

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

Monday, 18 December 2017

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

Councillors:

G. Davies, A.L. Fox and J.D. James

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 - 2.40 - 3.00 pm

1. APOLOGIES FOR ABSENCE

There were no apologies for absence

2. DECLARATIONS OF PERSONAL INTEREST

No declarations of personal interest were made at the meeting.

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as amended by the Local Government (Access to Information) Variation (Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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 DE 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 was reminded that at its meeting held on the 24th November 2017 it had refused an appeal by D.E. against the refusal to provide free home to school transport, subsequently the appellant had submitted additional medical and other

supporting evidence and the officer Panel had re-considered and again refused the appeal.

The Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant D.E. free school transport as the home address was located within the statutory walking distance of the designated Local Education Authority School 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 a fare paying bus and the availability of public transport from D.E's home address to the chosen school.

RESOLVED that due to the exceptional circumstances of the case, the appeal submitted by D.E. be upheld.

CHAIR

DATE