

Document Pack



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

TUESDAY, 27 FEBRUARY 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 TUESDAY, 6TH MARCH, 2018** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Martin S. Davies
Telephone (direct line):	01267 224059
E-Mail:	MSDavies@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 **T.A.J. Davies**

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. **TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE FOLLOWING DATES:**
 - 3.1 **24TH NOVEMBER 2017 (10.00 A.M.);** 5 - 6
 - 3.2 **24TH NOVEMBER 2017 (10.20 A.M.);** 7 - 8
 - 3.3 **24TH NOVEMBER 2017 (10.40 A.M.);** 9 - 10
 - 3.4 **24TH NOVEMBER 2017 (11.00 A.M.);** 11 - 12
 - 3.5 **24TH NOVEMBER 2017 (11.40 A.M.);** 13 - 14
 - 3.6 **24TH NOVEMBER 2017 (12.20 P.M.);** 15 - 16
 - 3.7 **24TH NOVEMBER 2017 (12.40 P.M.);** 17 - 18
 - 3.8 **18TH DECEMBER 2017 (2.00 P.M.);** 19 - 20
 - 3.9 **18TH DECEMBER 2017 (2.20 P.M.);** 21 - 22
 - 3.10 **18TH DECEMBER 2017 (2.40 P.M.);** 23 - 24
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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 LE, HE & ME AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.** 25 - 68

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MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Friday, 24 November 2017

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

Councillors:

G. Davies and C.A. Campbell

The following Officers were in attendance:

- A. Evans, Operations Manager - Passenger Transport
- L. McFarlane, Learner Travel Policy & Development Officer
- S. Davies, Modernisation Services Manager
- K. Morris, Assistant Solicitor
- M.S. Davies, Democratic Services Officer

Committee Room 2, 3 Spilman Street, Carmarthen - 10.00 am - 10.20 am

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 FOLLOWING DATES:

3.1. 26TH OCTOBER 2017 (2.00 P.M.)

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

3.2. 26TH OCTOBER 2017 (2.40 P.M.)

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

3.3. 26TH OCTOBER 2017 (3.00 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 26th October, 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 APPLICANTS I.R. AND A.R. 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 I.R. and A.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 I.R. and A.R.'s home address to the chosen school.

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

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Friday, 24 November 2017

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

G. Davies, P. Hughes-Griffiths and K. Lloyd

The following Officers were in attendance:

M.S. Davies, Democratic Services Officer

S. Davies, Modernisation Services Manager

A. Evans, Operations Manager - Passenger Transport

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

Committee Room 2, 3 Spilman Street, Carmarthen - 10.20 - 10.40 am**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

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.

4. TO CONSIDER AN APPEAL BY APPLICANT L.J.T. 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 L.J.T. 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 L.J.T.'s 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 L.J.T.'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.

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Friday, 24 November 2017

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

Councillors:

G. Davies

The following Officers were in attendance:

M.S. Davies, Democratic Services Officer

S. Davies, Modernisation Services Manager

A. Evans, Operations Manager - Passenger Transport

M Jacob, Traffic Engineer

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

Committee Room 2, 3 Spilman Street, Carmarthen - 10.40 - 10.49 am

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. 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.

4. TO CONSIDER AN APPEAL BY APPLICANT E.M.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 Chair, in welcoming officers from Legal, Environment and Education & Children Services to the meeting, clarified that responses to queries attributed to her in the pack had, in fact been responses by officers and that she had not had any involvement in the case.

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 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, the availability of public transport from E.M.S.s' home address to the designated school and also the assessment of the walking route to the school undertaken in accordance with Welsh Government Guidelines.

RESOLVED that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis E.M.S.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.

CHAIR

DATE

Friday, 24 November 2017

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

Councillors:

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

The following Officers were in attendance:

M.S. Davies, Democratic Services Officer

S. Davies, Modernisation Services Manager

A. Evans, Operations Manager - Passenger Transport

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

Committee Room 2, 3 Spilman Street, Carmarthen - 11.00 - 11.30 am

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

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.

4. TO CONSIDER AN APPEAL BY APPLICANT D.E. 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 D.E. 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, the availability of public transport from D.E.'s home address to the designated school and also the assessment of the walking route to the school undertaken in accordance with Welsh Government Guidelines.

RESOLVED that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis D.E.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.

5. TO CONSIDER AN APPEAL BY APPLICANT R.W.J. 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 R.W.J. 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, the availability of public transport from R.W.J.s' home address to the designated school and also the assessment of the walking route to the school undertaken in accordance with Welsh Government Guidelines.

RESOLVED that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis R.W.J.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.

CHAIR

DATE

Friday, 24 November 2017

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

Councillors:

G. Davies

The following Officers were in attendance:

M.S. Davies, Democratic Services Officer

S. Davies, Modernisation Services Manager

A. Evans, Operations Manager - Passenger Transport

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

Committee Room 2, 3 Spilman Street, Carmarthen - 11.40 - 11.00 am

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

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.

4. TO CONSIDER AN APPEAL BY APPLICANT C.M.J. 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.M.J. 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, the availability of public transport from C.M.J.'s home address to the designated school and also the assessment of the walking route to the school undertaken in accordance with Welsh Government Guidelines.

RESOLVED that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis C.M.J.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.

CHAIR

DATE

Friday, 24 November 2017

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

Councillors:

G. Davies, A.Vaughan Owen and D. Price

The following Officers were in attendance:

M.S. Davies, Democratic Services Officer

S. Davies, Modernisation Services Manager

A. Evans, Operations Manager - Passenger Transport

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

Committee Room 2, 3 Spilman Street, Carmarthen - 12.20 - 12.30 pm

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

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.

4. TO CONSIDER AN APPEAL BY APPLICANT R.N. 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 R.N. 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 R.N.'s home address to the chosen school.

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

CHAIR

DATE

Friday, 24 November 2017

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

Councillors:

G. Davies

The following Officers were in attendance:

M.S. Davies, Democratic Services Officer

S. Davies, Modernisation Services Manager

A. Evans, Operations Manager - Passenger Transport

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

Committee Room 2, 3 Spilman Street, Carmarthen - 12.40 - 12.45 pm

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

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.

4. TO CONSIDER AN APPEAL BY APPLICANT S.A.C. 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 S.A.C. 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, the availability of public transport from S.A.C.'s home address to the designated school and also the assessment of the walking route to the school undertaken in accordance with Welsh Government Guidelines.

RESOLVED that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis S.A.C.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.

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 18 December 2017

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

Councillors:

G. Davies and J.A. Davies

The following Officers were in attendance:

A. Evans, Operations Manager - Passenger Transport

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

G. Morgan, Democratic Services Manager

Committee Room 2, 3 Spilman Street, Carmarthen - 2.00 - 2.15 pm

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 CMMF 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.M.M.F. 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 subjects through the medium of Welsh at the LEA designated school 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.M.M.F. was not attending the nearest or Local Education Authority designated school for the home address, due to parental preference.

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 18 December 2017

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

Councillors:

G. Davies and M.J.A. Lewis

The following Officers were in attendance:

A. Evans, Operations Manager - Passenger Transport

G. Morgan, Head of Democratic Services

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

Committee Room 2, 3 Spilman Street, Carmarthen - 2.20 - 2.30 pm

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 MPHS 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.P.H.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 and a previous decision of the Authority to provide free transport to a pupil who resided on the same site. The Environment representative advised the Panel that the provision of free school transport to another pupil had subsequently been withdrawn as this was an administrative error.

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

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 18 December 2017

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

Councillors:

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

The following Officers were in attendance:

A. Evans, Operations Manager - Passenger Transport

G. Morgan, Head of Democratic Services

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

Committee Room 2, 3 Spilman Street, Carmarthen - 2.40 - 3.00 pm

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 DE 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 was reminded that at its meeting held on the 24th November 2017 it had refused an appeal by D.E. against the refusal to provide free home to school transport, subsequently the appellant had submitted additional medical and other

supporting evidence and the officer Panel had re-considered and again refused the appeal.

The Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant D.E. free school transport as the home address was located within the statutory walking distance of the designated Local Education Authority School 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 D.E's home address to the chosen school.

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

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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