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MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 20 NOVEMBER 2023

Present:

Councillor Boughton (in the Chair)

Councillors

S Brookes	Sloman	Walsh
Jones	Webb	

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 30 OCTOBER 2023

Resolved:

That the minutes of the last meeting held on the 30 October 2023 be approved and signed by the Chair as a correct record.

3 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 in respect of TT.

Ms D Goodall (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 Mrs J 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 had not been awarded home to school transport. The child had previously been awarded home to school transport based on meeting needs under the Transport Policy 2018, however following the re-application process in July 2023, the transport had been declined as the child no longer met the criteria specified under the Policy. The Committee was advised that the child's school location had changed and that they now lived under the statutory distance and lived 1.9 miles away from the new school.

The Committee was advised that the Transport Panel, which included a Special Educational Needs and Disabilities (SEND) Officer, assessed each case individually and that the Transport Panel reviewed each child's Education and Healthcare Care Plan (EHCP), with the SEND Officer who provided a specialist view on the disabilities, needs and challenges outlined to identify whether anything within the plan would suggest that it may be unreasonable to

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expect a child to walk to school or for the parent to transport the child to school themselves.

The relevant Head of Service outlined the child's circumstances and the current issues being experienced within the family and advised that whilst the Transport Panel had been sympathetic to the family's circumstances, the child did not meet the Transport Policy and the Panel was unable to award transport in this case.

The parent was not in attendance at the Committee and had consented to the appeal being heard in their absence. The Committee considered the parent's case and the information submitted in relation to their family circumstances and to the specific examples given in relation to the child's additional needs and behaviour. In addition information submitted in relation the parent's own circumstances were considered.

The Committee considered the evidence supplied by both parties and acknowledged that, in the Committee's opinion, the policy had been followed and the application dealt with correctly. However the Committee considered that there were exceptional circumstances in relation to difficult family circumstances and temporary medical conditions and incapacity.

RESOLVED:

That the home to school transport be granted for the remainder of the school year 2023/2024 (unless circumstances changed) on the grounds of exceptional circumstances.

4 DATE OF NEXT MEETING

The Committee noted the date of the next scheduled Appeals Committee as 11 December 2023.

Chairman

(The meeting ended at 10.28 am)

Any queries regarding these minutes, please contact:
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