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

MONDAY, 4 JUNE 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, - SPILMAN STREET, CARMARTHEN AT 10.00 AM, ON TUESDAY, 12TH JUNE, 2018** 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. 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 **W.R.A. Davies**
2. Councillor **D. Nicholas**

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 **14TH MAY 2018 (10.00 A.M.);** 5 - 6
 - 3.2 **14TH MAY 2018 (10.15 A.M.);** 7 - 8
 - 3.3 **14TH MAY 2018 (10.30 A.M.);** 9 - 10
 - 3.4 **14TH MAY 2018 (10.45 A.M.);** 11 - 12
 - 3.5 **14TH MAY 2018 (11.00 A.M.);** 13 - 14
 - 3.6 **14TH MAY 2018 (11.15 A.M.);** 15 - 16
 - 3.7 **14TH MAY 2018 (11.30 A.M.);** 17 - 18
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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 APPLICANTS C & MJ AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.** 19 - 48

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MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 14 May 2018

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

Councillors:

G. Davies and J. Tremlett

The following Officers were in attendance:

- S. Pilliner, Head of Transportation & Highways
- L. McFarlane, Learner Travel Policy & Development Officer
- K. Morris, Assistant Solicitor
- S. Williams, Senior School Organisation Officer
- A. John, Assistant Solicitor
- M.S. Davies, Democratic Services Officer

Democratic Services Committee Room, County Hall, Carmarthen. - 10.00 am - 10.14 am

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. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE FOLLOWING DATES:

3.1. 6TH MARCH 2018 (2.00 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 6th March 2018 be signed as a correct record.

3.2. 6TH MARCH 2018 (2.30 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 6th March 2018 be signed as a correct record.

3.3. 6TH MARCH 2018 (3.00 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 6th March 2018 be signed as a correct record.

3.4. 6TH MARCH 2018 (3.30 P.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 6th March 2018 be signed as a correct record.

3.5. 15TH MARCH 2018 (10.00 A.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 6th March 2018 be signed as a correct record.

3.6. 15TH MARCH 2018 (10.20 A.M.)

RESOLVED that the minutes of the meeting of the Panel held on the 6th March 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 APPLICANT EMS AGAINST A DECISION OF THE AUTHORITY 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.M-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, 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 E.M-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, 14 May 2018

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

G. Davies and D.M. Cundy

The following Officers were in attendance:

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

A. John, Assistant Solicitor

M.S. Davies, Democratic Services Officer

Democratic Services Committee Room, County Hall, Carmarthen 10.15 am - 10.29 am**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 ELH AGAINST A DECISION OF THE AUTHORITY 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 E.L-H. 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 E.L.H.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 E.L.H.'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, 14 May 2018

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

G. Davies

The following Officers were in attendance:

S. Pilliner, Head of Transportation & Highways

L. McFarlane, Learner Travel Policy & Development Officer

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

A. John, Assistant Solicitor

Democratic Services Committee Room, County Hall, Carmarthen - 10.30 am - 10.44 am**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 ME AGAINST A DECISION OF THE AUTHORITY 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.S.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 and the availability of a fare paying bus, which was not available for public use, from M.S.E.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.S.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.

CHAIR

DATE

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 14 May 2018

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

G. Davies and D. Thomas

The following Officers were in attendance:

S. Pilliner, Head of Transportation & Highways
 L. McFarlane, Learner Travel Policy & Development Officer
 K. Morris, Assistant Solicitor
 S. Williams, Senior School Organisation Officer
 A. John, Assistant Solicitor
 M.S. Davies, Democratic Services Officer

Democratic Services Committee Room, County Hall, Carmarthen 10.45 am - 10.59 am**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 KK AGAINST A DECISION OF THE AUTHORITY 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 K.K. 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 K.K.'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 K.K.'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, 14 May 2018

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

G. Davies and J.E. Williams

The following Officers were in attendance:

S. Pilliner, Head of Transportation & Highways
 L. McFarlane, Learner Travel Policy & Development Officer
 K. Morris, Assistant Solicitor
 S. Williams, Senior School Organisation Officer
 A. John, Assistant Solicitor
 M.S. Davies, Democratic Services Officer

Democratic Services Committee Room, - County Hall, Carmarthen 11.00 am - 11.14 am**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 AM & RM AGAINST A DECISION OF THE AUTHORITY 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 A.M. and R.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 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 A.M. and R.M. were 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, 14 May 2018

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

Councillors:

G. Davies, W.R.A. Davies and D. Nicholas

The following Officers were in attendance:

- S. Pilliner, Head of Transportation & Highways
- L. McFarlane, Learner Travel Policy & Development Officer
- K. Morris, Assistant Solicitor
- S. Williams, Senior School Organisation Officer
- A. John, Assistant Solicitor
- M.S. Davies, Democratic Services Officer

Democratic Services Committee Room, County Hall, Carmarthen 11.15 am - 11.29 am

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 RJT AGAINST A DECISION OF THE AUTHORITY 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 R.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 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 R.J.T. 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, 14 May 2018

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

G. Davies and C.J. Harris

The following Officers were in attendance:

S. Pilliner, Head of Transportation & Highways

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

A. John, Assistant Solicitor

M.S. Davies, Democratic Services Officer

Democratic Services Committee Room, County Hall, Carmarthen 11.30 am - 11.45 am**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor A. 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 SEJ AGAINST A DECISION OF THE AUTHORITY 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.E.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 S.E.J. for free home to school transport 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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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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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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