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THURSDAY, 8 DECEMBER 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 9.00 AM, ON FRIDAY, 16TH DECEMBER, 2022** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE



PLEASE RECYCLE

| | |
|---------------------------------|---|
| Democratic Officer: | Kevin Thomas |
| Telephone (direct line): | 01267 224027 |
| E-Mail: | kjthomas@carmarthenshire.gov.uk |

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 | C. Davies |
| 2. | Councillor | L. Davies |

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 16TH NOVEMBER 2022 - 10.00 A.M.

5 - 6

3 .2 16TH NOVEMBER 2022 - 10.10 A.M.

7 - 8

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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 SMW AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.

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WEDNESDAY, 16 NOVEMBER 2022

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

Councillors (Virtually):

G. Davies

E.M.J.G. Schiavone

Also Present (Virtually):

A. Evans, Operations Manager - Passenger Transport

S. Williams, Senior School Organisation Officer

S. Rossiter, Assistant Solicitor

M. Jacob, Traffic and Road Safety Manager

A. Eynon, Principal Translator

J. Owens, Democratic Services Officer

Virtual Meeting - 10.00 - 10.17 am

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor R. Sparks.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. MINUTES

3.1. 19TH OCTOBER 2022 10:00AM

RESOLVED that the minutes of the meeting held on 19th October 2022 (10:00a.m.) be signed as a correct record.

3.2. 19TH OCTOBER 2022 10:10AM

RESOLVED that the minutes of the meeting held on 19th October 2022 (10:10a.m.) be signed as a correct record.

3.3. 19TH OCTOBER 2022 10:20AM

RESOLVED that the minutes of the meeting held on 19th October 2022 (10:20a.m.) be signed as a correct record.

3.4. 19TH OCTOBER 2022 10:30AM

RESOLVED that the minutes of the meeting held on 19th October 2022 (10:30a.m.) be signed as a correct record.

RESOLVED that the minutes of the meeting held on 19th October 2022 (10:40a.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 EHT 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 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 E.H.T. 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 and the assessment of the potential walking route from E.H.T's 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 E.H.T'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.

CHAIR

DATE

WEDNESDAY, 16 NOVEMBER 2022

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

Councillors (Virtually):

G. Davies

H.A.L. Evans

Also Present (Virtually):

A. Evans, Operations Manager - Passenger Transport

S. Williams, Senior School Organisation Officer

S. Rossiter, Assistant Solicitor

A. Eynon, Principal Translator

J. Owens, Democratic Services Officer

Virtual Meeting - 10.17 - 10.20 am

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor K. Howell.

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 JT 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. 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 noted that the appeal submitted in respect of J.T. had been withdrawn by the appellant following publication of the meeting agenda.

RESOLVED that the withdrawal of the appeal submitted in respect of J.T. be noted.

CHAIR

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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