

## **SECTION 8 - SWALE JOINT TRANSPORTATION BOARD**

### **Member Arrangements as set out in the Agreement on Joint Transportation Boards (Minute 61/6/05 refers)**

#### **Joint Transportation Boards**

- 1.1 A Joint Transportation Board (JTB) will be established by the KCC and the District 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 Members for divisions in the District Council's area, an equal number of members appointed by the District 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 if this provides a more complete representation. A substitute member may also be nominated. The Parish or Town representative may speak but may not vote nor propose a motion or 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 (or a Member 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**

- 3.1 In alternate years a Member of KCC (who is a member of the JTB) will chair the JTB and a District Council Member (who is a member of the JTB) will be Vice-Chairman of the JTB and then a Member of the District Council will chair the JTB and a KCC Member will be Vice-Chairman of the JTB and so on.
- 3.2 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 District 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 District Council.
- 4.3 Subject to 2, 3 and 4.2 above taking precedence, the District 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 District 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 proposalsand will provide advice on these matters to the relevant Executive as appropriate.
- 5.2 Be a forum for consultation between KCC and the District 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 the JTB to attend and be asked questions subject to the provisions of that Council's constitution.
- 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 as set out below.

## **Local Member and Parish Consultation**

- 7.1 The local Members of both the KCC and the District 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 District 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.

## **Overview and Scrutiny - Inter-Authority Co-operation (Protocol as agreed by the former KALA during November 2001)**

### **Aim of Protocol**

1. To ensure that 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 of 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 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.
9. While it is ultimately for each Authority to decide who it considers the most appropriate person(s) to speak on its behalf to an Overview and Scrutiny Committee, consideration will be given at the meeting to 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.