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

FRIDAY, 11 AUGUST 2017

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 **COMMITTEE ROOM 2, 3 SPILMAN STREET, CARMARTHEN AT 2.00 PM, ON TUESDAY, 22ND AUGUST, 2017** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Kevin Thomas
Telephone (direct line):	01267 224027
E-Mail:	kjthomas@carmarthenshire.gov.uk
Ref:	AD016-001

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

EXECUTIVE BOARD MEMBER FOR TECHNICAL SERVICES

1. Cynghorydd/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 P. Hughes-Griffiths
2. Councillor K. Lloyd

NOTE:-

1. THE CHAIR OF THE MEMBERS APPEAL PANEL SHALL BE THE EXECUTIVE BOARD MEMBER FOR TECHNICAL SERVICES (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. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETINGS HELD ON THE FOLLOWING DATES:-
 - 3 .1 17TH JULY, 2017 (10:00 A.M.) 5 - 6
 - 3 .2 17TH JULY, 2017 (10:30 A.M.) 7 - 8
 - 3 .3 17TH JULY, 2017 (11:00 A.M.) 9 - 10
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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 L.T. AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT. 11 - 42

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MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 17th July 2017

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

Councillors: G. Davies and J.M. Charles

The following Officers were in attendance:

S. Pilliner, Head of Transportation & Highways

S. Davies, Modernisation Services Manager

T. Pilarz, Assistant Solicitor

L. McFarlane, Learner Travel Policy & Development Officer

J. Owen, Democratic Services Officer

Room 72A, County Hall, Carmarthen - 10.00am - 10.25am

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. TO SIGN, AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 15TH JUNE 2017

It was **RESOLVED** that the minutes of the meeting held on the 15th June 2017 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 S.C.W. 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 S.C.W 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 sought clarification on elements of the Authority's Home to School Transport Policy.

RESOLVED that due to the exceptional circumstances of the case, the appeal be upheld.

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 17th July 2017

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

Councillors: G. Davies and S.J.G. Gilasbey

The following Officers were in attendance:

S. Pilliner, Head of Transportation & Highways

S. Davies, Modernisation Services Manager

T. Pilarz, Assistant Solicitor

L. McFarlane, Learner Travel Policy & Development Officer

J. Owen, Democratic Services Officer

Room 72A , County Hall, Carmarthen - 10.30am - 10.55am

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 CHM 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.H.M. 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 sought clarification on the location of the designated school and nearest LEA school for C.H.M.'s home address.

The Panel considered the observations of the departmental officers, together with the individual circumstances of the case. The Panel sought clarification on elements of the Authority's Home to School Transport Policy.

RESOLVED that due to the exceptional circumstances of the case, the appeal be upheld.

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 17th July 2017

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

Councillors: G. Davies, J.D. James and A.L. Fox

The following Officers were in attendance:

S. Pilliner, Head of Transportation & Highways

S. Davies, Modernisation Services Manager

T. Pilarz, Assistant Solicitor

L. McFarlane, Learner Travel Policy & Development Officer

J. Owen, Democratic Services Officer

Room 72A, County Hall, Carmarthen - 11.00am - 11.25 am

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

It was **RESOLVED** that the minutes of the meeting held on the 15th June 2017 be signed as a correct record.

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 JML 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 J.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 sought clarification on elements of the Authority's Home to School Transport Policy. The Panel sought information on the provision of public transport from J.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 that J.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 and deemed available.

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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