

# Document Pack



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**MONDAY, 12 NOVEMBER 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 **COMMITTEE ROOM 2, 3 SPILMAN STREET, CARMARTHEN, AT 2.00 PM, ON MONDAY, 19TH NOVEMBER, 2018** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Mark James* CBE

**CHIEF EXECUTIVE**



PLEASE RECYCLE

Democratic Officer:	Kevin Thomas
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Ref:	AD016-001

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

**EXECUTIVE BOARD MEMBER FOR ENVIRONMENT**

1. 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

# AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTEREST
3. MINUTES
  - 3.1 17TH SEPTEMBER 2018 (2:00 P.M.); 5 - 8
  - 3.2 17TH SEPTEMBER 2018 (2:15 P.M.); 9 - 10
  - 3.3 17TH SEPTEMBER 2018 (2:30 P.M.); 11 - 12
  - 3.4 17TH SEPTEMBER 2018 (2:45 P.M.); 13 - 14
  - 3.5 17TH SEPTEMBER 2018 (3:00 P.M.). 15 - 16
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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 CM AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT. 17 - 42

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## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

17<sup>TH</sup> SEPTEMBER 2018

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

**Councillors:** G. Davies and D.M. Jenkins

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways;  
A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
J. Owen, Democratic Services Officer.

**Committee Room 2, 3 Spilman Street, Carmarthen – 2:00pm - 2:14pm**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

There were no declarations of personal interest.

**3. MINUTES**

**3.1. 18<sup>TH</sup> JULY 2018 (2:00 P.M.)**

**RESOLVED** that the minutes of the meeting held on the 18<sup>th</sup> July 2018 (2:00pm) be signed as a correct record.

**3.2. 18<sup>TH</sup> JULY 2018 (2:15 P.M.)**

**RESOLVED** that the minutes of the meeting held on the 18<sup>th</sup> July 2018 (2:15pm) be signed as a correct record.

**3.3 18<sup>TH</sup> JULY 2018 (2.30 P.M.)**

**RESOLVED** that the minutes of the meeting held on the 18<sup>th</sup> July 2018 (2:30pm) be signed as a correct record.

**3.4 18<sup>TH</sup> JULY 2018 (2:45 P.M.)**

**RESOLVED** that the minutes of the meeting held on the 18<sup>th</sup> July 2018 (2:45pm) be signed as a correct record.

**3.5 18<sup>TH</sup> JULY 2018 (3.00 P.M.)**

**RESOLVED** that the minutes of the meeting held on the 18<sup>th</sup> July 2018 (3:00pm) be signed as a correct record.

**3.6 16<sup>TH</sup> AUGUST 2018 (10.00 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 16<sup>th</sup> August 2018 (10:00am) be signed as a correct record.

**3.7 16<sup>TH</sup> AUGUST 2018 (10.15 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 16<sup>th</sup> August 2018 (10:15am) be signed as a correct record.

**3.8 16<sup>TH</sup> AUGUST 2018 (10:30 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 16<sup>th</sup> August 2018 (10:30am) be signed as a correct record.

**3.9 16<sup>TH</sup> AUGUST 2018 (10.45 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 16<sup>th</sup> August 2018 (10:45am) 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 C.M. 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. Disclosure would support transparency and accountability in the decision making process, however, on balance 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.M. free school transport to the nearest LEA designated school which was located within the statutory walking distance and therefore, did not meet the criteria outlined in the Council's policy for the provision of assistance.

The Panel was informed that since the refusal of the Stage 1 Review Panel and the publication of this meeting's agenda, new information had been received in respect of the appeal to grant C.M. free school transport to a school.

**RESOLVED that in view of the new information and in accordance with the Authority's Home to School Transport Procedure, the appeal to grant C.M. free school transport to a school be referred back to the Stage 1 Review Panel to consider all of the available information.**

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CHAIR

\_\_\_\_\_  
DATE

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## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

17<sup>TH</sup> SEPTEMBER 2018

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

**Councillors:** G. Davies and M.J.A. Lewis

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways;  
A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
J. Owen, Democratic Services Officer.

**Committee Room 2, 3 Spilman Street, Carmarthen – 2:15pm - 2:25pm**

**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. 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 C.S. 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 Panel was informed that since the refusal of the Stage 1 Review Panel and the publication of this meeting's agenda, new information had been received in respect of the appeal to grant C.S. free school transport to a school.

**RESOLVED** that in view of the new information and in accordance with the Authority's Home to School Transport Procedure, the appeal to grant C.S. free school transport to a school be referred back to the Stage 1 Review Panel to consider all of the available information.

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

17<sup>TH</sup> SEPTEMBER 2018

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

**Councillors:** G. Davies and S.L. Davies

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways;  
A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
J. Owen, Democratic Services Officer.

**Committee Room 2, 3 Spilman Street, Carmarthen – 2:30pm - 2:40pm**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

There were no declarations of personal interest.

**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 G.J.S.D. 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant G.J.S.D. free school transport to the nearest LEA designated school which was located within the statutory walking distance 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 and with regard to the assessment process of the potential walking route from G.J.S.D.'s home address to the designated school.

**RESOLVED that due to the circumstances, the appeal submitted by G.J.S.D. for free home to school transport be upheld.**

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

17<sup>TH</sup> SEPTEMBER 2018

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

**Councillors:** G. Davies and D.E. Williams

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways;  
A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
J. Owen, Democratic Services Officer.

**Committee Room 2, 3 Spilman Street, Carmarthen 2:45pm - 2:55pm**

**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. 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 M.L. 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. Disclosure would support transparency and accountability in the decision making process, however, on balance 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant M.L. free school transport to the nearest LEA designated school which was located within the statutory walking distance 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 and the availability of a fare paying bus, which was not available for public use, from M.L.s' home address to the designated school.

**RESOLVED that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis M.L.'s home address was located within the statutory walking distance of the designated Local Education Authority School and that the walking route had been assessed as being suitable in accordance with Welsh Government Criteria.**

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**CHAIR**

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**DATE**

## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

17 SEPTEMBER 2018

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

**Councillors:** G. Davies, P. Hughes-Griffiths and K. Lloyd

**The following Officers were in attendance:**

S. Pilliner, Head of Transportation & Highways;  
A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
J. Owen, Democratic Services Officer.

**Committee Room 2, 3 Spilman Street, Carmarthen – 3:00pm - 3:05pm**

**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. 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 O.P. 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. Disclosure would support transparency and accountability in the decision making process, however, on balance 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 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 and the availability of a fare paying bus from O.P.s' home address to the designated school.

**UNANIMOUSLY RESOLVED** that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis O.P's home address was located within the statutory walking distance of the designated Local Education Authority School and that the walking route had been assessed as being suitable in accordance with Welsh Government Criteria.

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CHAIR

\_\_\_\_\_  
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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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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