

APPEALS COMMITTEE (TRANSPORT)

A meeting of **Appeals Committee (Transport)** will be held on

Thursday, 14 February 2013

commencing at **2.30 pm**

The meeting will be held in the Board Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Addis
Councillor Faulkner (J)
Councillor Morey
Councillor Pritchard

Councillor Stocks
Councillor Thomas (D)
Councillor Tyerman

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For information relating to this meeting or to request a copy in another format or language please contact:

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APPEALS COMMITTEE (TRANSPORT) AGENDA

1. **Election of Chairman**
To elect a Chairman for the meeting.
2. **Apologies for absence**
To receive any apologies for absence including any changes to the membership of the Committee.
3. **Minutes**
To confirm as correct records the Minutes of the meetings of this Committee held on 24 October 2012, 5 November 2012 and 14 December 2012.

(Pages 1 - 4)

4. **Declarations of interest**

- (a) To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

- (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

5. **Urgent Items**

To consider any other items that the Chairman decides are urgent.

6. **Exclusion of the Press and Public**

To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

7. Appeals for School Transport

(Pages 5 - 39)

In accordance with the procedure agreed in Minute 30/5/99 to hear Transport Appeals previously dismissed by the Officer Panel as follows:

Case no 13/12-13.



Minutes of the Appeals Committee (Transport)

24 October 2012

-: Present :-

Councillors Addis, Morey and Pritchard

25. Election of Chairman

Councillor Pritchard was elected Chairman for the meeting.

26. Apologies for absence

Apologies for absence were received from Councillors Tyerman, Stocks, Faulkner (J) and Thomas (D).

27. Minutes

The Minutes of the meeting of the Appeals Committee (Transport) held on 25 September 2012 were confirmed as a correct record.

28. Exclusion of the Press and Public

Prior to consideration of the item in Minute 29 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended.)

29. Appeals for School Transport

The Committee received information on appeals for school transport, referred to as Cases 06/12-13, 07/12-13, 08/12-13, 09/12-13 and 10/12-13.

29.1 Case Number 06/12-13

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 06/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 06/12-13 be allowed subject to terms agreed by the Committee.

30. Case Number: 07/12-13

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 07/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 07/12-13 be allowed subject to terms agreed by the Committee.

31. Case Number: 08/12-13

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 08/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 08/12-13 be refused on the grounds that there were no exceptional circumstances.

32. Case Number: 09/12-13

The appellant for Case 09/12-13 was unable to attend the meeting.

Resolved:

- (i) that Case 09/12-13 be deferred until 5 November 2012.

33. Case Number: 10/12-13

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 10/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 10/12-13 be refused on the grounds that there were no exceptional circumstances.



Minutes of the Appeals Committee (Transport)

5 November 2012

-: Present :-

Councillors Addis, Pritchard and Thomas (D)

34. Exclusion of the Press and Public

Prior to consideration of the item in Minute 36 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended.)

35. Appeals for School Transport

The Committee received information on an appeal for school transport, referred to as Case 09/12-13.

36. Case Number: 09/12-13

The Committee resolved that Case 09/12-13 be deferred until further information is received.

Minutes of the Appeals Committee (Transport)

14 December 2012

-: Present :-

Councillors Addis, Pritchard and Thomas (D)

37. Exclusion of the Press and Public

Prior to consideration of the item in Minute 39 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended.)

38. Appeals for School Transport

The Committee received further information on an appeal for school transport, referred to as Case 09/12-13.

39. Case Number: 09/12-13

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 09/12-13 agreed that the case may be heard in his absence.

Resolved:

- (i) that Case 09/12-13 be refused on the grounds that there were no exceptional circumstances.

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 7

Appendix 1

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of the Local Government Act 1972.

Agenda Item 7

Appendix 2

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