

# Document Pack



Mark James LLM, DPA, DCA  
Prif Weithredwr,  
Chief Executive,  
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County Hall, Carmarthen. SA31 1JP

**THURSDAY, 9 AUGUST 2018**

**TO: MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL**

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL** WHICH WILL BE HELD IN THE **DEMOCRATIC SERVICES COMMITTEE ROOM, - COUNTY HALL, CARMARTHEN. SA31 1JP. AT 10.00 AM, ON THURSDAY, 16TH AUGUST, 2018** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Mark James* CBE

**CHIEF EXECUTIVE**



PLEASE RECYCLE

Democratic Officer:	Janine Owen
Telephone (direct line):	01267 224030
E-Mail:	Janine.Owen@carmarthenshire.gov.uk
Ref:	AD016-001

**MEMBERS HOME TO SCHOOL TRANSPORT APPEALS  
PANEL  
3 OR 4 MEMBERS**

**EXECUTIVE BOARD MEMBER FOR TECHNICAL SERVICES**

1. Cyngorydd/Councillor **H.A.L. Evans**

**EXECUTIVE BOARD MEMBER FOR EDUCATION & CHILDREN**

1. Councillor **G. Davies**

**LOCAL MEMBER(S) FOR THE APPELLANT LEARNER'S WARD**

1. Councillor **D.M. Jenkins**

**NOTE:-**

1. THE CHAIR OF THE MEMBERS APPEAL PANEL SHALL BE THE EXECUTIVE BOARD MEMBER FOR ENVIRONMENT (OR IN HIS OR HER ABSENCE THE EXECUTIVE BOARD MEMBER FOR EDUCATION AND CHILDRENS SERVICES)
2. NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THE PANEL

# **A G E N D A**

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF PERSONAL INTEREST**

**3. MINUTES**

To sign as a correct record the minutes of the meetings held on the following dates:-

<b>3 .1 12TH JUNE 2018 (10.00 A.M.);</b>	<b>5 - 6</b>
<b>3 .2 12TH JUNE 2018 (10.15 A.M.);</b>	<b>7 - 8</b>
<b>3 .3 12TH JUNE 2018 (10.45 A.M.);</b>	<b>9 - 10</b>

**4. EXCLUSION OF THE PUBLIC**

THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007. IF FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST THE PANEL RESOLVES PURSUANT TO THE ACT TO CONSIDER THIS ITEM IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION

**5. TO CONSIDER AN APPEAL BY APPLICANT A.M.M. AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT. 11 - 42**

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Tuesday, 12 June 2018

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

**Councillors:**

W.R.A. Davies

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways

T. Pilarz, Assistant Solicitor

L. McFarlane, Learner Travel Policy & Development Officer

S. Williams, Senior School Organisation Officer

M.S. Davies, Democratic Services Officer

**Committee Room 2, Spilman Street, Carmarthen: 10.00 am - 10.10 am**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G. Davies and D. Nicholas.

**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. 14TH MAY 2018 (10.00 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> May 2018 be signed as a correct record.

**3.2. 14TH MAY 2018 (10.15 A.M.);**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> May 2018 be signed as a correct record.

**3.3. 14TH MAY 2018 (10.30 A.M.);**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> May 2018 be signed as a correct record.

**3.4. 14TH MAY 2018 (10.45 A.M.);**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> May 2018 be signed as a correct record.

**3.5. 14TH MAY 2018 (11.00 A.M.);**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> May 2018 be signed as a correct record.

**3.6. 14TH MAY 2018 (11.15 A.M.);**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> May 2018 be signed as a correct record.

**3.7. 14TH MAY 2018 (11.30 A.M.);**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> May 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 APPLICANTS C & MJ AGAINST A DECISION BY OFFICERS 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 C. and M.J. 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 due to the circumstances, the appeal submitted by C. and M.J. for free home to school transport be upheld.

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**CHAIR**

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**DATE**

Tuesday, 12 June 2018

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

**Councillors:**

A.Vaughan Owen

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways

T. Pilarz, Assistant Solicitor

L. McFarlane, Learner Travel Policy & Development Officer

S. Williams, Senior School Organisation Officer

M.S. Davies, Democratic Services Officer

**Committee Room 2, Spilman Street, Carmarthen: 10.15 am - 10.29 am**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G. Davies and D. Price.

**2. DECLARATIONS OF PERSONAL INTEREST**

No declarations of Personal interest were made at the meeting.

**3. 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.

**4. TO CONSIDER AN APPEAL BY APPLICANT CIC AGAINST A DECISION BY OFFICERS 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 3 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 C.I.C. 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 C.I.C. 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**



Tuesday, 12 June 2018

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

**Councillors:**

D. Thomas

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways

T. Pilarz, Assistant Solicitor

L. McFarlane, Learner Travel Policy & Development Officer

S. Williams, Senior School Organisation Officer

M.S. Davies, Democratic Services Officer

**Committee Room 2, Spilman Street, Carmarthen: 10.45 am - 11.00 am**

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor G. Davies.

**2. DECLARATIONS OF PERSONAL INTEREST**

No declarations of Personal interest were made at the meeting.

**3. 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.

**4. TO CONSIDER AN APPEAL BY APPLICANT MMR AGAINST A DECISION BY OFFICERS 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 3 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 M.M.R. 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 due to the circumstances, the appeal submitted by M.M.R. for free home to school transport be upheld.

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**CHAIR**

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**DATE**

# Agenda Item 5

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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