

MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 18 JANUARY 2021

Present:

Councillor Hunter (in the Chair)

Councillors

Hugo

Hutton

R Scott

T Williams

In Attendance:

Yvonne Burnett, Democratic Governance Senior Advisor

Dawn Goodall, Head of Corporate Legal

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 23 NOVEMBER 2020

Resolved: That the minutes of the meeting held on 23 November 2020 be approved and signed by the Chair 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 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's intention to attend the hearing was noted and an attempt was made to contact the appellant. However, after a period of time the Committee agreed to hear the appeal in the appellant's absence, based on their written submission.

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

The Committee carefully considered all the information submitted by the appellant and the

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Authority both in writing and verbally at the meeting and took into consideration the family's reasons for wishing the child to continue his education in his current school following a family move, the difficulties the appellant experienced getting her other child to school and the emotional impact this had had on both the appellant and her children.

The Committee had regard to the Council's Home to School and College Transport Policy and the Local Authority's acknowledgement that the appellant had special education needs and was unable to travel independently. However, the Authority had been unable to offer assistance as the family had not fully met the criteria for discretionary transport assistance.

It noted the relevant factors in the Authority's case that provision had been made for the appellant's child to attend a special school within Blackpool, which could specifically accommodate his education needs. However the placement had been refused due to parental preference for the appellant's child to continue to attend his existing school, which was located outside of the Borough.

It was reported that the Authority would be unable to purchase a seat on one of Lancashire County Council vehicles and Blackpool did not currently have any vehicles travelling to the school and therefore individual taxi and passenger assistance for the child's use would be required.

The Committee was advised that if a pupil attended a special school, unit or other placement other than that recommended by Blackpool Council, then the parent would be responsible for arranging and paying for any necessary transport and noted that the appellant was of the opinion that moving her child to a different school would have a detrimental impact on both his behaviour and mental health.

Whilst sympathetic of the family circumstances and after carefully considering all the evidence before it, the Appeals Committee was satisfied there was insufficient evidence to support the need for transport assistance as the child was attending a school further away from the family home due to parental preference and a place was available at a suitable school closer to the family home. The Committee was of the opinion that the decision not to provide assistance with home to school transport costs had been 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 did not consider that there were sufficient special circumstances or considerations to override the policy.

Background papers: Exempt

5 DATE OF NEXT MEETING - 1 MARCH 2021

Resolved: To note the date of the next meeting as 1 March 2021.

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Chairman

(The meeting ended 10.24am)

Any queries regarding these minutes, please contact:

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