

MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 23 OCTOBER 2017

Present:

Councillor Ryan (in the Chair)

Councillors

Elmes

Galley

Singleton

In Attendance:

Mr M Caveney, Deputy Head of Legal Services, (Litigation and Delivery), Blackpool Council

Miss Y Burnett, Senior Democratic Governance Advisor, Blackpool Council

1 DECLARATIONS OF INTEREST

None.

2 MINUTES OF THE LAST MEETING HELD ON 8 MAY 2017

Resolved: That the minutes of the meeting held on 8 May 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 items 4 and 5 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 - AM

The Committee considered an appeal that had been lodged in connection with a decision taken by officers within the Children's Services Directorate not to provide assistance with home-to-school transport.

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

The Appellant was in attendance at the meeting and accompanied by her daughter CM.

Also in attendance at the meeting were Mr Caveney, Deputy Head of Legal Services, (Litigation and Delivery) 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.

The Committee had regard to the Council's Home to School and College Transport Policy document and noted that both schools attended by the appellant's child were below the three mile specified walking distance. The Committee was advised that the appellant's

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child had previously walked to school and the additional walking distance of 0.1 miles from the family home was not considered a significant enough distance to override the Policy. A Paediatric Occupational Therapy Assessment, which recommended regular exercise, including walking, supported this decision, as it would assist with the development of gross and fine motor skills.

The Committee considered the appellant's reasons for wanting assistance with home-to-school transport costs and acknowledged that the appellant had not previously seen the Occupational Therapy Assessment and that whilst the additional walking caused pain, her consultant at the Blackpool Victoria Hospital last saw the appellant's daughter in July 2017. It noted that there was no direct bus route from the home address to the school.

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 HOME TO SCHOOL TRANSPORT APPEAL - JS

The Committee considered an appeal that had been lodged in connection with a decision taken by officers within the Children's Services Directorate not to provide assistance with home-to-school transport.

Mrs L Rowbottom presented the case on behalf of the Authority.

The Appellant was in attendance at the meeting.

Also in attendance at the meeting were Mr Caveney, Deputy Head of Legal Services, (Litigation and Delivery) 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.

The Committee had regard to the Council's Home to School and College Transport Policy document and noted that the specified walking distance for a child from a low-income family was two miles and a suitable school was one of three closest community schools to the family home. The Committee was advised that at the time of application, places were available at two of the three closest community schools, Montgomery High School and Aspire Academy, Unity Academy was already at capacity. However, due to personal reasons it had been parental preference for the appellant's child to attend Highfield Leadership Academy.

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The Committee considered the appellant's reasons for wanting assistance with home-to-school transport costs and acknowledged the appellants efforts to address the issues at her child's school before taking the decision to transfer her to a different school. It was noted that whilst the appellant's child had a number of medical conditions, there was no medical evidence to support the need for a school transfer and subsequent 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

6 DATE OF NEXT MEETING - 18 DECEMBER 2017

Resolved: To note the date of the next meeting as 18 December 2017.

Chairman

(The meeting ended 11.07 am)

Any queries regarding these minutes, please contact:
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