



Monday, 10 November 2014

APPEALS COMMITTEE (TRANSPORT)

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

Tuesday, 18 November 2014

commencing at **9.30 am**

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

Members of the Committee

Councillor Addis
Councillor Stocks
Councillor Thomas (D)
Councillor Stringer

Councillor Tyerman
Councillor Hill
Councillor Parrott

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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 8 October 2014 and 28 October 2014. (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

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

- | | | |
|------------|--------------------------------------|-------------------------|
| 8. | 09.30 am Case Number 10/14-15 | (Pages 5 - 28) |
| 9. | 10.15 am Case Number 11/14-15 | (Pages 29 - 48) |
| 10. | 11.15 am Case Number 12/14-15 | (Pages 49 - 74) |
| 11. | 12 noon Case Number 13/14-15 | (Pages 75 - 103) |



Minutes of the Appeals Committee (Transport)

8 October 2014

-: Present :-

Councillors Doggett, Morey (Minute 11 only) Parrott and Tyerman

7. Election of Chairman

Councillor Tyerman was elected Chairman for the meeting.

8. Apologies for absence

Apologies for absence were received from Councillors Addis, Hill and Thomas (D). It was reported that, in accordance with the wishes of the Liberal Democrat Group, the membership of the Committee has been amended for this meeting by including Councillor Doggett instead of Councillor Stringer.

9. Minutes

The Minutes of the meeting of the Appeals Committee (Transport) held on 18 June 2014 were confirmed as a correct record and signed by the Chairman.

10. Declarations of interest

Councillor Parrott declared a disclosable pecuniary interest in respect of case 02/14-15 as he knew the appellants, Councillor Morey was present as a substitute for this case only.

11. Case Number 02/14-15

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 02/14-15 attended the meeting and made representations to the Committee.

Resolved:

That Case 02/14-15 be refused on the grounds that there were no exceptional circumstances.

12. Case Number 03/14-15

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 03/14-15 attended the meeting and made representations to the Committee.

Resolved:

That Case 03/14-15 be refused on the grounds that there were no exceptional circumstances.

13. Case Number 04/14-15

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 04/14-15 attended the meeting and made representations to the Committee.

Resolved:

That Case 04/14-15 be refused on the grounds that there were no exceptional circumstances.

Chairman/woman



Minutes of the Appeals Committee (Transport)

28 October 2014

-: Present :-

Councillors Addis, Thomas (D), Stringer and Hill (not for Item 23)

14. Election of Chairman

Councillor Thomas was elected Chairman for the meeting.

15. Apologies for absence

Apologies for absence were received from Councillors Parrott, Stocks and Tyerman.

16. Minutes

The Minutes of the meeting of the Appeals Committee (Transport) held on 8 October 2014 were not confirmed as a correct record as no-one at the Appeals Committee was present on that date.

17. Exclusion of the Press and Public

Prior to consideration of the item in Minute 18 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.)

18. Appeals for School Transport

The Committee received information on an appeal for school transport, referred to as Cases 05/14-15, 06/14-15, 07/14-15, 08/14-15 and 09/14-15.

19. Case Number 05/14-15

The Clerk advised the Committee that Case Number 05/14-15 had been deferred to a later date at the request of the appellant.

20. Case Number 06/14-15

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 06/14-15 had notified the Clerk of non-attendance and requested the appeal go ahead in their absence.

Resolved:

- (i) that Case 06/14-15 be refused on the grounds that there were no exceptional circumstances.

21. Case Number 07/14-15

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 07/14-15 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 07/14-15 be refused on the grounds that there were no exceptional circumstances; and
- (ii) that should evidence requested to corroborate case 07/14-15 be supplied then the Committee would consider it a further appeal.

22. Case Number 08/14-15

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 08/14-15 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 08/14-15 be refused on the grounds that there were no exceptional circumstances.

23. Case Number 09/14-15

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 09/14-15 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 09/14-15 be refused on the grounds that there were no exceptional circumstances.

Chairman/woman

By virtue of paragraph(s) 1, 2, 3, 7a of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2, 3, 7a of Part 1 of Schedule 12A of the Local Government Act 1972.

Agenda Item 8 Appendix 1

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By virtue of paragraph(s) 1, 2, 3, 7a of Part 1 of Schedule 12A of the Local Government Act 1972.

Agenda Item 8

Appendix 2

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By virtue of paragraph(s) 1, 2, 3, 7a of Part 1 of Schedule 12A of the Local Government Act 1972.

Agenda Item 8

Appendix 3

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Agenda Item 9

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Agenda Item 9

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Agenda Item 9

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Appendix 3

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Agenda Item 10

Appendix 5

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Agenda Item 11

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Agenda Item 11

Appendix 2

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Agenda Item 11

Appendix 4

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