

# MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 18 December 2017

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

**Councillors:**

G. Davies and M.J.A. Lewis

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport

G. Morgan, Head of Democratic Services

K. Morris, Assistant Solicitor

S. Williams, Senior School Organisation Officer

**Committee Room 2, 3 Spilman Street, Carmarthen - 2.20 - 2.30 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as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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 MPHS 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 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.P.H.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 and a previous decision of the Authority to provide free transport to a pupil who resided on the same site. The Environment representative advised the Panel that the provision of free school transport to another pupil had subsequently been withdrawn as this was an administrative error.

**RESOLVED that in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis that M.P.H.S. 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**