

# MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 14 May 2018

**PRESENT:** Councillor H.A.L. Evans (Chair)

**Councillors:**

G. Davies and J. Tremlett

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

A. John, Assistant Solicitor

M.S. Davies, Democratic Services Officer

**Democratic Services Committee Room, County Hall, Carmarthen. - 10.00 am - 10.14 am**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

No declarations of Personal Interest were made at the meeting.

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE FOLLOWING DATES:**

**3.1. 6TH MARCH 2018 (2.00 P.M.)**

**RESOLVED** that the minutes of the meeting of the Panel held on the 6<sup>th</sup> March 2018 be signed as a correct record.

**3.2. 6TH MARCH 2018 (2.30 P.M.)**

**RESOLVED** that the minutes of the meeting of the Panel held on the 6<sup>th</sup> March 2018 be signed as a correct record.

**3.3. 6TH MARCH 2018 (3.00 P.M.)**

**RESOLVED** that the minutes of the meeting of the Panel held on the 6<sup>th</sup> March 2018 be signed as a correct record.

**3.4. 6TH MARCH 2018 (3.30 P.M.)**

**RESOLVED** that the minutes of the meeting of the Panel held on the 6<sup>th</sup> March 2018 be signed as a correct record.

**3.5. 15TH MARCH 2018 (10.00 A.M.)**

**RESOLVED** that the minutes of the meeting of the Panel held on the 6<sup>th</sup> March 2018 be signed as a correct record.

### 3.6. 15TH MARCH 2018 (10.20 A.M.)

**RESOLVED** that the minutes of the meeting of the Panel held on the 6<sup>th</sup> March 2018 be signed as a correct record.

#### 4. EXCLUSION OF THE PUBLIC

**UNANIMOUSLY RESOLVED** pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.

#### 5. TO CONSIDER AN APPEAL BY APPLICANT EMS AGAINST A DECISION OF THE AUTHORITY FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED** pursuant to the Act referred to in minute 4 above, not to publicise the content of the report as it contained exempt information relating to a particular individual.

The public interest test in this matter related to the fact that the report included personal information relating to the applicant. Although disclosure would support transparency and accountability in the decision making process, the public interest in maintaining confidentiality outweighed the public interest in disclosure because of the need to protect the identity of the applicant and the family.

The Chair welcomed officers from Legal, Environment and Education & Children Services to the meeting.

The Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant E.M-S. free school transport to a school which was not the nearest or Local Education Authority designated school for the home address and therefore, did not meet the criteria outlined in the Council's policy for the provision of assistance.

The Panel considered the observations of the departmental officers, together with the individual circumstances of the case. The Panel also sought clarification on elements of the Authority's Home to School Transport Policy, the availability of a fare paying bus and the availability of public transport from the home address to the chosen school.

**RESOLVED** that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis that E.M-S. was not attending the nearest or Local Education Authority designated school for the home address, due to parental preference.

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CHAIR

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DATE