

MINUTES OF APPEALS COMMITTEE MEETING - WEDNESDAY, 23 AUGUST 2023

Present:

Councillor Boughton (in the Chair)

Councillors

S Brookes	Sloman	Hoyle
C Mitchell	Webb	

In Attendance:

Lennox Beattie, Executive and Regulatory Support Manager
Jack Henriques, Legal Advisor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 17 MARCH 2023

The Committee considered the minutes of the last meeting held on the 17 March 2023.

Resolved:

That the minutes of the meeting held on 17 March 2023 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 a request to review the decision of the Council to not provide assistance with home to school transport.

Mr Henriques (Legal Advisor) 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 Mr Beattie, 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 did not qualify for home to school transport under the Council's Home to School Transport Policy.

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The Committee noted that the appellant had informed the clerk that they wished the appeal to be considered in their absence.

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

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. The Committee considered that the Council had in making its decision at Stage 1 acted reasonably and considered the family's personal circumstances but had been reasonable to conclude that the application did not qualify as exceptional. The Committee considered that the Council was equally reasonable to conclude that the child was not a child unable to walk to school by reason of a mobility problem so should not consider the application under paragraph 1.5 of Home to School and College Transport Policy.

Resolved:

To uphold the decision not to provide home to school transport on the grounds that the decision was made in accordance with the Council's Home to School and College Transport Policy and the Committee did not consider that there were sufficient special circumstances or considerations to override the policy.

5 DATE OF NEXT MEETING

date of next meeting as the 18 September 2023.

Chairman

(The meeting ended 11.45 am)

Any queries regarding these minutes, please contact:
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