

MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 13 MARCH 2017

Present:

Councillor Ryan (in the Chair)

Councillors

Mrs Callow JP	I Coleman	Galley
G Coleman	Elmes	

In Attendance:

Mrs D Goodall, Head of Legal Services, Blackpool Council

Miss Y Burnett, Senior Democratic Governance Advisor, Blackpool Council

1 DECLARATIONS OF INTEREST

Councillor G Coleman declared a personal interests in agenda item 3 (Home to School Transport Appeal) as a taxi licence holder.

2 MINUTES OF THE LAST MEETING HELD ON 23 JANUARY 2017

Resolved: That the minutes of the meeting held on 23 January 2017 be approved and signed by the Chairman as a correct record.

3 EXCLUSION OF THE PUBLIC

Resolved: That under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the whole item, including the decisions referred to at Agenda item 4 on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

4 HOME TO SCHOOL TRANSPORT APPEAL

The Committee considered an appeal that had been lodged in connection with a decision taken by officers within the Special Educational Needs Department not to provide assistance with home-to-school transport.

Mr P Thompson presented the case on behalf of the Authority.

The Appellant was not in attendance at the meeting.

Also in attendance at the meeting were Mrs Goodall, Head of Legal Services and Miss Burnett, Clerk to the Committee.

The Committee carefully considered all the information submitted by the appellant and the Authority both in writing and verbally at the meeting.

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The Committee had regard to the Council's Home to School and College Transport Policy and Home to School travel and transport guidance (Statutory Guidance for local authorities), Department for Education 2014.

It noted the relevant factors in the Authority's case, that provision had been made for the appellant's child to attend Boundary Special Educational Resourced Facility (SERF) due to concerns around challenging behaviour, however the child was not eligible for assistance as the distance to the SERF was less than two miles, within the specified walking distance, from the family home. The Committee noted that whilst the child had been diagnosed with ADHD and was awaiting further assessments, there was no Education, Health and Care (EHC) Plan and as such, the Authority had no legal duty to provide transport.

The Committee considered the appellant's reasons for wanting assistance with home-to-school transport costs. It was noted that the appellant was of the opinion that her child was unable to use public transport unassisted and there was no extended family. The Committee noted parental preference for her child to receive the additional support at the current school, but was satisfied that this could not be provided and attendance at the identified SERF was necessary. Whilst sympathetic of the family circumstances, there was insufficient medical evidence to support the need for transport assistance.

The Committee gave careful regard to the appellant's concerns and after carefully considering all the evidence before it, the Appeals Committee was satisfied that the decision not to provide assistance with home to school transport costs was made in accordance with the Council's Home to School and College Transport Policy.

Resolved:

To uphold the officer's decision not to provide assistance with home to school transport costs on the grounds that the decision was made in accordance with the Council's Home to School and College Transport Policy and there were insufficient exceptional circumstances to override the Policy.

Background papers: Exempt

5 DATE OF NEXT MEETING

Resolved: To note the date of the next meeting as 8 May 2017.

Chairman

(The meeting ended 10.27am)

Any queries regarding these minutes, please contact:
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