

MEMBERS HOME TO SCHOOL TRANSPORT APPEALS PANEL

THURSDAY, 12 SEPTEMBER 2024

PRESENT: Councillor E.G. Thomas (Chair)

Councillors:

G. Davies B. Davies

Also Present:

K. Morris, Assistant Solicitor
A. Evans, Operations Manager - Passenger Transport
K. Phillips, LINC Project Manager
G. Owen, Schools Administration Officer
J. Owens, Democratic Services Officer
A. Hughes, Simultaneous Translator

Virtual Meeting - 11.02 - 11.10 am

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

Member	Agenda Item	Nature of Interest
Cllr. B. Davies	4 – TO CONSIDER AN APPEAL BY APPLICANT F.P. AGAINST A DECISION BY OFFICERS FOR THE NON-PROVISION OF FREE SCHOOL TRANSPORT.	Cllr Davies had made enquiries and sought new information in respect of the case due to a misunderstanding of the appeals process.

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as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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

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

(Note: Cllr B. Davies having declared an interest in this item left the meeting during its consideration and voting thereof).

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 F.P. 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.

In light of the comments made by the Local Member during consideration of agenda item 2, it was highlighted that new information/evidence could not be considered by the scheduled Stage 2 Panel. However, it was confirmed that applications relying on new information could be sent back for fresh consideration by officers at Stage 1 of the appeals process. The fresh decision when made by officers could, of course, be appealed if required and in such circumstances would come back to the Stage 2 Panel.

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