

**THURSDAY, 3 DECEMBER 2020**

**TO: MEMBERS HOME TO SCHOOL TRANSPORT APPEALS  
PANEL**

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING OF THE MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL** WHICH WILL BE HELD AT **11.00 AM, ON THURSDAY, 10TH DECEMBER, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**



**PLEASE RECYCLE**

<b>Democratic Officer:</b>	<b>Emma Bryer</b>
<b>Telephone (direct line):</b>	<b>01267 224029</b>
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Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
County Hall, Carmarthen. SA31 1JP

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

**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 **D. Jenkins**

**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 NOVEMBER, 2020 (10:00 A.M);**

5 - 6

**3.2 10TH NOVEMBER, 2020 (10:15 A.M);**

7 - 8

**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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 S.E.W AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.**

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## Members Home to School Transport Appeals Panel

Tuesday, 10 November 2020

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

**Councillors:**

G. Davies, E.M.J.G. Schiavone and A.D.T. Speake

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport

A. John, Assistant Solicitor

S. Rees, Simultaneous Translator

R. Lloyd, Democratic Services Officer

J. Owen, Democratic Services Officer

E. Bryer, Democratic Services Officer

**Virtual Meeting - 10.05 - 10.30 am**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

There were no declarations of personal interest.

**3. MINUTES OF THE MEETING HELD ON THE 15TH OCTOBER, 2020**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting held on the 15<sup>th</sup> October 2020 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 F.K.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 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. 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 F.K.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 and the assessment of the potential walking route from F.K.J.'s home address to the designated school.

**RESOLVED that the appeal submitted by F.K.J for free home to school transport be upheld.**

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**CHAIR**

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**DATE**

## Members Home to School Transport Appeals Panel

Tuesday, 10 November 2020

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

**Councillors:**

G. Davies and D.M. Cundy

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport

A. John, Assistant Solicitor

S. Williams, Senior School Organisation Officer

S. Rees, Simultaneous Translator

R. Lloyd, Democratic Services Officer

J. Owen, Democratic Services Officer

E. Bryer, Democratic Services Officer

**Virtual Meeting - 10.35 - 10.45 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**

**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 D.B 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. 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant D.B. free school transport to a school which was not the nearest or LEA 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.

While the Panel refused the appeal based on D.B. not attending the nearest designated school for the home address, they also noted that the school was also within the statutory walking distance as set by Welsh Government.

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

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**CHAIR**

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**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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