

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amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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