

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Thursday, 26 October 2017

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

Councillors:

J.M. Charles and G. Davies

The following Officers were in attendance:

A. Evans, Operations Manager - Passenger Transport

K. Morris, Assistant Solicitor

S. Pilliner, Head of Transportation & Highways

K. Thomas, Democratic Services Officer

S. Williams, Senior School Organisation Officer

Committee Room 2, 3 Spilman Street, Carmarthen - 2.00 - 2.25 pm

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 MEETINGS HELD ON THE FOLLOWING DATES:-

3.1. 26 SEPTEMBER, 2017 (2.00 P.M.)

The Committee was advised of an error in the final paragraph of minute 6 where it erroneously referred to "A.L.W's home address" where it should have been recorded as " E.M.S' home address.

RESOLVED that, subject to the above amendment, the minutes of the meeting of the Panel held on the 26th September be signed as a correct record

3.2. 26TH SEPTEMBER, 2017 (2.40 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 26th September, 2017 be signed as a correct record.

3.3. 26TH SEPTEMBER, 2017 (3.20 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 26th September, 2017 be signed as a correct record.

3.4. 26TH SEPTEMBER, 2017 (3.40 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 26th September, 2017 be signed as a correct record.

4. EXCLUSION OF THE PUBLIC

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as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.

5. TO CONSIDER AN APPEAL BY APPLICANT B.A. 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 B.A. 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 B.A's home address to the chosen school.

RESOLVED that due to the exceptional circumstances of the case, the appeal submitted by B.A. be upheld.

6. TO CONSIDER AN APPEAL BY APPLICANT E.G.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 E.G.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 also sought clarification on elements of the Authority's Home to School Transport Policy and the availability of public transport from E.G.W's home address to the chosen school.

RESOLVED that due to the exceptional circumstances of the case, the appeal submitted by E.G.W. be upheld.

CHAIR

DATE