

## **APPEALS COMMITTEE (TRANSPORT)**

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

**Tuesday, 25 September 2012**

commencing at **9.30 am**

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:

**Anne Mulholland, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
**01803 207064**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)

# 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 meeting of this Committee held on 18 July 2012, adjourned meeting on 29 August 2012 and meeting held on 29 August 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**

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

**8. Case Number 04/12-13**

(Pages 5 - 12)

**9. Case Number 05/12-13**

(Pages 13 - 24)



## Minutes of the Adjourned Appeals Committee (Transport)

29 August 2012

-: Present :-

Councillor Thomas (D) (Chairman)

Councillors Addis and Morey

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### 10. Exclusion of the Press and Public

Prior to consideration of the item in Minute 11 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.)

### 11. Appeals for School Transport

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 01/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 01/12-13 be refused for the reasons agreed by the Committee.

Chairman

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## **Minutes of the Adjourned Appeals Committee (Transport)**

**29 August 2012**

**-: Present :-**

Councillor Thomas (D) (Chairman)

Councillors Addis and Morey

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### **10. Exclusion of the Press and Public**

Prior to consideration of the item in Minute 11 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.)

### **11. Appeals for School Transport**

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 01/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 01/12-13 be refused for the reasons agreed by the Committee.

Chairman

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## Minutes of the Appeals Committee (Transport)

29 August 2012

-: Present :-

Councillors Addis, Morey and Pritchard

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### 12. Election of Chairman

Councillor Pritchard was elected Chairman for the meeting.

### 13. Apologies for absence

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

### 14. Exclusion of the Press and Public

Prior to consideration of the item in Minutes 15 to 17 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.)

### 15. Appeals for School Transport

The Committee received information on appeals for school transport, referred to as Cases 02/12-13 and 03/12-13.

### 16. Case 02/12-13

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 02/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 02/12-13 be refused on the grounds that there were no exceptional circumstances.

### 17. Case 03/12-13

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 03/12-13 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 03/12-13 be refused on the grounds that there were no exceptional circumstances.

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Chairman

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

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