

**WEDNESDAY, 9 NOVEMBER 2022**

**TO: MEMBERS HOME TO SCHOOL TRANSPORT APPEALS  
PANEL**

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING OF THE MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL** WHICH WILL BE HELD AT **10.00 AM, ON WEDNESDAY, 16TH NOVEMBER, 2022** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**



**PLEASE RECYCLE**

<b>Democratic Officer:</b>	<b>Julie Owens</b>
<b>Telephone (direct line):</b>	<b>01267 224088</b>
<b>E-Mail:</b>	<b><a href="mailto:juowens@carmarthenshire.gov.uk">juowens@carmarthenshire.gov.uk</a></b>

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
*County Hall, Carmarthen. SA31 1JP*

**MEMBERS HOME TO SCHOOL TRANSPORT  
APPEALS PANEL**

**3 OR 4 MEMBERS**

**CABINET MEMBER FOR TRANSPORT, WASTE AND INFRASTRUCTURE**

1. Councillor **E.G. Thomas**

**CABINET MEMBER FOR EDUCATION & WELSH LANGUAGE**

1. Councillor **G. Davies**

**LOCAL MEMBER(S) FOR THE APPELLANT LEARNER'S WARD**

1. Councillor **E. Schiavone**  
2. Councillor **R. Sparks**

**NOTE:-**

1. THE CHAIR OF THE MEMBERS APPEAL PANEL SHALL BE THE CABINET MEMBER FOR TRANSPORT, WASTE AND INFRASTRUCTURE (OR IN HIS OR HER ABSENCE THE CABINET MEMBER FOR EDUCATION AND WELSH LANGUAGE)
2. NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THE PANEL

# **A G E N D A**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF PERSONAL INTEREST**
- 3. MINUTES**
  - 3.1 19TH OCTOBER 2022 10:00AM** 5 - 8
  - 3.2 19TH OCTOBER 2022 10:10AM** 9 - 10
  - 3.3 19TH OCTOBER 2022 10:20AM** 11 - 12
  - 3.4 19TH OCTOBER 2022 10:30AM** 13 - 14
  - 3.5 19TH OCTOBER 2022 10:40AM** 15 - 16
- 4. EXCLUSION OF THE PUBLIC**

THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007.

IF FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST THE PANEL RESOLVES PURSUANT TO THE ACT TO CONSIDER THIS ITEM IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.
- 5. TO CONSIDER AN APPEAL BY APPLICANT EHT AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.** 17 - 42

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## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

19 OCTOBER 2022

**PRESENT:** Councillor E.G. Thomas (Chair)

**Councillors:** G. Davies, W.T. Evans and M. James.

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport;

S. Williams, Senior School Organisation Officer;

A. John, Assistant Solicitor;

J. Owen, Democratic Services Officer.

**Virtual Meeting: 10:00am - 10:10am**

**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. 17TH AUGUST 2022 - 10:00AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (10:00a.m.) be signed as a correct record.

**3.2. 17TH AUGUST 2022 - 10:10AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (10:10a.m.) be signed as a correct record.

**3.3. 17TH AUGUST 2022 - 10:20AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (10:20a.m.) be signed as a correct record.

**3.4. 17TH AUGUST 2022 - 10:30AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (10:30a.m.) be signed as a correct record.

**3.5. 17TH AUGUST 2022 - 10:40AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (10:40a.m.) be signed as a correct record.

**3.6. 17TH AUGUST 2022 - 10:50AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (10:50a.m.) be signed as a correct record.

**3.7. 17TH AUGUST 2022 - 11:00AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (11:00a.m.) be signed as a correct record.

**3.8. 17TH AUGUST 2022 - 11:10AM**

**RESOLVED** that the minutes of the meeting held on 17<sup>th</sup> August 2022 (11:10a.m.) 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 H.A. 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant H.A. free school transport to a school which was not the nearest or LEA 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 individual circumstances of the case, together with the observations of the departmental officers.

**UNANIMOUSLY RESOLVED** that the appeal submitted by H.A. for free home to school transport be upheld.

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**CHAIR**

\_\_\_\_\_  
**DATE**

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## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

19 OCTOBER 2022

**PRESENT:** Councillor E.G. Thomas (Chair)

**Councillor:** G. Davies

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
J. Owen, Democratic Services Officer.

**Virtual Meeting: 10:10am - 10:20am**

**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 H.E. 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 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. 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant H.E. free school transport to a school which was not the nearest or LEA 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 individual circumstances of the case, together with the observations of the departmental officers.

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

## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

19 OCTOBER 2022

**PRESENT:** Councillor E.G. Thomas (Chair)

**Councillors:** G. Davies, C. Davies and L. Davies

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport;

S. Williams, Senior School Organisation Officer;

A. John, Assistant Solicitor;

S. Rees, Simultaneous Translator;

J. Owen, Democratic Services Officer.

**Virtual Meeting: 10:20am - 10:30am**

**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 J.D. 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 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. 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant J.D. free school transport to a school which was not the nearest or LEA 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 individual circumstances of the case, together with the observations of the departmental officers.

**UNANIMOUSLY RESOLVED** that the appeal submitted by J.D. for free home to school transport be upheld.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

19 OCTOBER 2022

**PRESENT:** Councillor E.G. Thomas (Chair)

**Councillors:** G. Davies, N. Evans and R.E. Evans

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
M. Jacob, Traffic and Road Safety Manager;  
S. Rees, Simultaneous Translator;  
J. Owen, Democratic Services Officer.

**Virtual Meeting: 10:30am - 10:45am**

**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 K.B. 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 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. 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant K.B. free school transport to the nearest LEA designated school which was located within the statutory distance of the 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 and the assessment of the potential walking route from K.B home address to the designated school.

**RESOLVED that, in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis that K.B's home address was located within the statutory distance of the designated Local Education Authority School and that a walking route had been assessed as being suitable in accordance with Welsh Government Criteria.**

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**CHAIR**

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**DATE**

## MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

19 OCTOBER 2022

**PRESENT:** Councillor E.G. Thomas (Chair)

**Councillors:** G. Davies, S. Godfrey-Coles and J.D. James

**The following Officers were in attendance:**

A. Evans, Operations Manager - Passenger Transport;  
S. Williams, Senior School Organisation Officer;  
A. John, Assistant Solicitor;  
M. Jacob, Traffic and Road Safety Manager;  
S. Rees, Simultaneous Translator;  
J. Owen, Democratic Services Officer.

**Virtual Meeting: 10:45am - 11:05am**

**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 M.J. 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 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. 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 Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant M.J. free school transport to the nearest LEA designated school which was located within the statutory distance of the 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.

**RESOLVED that, in line with the Authority's Home to School Transport Policy, the appeal be refused on the basis that M.J's home address was located within the statutory distance of the designated Local Education Authority School and that a walking route had been assessed as being suitable in accordance with Welsh Government Criteria.**

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**CHAIR**

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**DATE**



# Agenda Item 5

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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