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TUESDAY, 27 FEBRUARY 2024

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

I HEREBY SUMMON YOU TO ATTEND A **MULTI LOCATION MEETING OF THE MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL** WHICH WILL BE HELD AT **10.00 AM, COMMITTEE ROOM 1, COUNTY HALL, CARMARTHEN, SA31 1JP AND REMOTELY ON TUESDAY, 5TH MARCH, 2024** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE



PLEASE RECYCLE

| | |
|---------------------------------|--|
| Democratic Officer: | Janine Owen |
| Telephone (direct line): | 01267 224030 |
| E-Mail: | JanineOwen@carmarthenshire.gov.uk |

This is a multi-location meeting. Members can attend in person at the venue detailed above or remotely via the Zoom link which is provided separately.

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 MEMBERS FOR THE APPELLANT LEARNER'S WARD

1. Councillor **T. Evans**
2. Councillor **M. James**

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

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF PERSONAL INTEREST**
3. **MINUTES**
 - 3 .1 **5TH FEBRUARY 2024 - 2:00 PM** 5 - 6
 - 3 .2 **5TH FEBRUARY 2024 - 2:10 PM** 7 - 8
 - 3 .3 **5TH FEBRUARY 2024 - 2:20 PM** 9 - 10
 - 3 .4 **5TH FEBRUARY 2024 - 2:40 PM** 11 - 12
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THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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 D.T. AGAINST A DECISION OF THE AUTHORITY FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT** 13 - 34

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MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

MONDAY, 5 FEBRUARY 2024

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

Councillors (Virtual):

G. Davies and A. Davies

The following Officers were in attendance (Virtual)

T. Pilarz, Assistant Solicitor;

A. Evans, Operations Manager - Passenger Transport;

G. Owen, School Admissions Support Officer;

S. Arundel, School Admissions Development Officer;

M. Owen, Road Safety Engineer;

L. H. Jones, Simultaneous Translator (external);

K. Evans, Democratic Services Officer

Virtual Meeting – 14:00pm – 14:08pm

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. 11TH JANUARY 2024 - 10.00 A.M.

RESOLVED that the minutes of the meeting held on the 11th January, 2024 be signed as a correct record.

3.2. 11TH JANUARY 2024 - 10.10 A.M.

RESOLVED that the minutes of the meeting held on the 11th January, 2024 be signed as a correct record.

3.3. 11TH JANUARY 2024 - 10.20A.M.

RESOLVED that the minutes of the meeting held on the 11th January, 2024 be signed as a correct record.

Note: These minutes are subject to confirmation at the next meeting.

3.4. 11TH JANUARY 2024 - 10.30 A.M.

RESOLVED that the minutes of the meeting held on the 11th January, 2024 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 MGB 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 M.G.B. 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.

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

CHAIR

DATE

Note: These minutes are subject to confirmation at the next meeting.

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

MONDAY, 5 FEBRUARY 2024

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

Councillors (Virtual):

G. Davies and A. Davies

The following Officers were in attendance (Virtual)

T. Pilarz, Assistant Solicitor;

A. Evans, Operations Manager - Passenger Transport;

G. Owen, School Admissions Support Officer;

S. Arundel, School Admissions Development Officer;

M. Owen, Road Safety Engineer;

L. H. Jones, Simultaneous Translator (external);

K. Evans, Democratic Services Officer

Virtual Meeting - 2.10 - 2.16 pm

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 E.S. 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

Note: These minutes are subject to confirmation at the next meeting.

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.S. free school transport to a school which was within the 3 mile statutory walking distance from 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.

RESOLVED, in line with the Authority's Home to School Transport Policy, that the appeal by E.S. for school transport be refused on the basis that the school was within the statutory walking distance.

CHAIR

DATE

Note: These minutes are subject to confirmation at the next meeting.

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

MONDAY, 5 FEBRUARY 2024

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

Councillors (Virtual):

G. Davies and K. Broom

The following Officers were in attendance (Virtual)

T. Pilarz, Assistant Solicitor;

A. Evans, Operations Manager - Passenger Transport;

G. Owen, School Admissions Support Officer;

S. Arundel, School Admissions Development Officer;

M. Owen, Road Safety Engineer;

L. H. Jones, Simultaneous Translator (external);

K. Evans, Democratic Services Officer

Virtual Meeting - 2.20pm - 2.24pm

(Note: Due to it becoming apparent there had been technical difficulties with Cllr Broom's attendance at the meeting at 2:20pm, legal advice was provided and the Panel re-heard the appeal with Cllr Broom present.)

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 A.S. 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

Note: These minutes are subject to confirmation at the next meeting.

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 A.S. 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.

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

CHAIR

DATE

Note: These minutes are subject to confirmation at the next meeting.

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

MONDAY, 5 FEBRUARY 2024

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

Councillors (Virtual):

G. Davies

The following Officers were in attendance (Virtual)

T. Pilarz, Assistant Solicitor;

A. Evans, Operations Manager - Passenger Transport;

G. Owen, School Admissions Support Officer;

S. Arundel, School Admissions Development Officer;

M. Owen, Road Safety Engineer;

L. H. Jones, Simultaneous Translator (external);

K. Evans, Democratic Services Officer

Virtual Meeting - 2.40pm - 2.43pm

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.P. & M.P. 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.

Note: These minutes are subject to confirmation at the next meeting.

The Panel considered the written representations of the appellant in respect of the refusal of the Stage 1 Review Panel to grant J.P. and M.P. free school transport to a school which was within the 3 mile statutory walking distance from 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.P. and M.P. for free home to school transport be upheld.

CHAIR

DATE

Note: These minutes are subject to confirmation at the next meeting.

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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