

# Document Pack



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

**THURSDAY, 2 MAY 2019**

**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 10.15 AM, ON FRIDAY, 10TH MAY, 2019** 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

<p><b>MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL 3 OR 4 MEMBERS</b></p>
---

**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 | J. Gilasbey |
|----|------------|-------------|

**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

# A G E N D A

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF PERSONAL INTEREST**

**3. MINUTES**

**3 .1 10TH APRIL 2019 (3.30 P.M.)** 5 - 6

**3 .2 10TH APRIL 2019 (3.45 P.M.)** 7 - 8

**3 .3 10TH APRIL 2019 (4.00 P.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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 B.E.J. AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.** 11 - 32

This page is intentionally left blank

## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Wednesday, 10 April 2019

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

**Councillors:**

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

**The following Officers were in attendance:**

A. Evans, Operations Manager, Passenger Transport

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

L. McFarlane, Learner Travel Policy & Development Officer

L. Jenkins, Democratic Services Officer

K. Thomas, Democratic Services Officer

**Chamber & Ante Room, 3 Spilman Street, Carmarthen. SA31 1LE. 3.35 - 3.50 pm**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

There were no declarations of personal interest.

**3. MINUTES**

**4. 14TH FEBRUARY 2019 (10.00 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> February 2019 (10:00am) be signed as a correct record.

**5. 14TH FEBRUARY 2019 (10.15 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> February 2019 (10:15am) be signed as a correct record.

**6. 14TH FEBRUARY 2019 (10.30 A.M.)**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> February 2019 (10:30am) be signed as a correct record.

**7. 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.

**8. TO CONSIDER AN APPEAL BY APPLICANT E.P. 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 7 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 E.P 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 with regards thereto.

**RESOLVED**

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

---

**CHAIR**

---

**DATE**

Wednesday, 10 April 2019

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

**Councillors:**

C.A. Davies and G. Davies

**The following Officers were in attendance:**

A. Evans, Operations Manager, Passenger Transport

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

L. McFarlane, Learner Travel Policy & Development Officer

L. Jenkins, Democratic Services Officer

K. Thomas, Democratic Services Officer

**Chamber & Ante Room, 3 Spilman Street, Carmarthen. SA31 1LE. 3.50 - 4.05 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 S.D.F. AGAINST A DECISION BY 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. 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 S.D.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 with regards thereto.

## **RESOLVED**

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

Wednesday, 10 April 2019

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

**Councillors:**

G. Davies, E. Dole and D. Jones

**The following Officers were in attendance:**

A. Evans, Operations Manager, Passenger Transport

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

L. McFarlane, Learner Travel Policy & Development Officer

L. Jenkins, Democratic Services Officer

K. Thomas, Democratic Services Officer

**Chamber & Ante Room, 3 Spilman Street, Carmarthen. SA31 1LE. 4.05 - 4.25 pm**

**1. APOLOGIES FOR ABSENCE**

There were no apologies.

**2. DECLARATIONS OF PERSONAL INTEREST**

Councillor	Minute Item(s)	Nature of Interest
D. Jones	4	Cllr D. Jones declared a Prejudicial Interest in this matter.

**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 T.J.J. AGAINST A DECISION OF THE AUTHORITY FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.**

[NOTE: Councillor D. Jones had earlier declared an interest in this item and left the Chamber.]

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 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 T.J.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 with regards thereto.

## **RESOLVED**

**4.1 that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis that T.J.J. was not attending the nearest or Local Education Authority designated school for the home address, due to parental preference.**

\_\_\_\_\_  
**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.

Document is Restricted

This page is intentionally left blank

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.

Document is Restricted

This page is intentionally left blank

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.

Document is Restricted

This page is intentionally left blank



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.

Document is Restricted

This page is intentionally left blank