are due to start next week.

Safe Crossing for Marden Road – still awaiting formal approval of the 2010/11 Integrated Transport Programme for Kent.

Pheasant Lane and Fant Traffic Calming – full reports are on the Agenda today.

Walderslade Woods Road – Kent Highway Services are carrying out an investigation. A speed survey is required and following some problems this is now expected to start on 23 November 2009. Officers expect to bring a full report to the next meeting.

23. HIGHWAY IMPROVEMENT SCHEMES 2009-10

The Board considered the report of the Head of Countywide Improvements regarding the Highway Improvement Schemes 2009-10.

A Member of the Board raised concern that the cycle crossing scheme on New Cut Road was to be removed from this year's capital programme. Although the Member understood the reasons as to why the road could not be widened, he felt it would be appropriate for KHS officers to co-ordinate with the MBC officers who are dealing with the new schemes for Mote Park to see if an alternative option could be found.

It was also mentioned that the traffic lights at Willington Street do not have a facility or phasing for pedestrians to cross and that a safer additional crossing for Mote Park should be looked at.

RESOLVED:

1. That KHS Officers be asked to consider the issues raised above.
2. That the Report be noted.

24. OBJECTIONS TO TRAFFIC ORDERS

The Board considered the report of the Assistant Director of Environmental Services regarding objections received to traffic orders. The Board were asked to reconsider the traffic order for Queen Elizabeth Square and recommend to the Cabinet Member that it is implemented. It

was stated that the residents have suffered from illegal parking for the past 20 years and that action needs to be taken now and install these orders.

Members were informed that following the implementation of the traffic order in Hampton Road, the situation will be monitored and, if necessary, changes can be made at a later date.

Members raised concern about the recommendation not to implement the traffic orders in Kingsgate Close, Shaftesbury Drive and Langham Grove. Members felt it was important that these orders were implemented in order to alleviate the problems residents had suffered for many years. Members also mentioned that Shaftesbury Drive was a bus route, but this had been withdrawn because the bus could not get round the streets due to the bad parking. The bus company have agreed to reinstate this route once the problems have been resolved.

RESOLVED:

1. That the Cabinet Member for Environment be recommended to agree the recommendations made in Appendices B and C of the report of the Assistant Director of Environmental Services, subject to the following amendment:-
  - i) That the Cabinet Member for Environment be recommended to proceed with the proposals for Kingsgate Close, Shaftesbury Drive and Langham Grove and make the Orders.
2. That Officers re-consider the recommendation to the Cabinet Member for Environment regarding Queen Elizabeth Square.
3. That Kent Highway Services be recommended to implement the orders as outlined in Appendices B and C of the report of the Assistant Director of Environmental Services, subject to the amendment at 1 above and the final recommendation made at 2 above.

25. WARE STREET CROSSING, THURNHAM

The Board considered the report of the Transportation and Development Manager regarding the installation of a zebra crossing on Ware Street, Thurnham.

Although Members empathised with the occupants of No. 96, full support for this scheme was shown by the Board. Members stressed the importance of ensuring that the effects of the lighting are mitigated as much as possible by installing shielding and by other means where possible.

RESOLVED: That the proposed scheme for a zebra crossing on Ware Street be agreed.

26. FANT TRAFFIC CALMING SCHEME

The Board considered the report of the Transportation and Development Manager regarding a traffic calming scheme in Fant Ward.

Members of the Board expressed their full support for this scheme and the Ward Members were assured that they would be involved in the final design stage.

RESOLVED: That the traffic calming scheme proposed for Fant Ward proceeds to detailed design and implementation.

27. PHEASANT LANE CLOSURE

The Board considered the report of the Transportation and Development Manager regarding the closure of Pheasant Lane to all through traffic on an experimental basis.

Members were informed that a publicity campaign will take place to inform people of the impending closure. The closure will be for 6 months, but should any issues arise, it can be taken away and the problems re-considered. If no issues arise, a report will come back to this Board for a formal decision to permanently close it.

Members expressed their full support for this proposal.

RESOLVED: That the proposal to close Pheasant Lane to all through traffic by means of lockable bollards on an experimental basis be agreed.

28. DURATION OF MEETING

5.00 p.m. to 6.31 p.m.

# Agenda Item 8

DATED 28th May 2005

**THE KENT COUNTY COUNCIL**

-and-

**MAIDSTONE BOROUGH COUNCIL**

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**AGREEMENT ON  
JOINT TRANSPORTATION BOARDS**

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Legal & Secretariat  
Kent County Council  
County Hall  
Maidstone  
Kent ME14 1XQ

File Ref: LS/A/87551/18  
Fax No: 01622 694402  
WP Ref: RUMMINS/Engrossments/87551 final issued  
24.03.05 mbc  
DX No: 123693 MAIDSTONE 6  
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THIS DEED OF AGREEMENT is made the 25<sup>th</sup> day of May Two thousand and five between THE KENT COUNTY COUNCIL of County Hall Maidstone Kent ME14 1XQ of the one part (hereinafter referred to as "KCC") and MAIDSTONE BOROUGH COUNCIL of London House 5-11 London Road Maidstone Kent ME16 8HR (hereinafter referred to as the "Council") of the other part

In this Agreement the words and expressions contained or referred to hereunder shall have the meaning thereby ascribed to them in the Second Schedule. The clause headings do not form part of this Agreement and shall not be taken into account in its construction or interpretation.

**WHEREAS:**

1. KCC and the Council are local authorities as defined by Section 270(1) of the 1972 Act
2. By virtue of Section 1(2) of the Act KCC is the local highway authority for all the highways in the County of Kent whether or not maintainable at the public expense (and which are not highways for which the Secretary of State for Transport is the highway authority) and is by enactments also the Traffic Authority and Street Works Authority
3. KCC and the Council have agreed to act together to continue with certain political arrangements previously established in relation to highways issues
4. This Agreement reflects the intention of KCC and the Council to co-operate regarding highway and transportation issues in the interests of the residents of Kent

**COMMENCEMENT AND OPERATING TERM**

5. This Agreement shall commence on the first day of April Two thousand and five and will continue until terminated by either party in writing in accordance with the provisions of this Agreement

## **COUNCIL OBLIGATIONS**

6. The Council will establish and maintain during the currency of this Agreement the arrangements for the Joint Transportation Board as set out in the First Schedule

## **KCC OBLIGATIONS**

7. KCC will establish and maintain during the currency of this Agreement the arrangements for the Joint Transportation Board as set out in the First Schedule

## **MISCELLANEOUS**

8. The parties acknowledge that the committee structure of KCC and/or the Council may change which may result in consequential changes to the Agreement
9. This Agreement shall be known as the JTB Agreement
10. Nothing in this Agreement shall create a legal partnership between the parties and save as may be specifically provided in this Agreement neither party shall be or hold itself out as or permit itself to be held out as :-
  - (a) the agent of the other or
  - (b) entitled to pledge the credit of the other; or
  - (c) entitled to incur any other obligations or make any promise or representation on behalf of the other

## **REVIEW**

11. This Agreement may be reviewed at the instigation of the Kent and Medway Chief Executives and amended by agreement between the parties if necessary as a consequence of any review
12. This Agreement may be terminated by either party on six months written notice addressed to the relevant Chief Executive

## THE FIRST SCHEDULE

### Joint Transportation Boards

- 1.1 A Joint Transportation Board (JTB) will be established by KCC and the Council.
- 1.2 Each party shall be responsible for their own costs incurred in the operation of the JTB
- 1.3 The JTB shall be a non statutory forum.

#### **Membership**

- 2.1 JTB membership will comprise all KCC local members for divisions in the Council's area an equal number of members appointed by the Council and a representative of the Parish and Town Councils within the district. The Council may appoint substitutes for its Members.
- 2.2 The Parish and Town Council representative will be nominated by the Area Committee of the Kent Association of Parish Councils or other representative body for Parish Councils within the district if this provides a more complete representation a substitute member may also be nominated. The Parish or Town Council representative may speak but may neither vote nor propose a motion nor an amendment.
- 2.3 Any KCC Cabinet Member responsible for transportation functions Council Member the Chairman of the KCC Highways Advisory Board or KCC local member may place a relevant item on the agenda and/or attend and speak at any meeting of the JTB but may not vote nor propose a motion nor an amendment (unless voting members of the JTB)
- 2.4 The Chairman of any Parish or Town Council within the area of the Council (or a Parish Councillor of that Parish nominated by him/her) may attend any

meeting to speak with the permission of the Chairman on any item on the agenda of particular relevance to that Parish.

### **Chairman**

3. In alternate years a Member of KCC (who is a member of the JTB) will chair the JTB and a Council Member (who is a member of the JTB) will be Vice-Chairman of the JTB and then a Member of the Council will chair the JTB and a KCC Member will be Vice-Chairman of the JTB and so on following on the arrangements which existed in the year before this agreement came into force. The Chairman and Vice-Chairman will be appointed by the respective Councils as they may determine within their constitutional arrangements. The Chairman and Vice Chairman of the JTB will take office at the first meeting of the JTB following the Annual Meetings of both Councils each year.

### **Meetings**

- 4.1 The JTB will generally meet four times a year on dates and at times and venues to be specified by the Council in accordance with its normal arrangements in consultation with KCC.
- 4.2 The quorum for a meeting shall be four comprising at least two voting members present from each of KCC and the Council.
- 4.3 Subject to the procedural rules in Clauses 2, 3 and 4.2 above taking precedence the Council's procedural rules shall apply to JTB meetings as if they were Council committees.
- 4.4 The JTB will be clerked by an officer of the Council. Copies of all papers shall be sent to the Monitoring Officers of both Councils who may attend and speak at any meeting (or instead each Monitoring Officer may arrange for a substitute officer to speak on his/her behalf).
- 4.5 The Access to information principles shall be applied to the JTB as if it were a Council committee.

## **Terms of Reference**

5.1 The JTB will consider:-

- (i) capital and revenue funded works programmes
- (ii) traffic regulation orders
- (iii) street management proposals

and will provide advice on these matters to the relevant Executive as appropriate

5.2 Be a forum for consultation between KCC and the Council on policies plans and strategies related to highways road traffic and public transport

5.3 Review the progress and out-turn of works and business performance indicators

5.4 Recommend and advise on the prioritisation of bids for future programmes of work

5.5 Receive reports on highways and transportation needs within the district

## **Overview and Scrutiny**

6.1 An overview and/or scrutiny committee of either council can require the member of that council holding the office of Chairman or Vice-Chairman of JTB to attend and be asked questions subject to the provisions of the constitution of KCC or the Council whichever is relevant

6.2 The overview and scrutiny committee of either council can request (but not compel) members of the other council who serve on the JTB and officers employed by the other council who report to the JTB to attend and be asked questions.

6.3 Overview and scrutiny committees of both councils will abide by the protocol on inter-authority co-operation on overview and scrutiny agreed by the former

Kent Association of Local Authorities and appended as Appendix 1 to this Schedule.

#### **Local Member and Parish Consultation**

7. The local members of both the KCC and the Council and the Parish or Town Council(s) will be consulted on any relevant scheme proposals (other than routine operational maintenance of the highway) within the scope of this Agreement.

#### **Executive Action**

- 8.1 The KCC Executive 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.
- 8.2 The Council Executive 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 between the relevant Executive member and the Chairman and Vice-Chairman of the JTB.

## Appendix 1

### Protocol as agreed by the former KALA during November 2001

#### OVERVIEW AND SCRUTINY – INTER AUTHORITY CO-OPERATION

##### **Aim of Protocol**

1. To ensure the Overview and Scrutiny Committees of all Kent Local Authorities can review issues of community interest effectively and with efficient use of all local authority staff resources.

##### **Principles**

2. All authorities should be supported in considering issues of community well-being wider than the responsibilities of their Councils.
3. Authorities should work together to maximise the exchange of information and views, minimise bureaucracy and make best use of the time of Members and officers of local and other Authorities.

##### **Procedures**

4. Authorities should seek to exchange information or programmes and results of reviews.
5. If an Overview and Scrutiny Committee wishes to review an issue in which another Authority has a statutory role or in which evidence from the officers of another Authority would be helpful, it should consult with that Authority about :-
  - (a) the purpose of the review
  - (b) the areas of interest to the other authority
  - (c) the input that can be given by Members or officers of the other Authority.

6. Consideration should be given to whether the issue is more appropriately discussed in another forum, for example a joint committee, or whether there is scope for joint action including the co-opting of Members of the other Authority onto the Overview and Scrutiny Committee for the purpose of the review.
7. Where a proposal is subject to a public consultation process, scrutiny is most helpful if conducted as part of that process eg allowing any findings and recommendations to be available in time to influence the final decision.
8. Subject to such prior consultation, Authorities will seek to respond positively to requests for information or for a Member or officer to attend meetings of Overview and Scrutiny Committees or for information.
9. While it is ultimately for each Authority to decide who it considers that most appropriate person(s) to speak on its behalf to an Overview and Scrutiny Committee, consideration will be given to meeting specific requests.
10. Dates and times of Member and officer attendance at Overview and Scrutiny meetings should be agreed with them.
11. Each Authority will nominate a contact officer for the operation of these procedures.



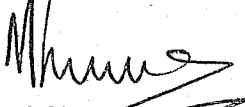
## THE SECOND SCHEDULE

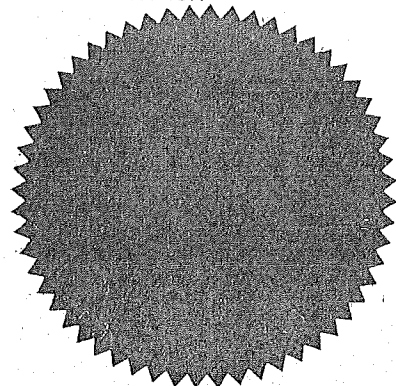
### Definitions and Interpretations

"1972 Act"	:	the Local Government Act 1972
"Act"	:	the Highways Act 1980
"Agreement"	:	these terms and conditions together with the Schedule
"Highways"	:	shall have the meaning prescribed by Section 328 of the Act and the term highway network shall be construed accordingly
"KCC – local member"	:	the member for the County Council electoral divisions within the Council's area
"Member"	:	the elected Members of KCC or the Council as the case may be
"Highways Advisory Board"	:	the KCC body to advise the KCC Cabinet on highway matters
Kent and Medway Chief Executives		The group of Chief Executive Officers of the Kent County Council the twelve District Councils in Kent and Medway Council

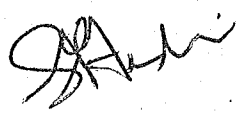
EXECUTED as a DEED by KCC and the Council the day and year first before written

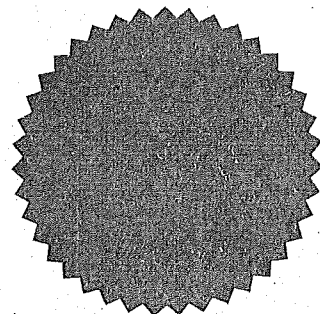
THE COMMON SEAL of the KENT )  
COUNTY COUNCIL was hereunto )  
affixed in the presence of:- )

  
Authorised Signatory



THE COMMON SEAL of MAIDSTONE )  
BOROUGH COUNCIL was hereunto )  
affixed in the presence of:- )





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