

Blackpool Council

4 October 2022

To: Councillors Benson, Hutton, R Scott and T Williams

The above members are requested to attend the:

APPEALS COMMITTEE

Friday, 14 October 2022 at 1.00 pm
in Committee Room B, Town Hall, Blackpool FY1 1GB

A G E N D A

ADMISSION OF THE PUBLIC TO COMMITTEE MEETINGS

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The Head of Democratic Governance has marked with an asterisk (*) those items where the Committee may need to consider whether the public should be excluded from the meeting as the items are likely to disclose exempt information.

The nature of the exempt information is shown in brackets after the item.

This information is provided for the purpose of this meeting only and must be securely destroyed immediately after the meeting.

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

- (1) the type of interest concerned either
 - (a) personal interest
 - (b) prejudicial interest
 - (c) disclosable pecuniary interest (DPI)

And

- (2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE LAST MEETING HELD ON 26 SEPTEMBER 2022 (Pages 1 - 2)

To agree the minutes of the last meeting held on 26 September 2022 as a true and correct record.

* **3 HOME TO SCHOOL TRANSPORT APPEAL** (Pages 3 - 54)

To consider an appeal lodged in connection with the provision of assistance for home to school transport.

(This item contains personal information regarding the appellant, which is exempt from publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972)

* **4 HOME TO SCHOOL TRANSPORT APPEAL** (Pages 55 - 138)

To consider an appeal lodged in connection with the provision of assistance for home to school transport.

(This item contains personal information regarding the appellant, which is exempt from publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972)

5 DATE OF NEXT MEETING

To note the date of the next meeting as 25 November 2022 at 10am.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Jenni Cook, Democratic Governance Senior Adviser, Tel: (01253) 477212, e-mail jennifer.cook@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Public Document Pack Agenda Item 2

MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 26 SEPTEMBER 2022

Present:

Councillor Benson (in the Chair)

Councillors

R Scott

T Williams

Hunter

In Attendance:

Dawn Goodall, Head of Legal Services

Jenni Cook, Democratic Governance Senior Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 MINUTES OF THE LAST MEETING HELD ON 13 DECEMBER 2021

Resolved: That the minutes of the meeting held on 13 December 2021 are approved as a correct record.

3 EXCLUSION OF PUBLIC AND PRESS

Resolved: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the whole of the items including the decision 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 a request to review the decision of the Council to not provide assistance with home to school transport.

Mrs Goodall (Head of Legal, Governance and Partnerships) was in attendance to advise the Committee on procedure and policy only and had taken no part in the original decision. Also in attendance was Mrs Cook, Clerk to the Committee.

The relevant Head of Service presented the case on behalf of the Authority and advised the Committee of the reasons why the child no longer qualified for home to school transport under the Council's Home to School Transport Policy.

A family member presented the case on behalf of the Appellant and provided information on the child's medical needs and behavioural issues and asked that the home to school transport be continued.

The Committee carefully considered all the representations and documentation put forward by both parties.

MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 26 SEPTEMBER 2022

The Committee acknowledged the information put forward by both the Appellant in their submission and by the Local Authority and was satisfied that the decision to not provide assistance with home to school transport was reasonable and correct and that the Council's policies and procedures had been followed.

Resolved:

That the appeal is dismissed as the Committee was satisfied that the Council's relevant policies and procedures had been correctly followed and the decision was reasonable and correct.

5 DATE OF NEXT MEETING

Resolved: To note the date of the next meeting as 14 October 2022.

Chairman

(The meeting ended at 10.35 am)

Any queries regarding these minutes, please contact:
Jenni Cook Democratic Governance Senior Adviser
Tel: (01253) 477212
E-mail: jennifer.cook@blackpool.gov.uk

Report to:	APPEALS COMMITTEE
Relevant Officer:	Lisa Arnold, Head of Community and Wellbeing Services
Date of Meeting:	14 October 2022

HOME TO SCHOOL TRANSPORT APPEAL

1.0 Purpose of the report

1.1 The Committee to consider and determine a request for a review of a decision of the Council to not provide assistance for home to school transport

2.0 Recommendation(s):

2.1 To determine the request for a review.

3.0 Reasons for recommendation(s):

3.1 Once an application for a review has been received the application and any relevant representation must be considered by the Appeals Committee.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

There are no alternative options as the review must be considered by the Appeals Committee.

4.0 Council Priority:

4.1 The relevant Council Priorities are "The economy: Maximising growth and opportunity across Blackpool" and "Communities: Creating stronger communities and increasing resilience".

5.0 Background Information

5.1 An appeal has been lodged against the decision made by officers not to provide assistance for home to school transport. Copies of the appeal documents are attached.

Does the information submitted include any exempt information?

Yes

List of Appendices

Appendices 3(a) to 3(f)Details of Case (Not for Publication).

6.0 Financial considerations:

6.1 Details of the cost of providing transport assistance to the appellant will be provided at the meeting.

7.0 Legal considerations:

7.1 The Head of Legal will be represented at the meeting to advise the Committee on policy and procedure only and will not have been involved with any of the decisions previously taken.

8.0 Risk management considerations:

8.1 None

9.0 Equalities considerations:

9.1 None

10.0 Sustainability, climate change and environmental considerations:

10.1 None

11.0 Internal/ External Consultation undertaken:

11.1 None

Report to:	APPEALS COMMITTEE
Relevant Officer:	Lisa Arnold, Head of Community and Wellbeing Services
Date of Meeting:	14 October 2022

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8.1 None

9.0 Equalities considerations:

9.1 None

10.0 Sustainability, climate change and environmental considerations:

10.1 None

11.0 Internal/ External Consultation undertaken:

11.1 None