

# MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

## 1<sup>st</sup> MARCH 2017

**Present:** Councillor G.O. Jones (Chair)

**Councillor:** R. Thomas

**The following officers were in attendance:**

Mr. S. Pilliner – Head of Transportation & Highways  
Ms. L. McFarlane – Learner Travel Policy & Development Officer  
Ms. K. Morris – Assistant Solicitor  
Mr. M. Hughes – Democratic Services Officer

**Venue:** Committee Room 2, 3 Spilman Street, Carmarthen (10:35 – 10:50am)

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor H.A.L. Evans and the Chair expressed his condolences to Councillor Evans and her family, following the recent death of her mother.

### 2. DECLARATIONS OF PERSONAL INTEREST

Councillor	Minute Number	Nature of Interest
G.O. Jones	Item 4 – To consider an appeal by applicant M.A.J. against a decision by officers for the non-provision of free school transport	He is currently Chair of Governors at Ysgol Bro Myrddin, Carmarthen

### 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as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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 M.A.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.

*Councillor G.O. Jones had earlier declared an interest in that he is currently Chair of Governors at Ysgol Bro Myrddin, Carmarthen. Councillor Jones advised the Panel that he had received legal advice confirming that this would not preclude him from considering the appeal.*

The Chair welcomed officers from Legal Services and the Environment Department 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.A.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 and sought clarification on elements of the Authority's Home to School Transport Policy, together with the individual circumstances of the case.

**UNANIMOUSLY RESOLVED** that due to the exceptional individual circumstances of the case, the appeal be upheld.

**SIGNED:** \_\_\_\_\_ (Chair)

**DATE:** \_\_\_\_\_