

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

14 FEBRUARY 2019

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

Councillors: G. Davies

The following Officers were in attendance:

L. McFarlane, Learner Travel Policy & Development Officer;
A. Evans, Operations Manager - Passenger Transport;
S. Williams, Senior School Organisation Officer;
T. Pilarz, Assistant Solicitor;
J. Owen, Democratic Services Officer.

Committee Room 2, 3 Spilman Street, Carmarthen: 10:00am - 10:15am

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor E. Dole and Councillor D. Jones.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. MINUTES

3.1 16TH JANUARY 2019 (3:00PM)

RESOLVED that the minutes of the meeting held on the 16th January 2019 (3:00pm) be signed as a correct record.

3.2 16TH JANUARY 2019 (3:15PM)

RESOLVED that the minutes of the meeting held on the 16th January 2019 (3:15pm) be signed as a correct record.

3.3 16TH JANUARY 2019 (3:30PM)

RESOLVED that the minutes of the meeting held on the 16th January 2019 (3:30pm) 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as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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 K.S.R.C. AGAINST A DECISION OF THE AUTHORITY 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 K.S.R.C 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 with regards thereto.

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

CHAIR

DATE