

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

16 AUGUST 2018

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

Councillors: G. Davies and D.M. Jenkins

The following Officers were in attendance:

S. Davies, Head of Access to Education;

L. McFarlane, Learner Travel Policy & Development Officer;

T. Pilarz, Assistant Solicitor;

J. Owen, Democratic Services Officer.

Democratic Services Committee Room, County Hall, Carmarthen – 10:00am - 10:14am

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. MINUTES

3.1. 12TH JUNE 2018 (10:00 A.M.);

RESOLVED that the minutes of the meeting held on the 12th June 2018 at 10:00am be signed as a correct record.

3.2. 12TH JUNE 2018 (10:15 A.M.);

RESOLVED that the minutes of the meeting held on the 12th June 2018 at 10:15am be signed as a correct record.

3.3. 12TH JUNE 2018 (10:45 A.M.);

RESOLVED that the minutes of the meeting held on the 12th June 2018 at 10:45am 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 public be excluded from the meeting during consideration of the following item 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 A.M.M. 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 7 above, to consider this matter in private, with the public excluded from the meeting, as it would involve the disclosure of 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 A.M.M. 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 A.M.M.'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 due to the individual circumstances involved, the appeal submitted by A.M.M. for free home to school transport be upheld.

CHAIR

DATE