

# MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Wednesday, 17 July 2019

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

**Councillors:**

G. Davies, E. Dole and D. Jones

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport

K. Morris, Assistant Solicitor

L. McFarlane, Learner Travel Policy & Development Officer

E. Bryer, Democratic Services Officer

**Chairman's Room, County Hall, Carmarthen - County Hall, Carmarthen. SA31 1JP. -  
2.45 - 3.10 pm**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST**

Councillor	Minute item	Nature of interest
E. Dole	4	Cllr. E. Dole declared a personal & prejudicial interest in this matter.

**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as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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 J.O. AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.**

[**NOTE:** Councillor E. Dole had earlier declared an interest in this item and left the room]

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 contained personal information relating to the applicant such as their address and possibly information that might reveal the identity of the family. 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 and Environment 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 J.O. free school transport to the nearest LEA designated school which was located within the statutory walking distance and therefor, 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 and the assessment of the potential walking route from J.O.'s home address to the designated school.

## **RESOLVED**

**4.1 that, in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis that J.O.'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.**

**4.2 that if available J.O. be offered a spare seat under the spare seat policy.**

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**CHAIR**

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**DATE**