



Monday, 1 December 2014

## **APPEALS COMMITTEE (TRANSPORT)**

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

**Tuesday, 9 December 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:

**Kay Heywood, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
**01803 207026**

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[www.torbay.gov.uk](http://www.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 meetings of this Committee held on 18 November 2014.
- 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:-

(Pages 1 - 2)

- |            |                                      |                        |
|------------|--------------------------------------|------------------------|
| <b>8.</b>  | <b>09.30 am Case Number 10/14-15</b> | <b>(Pages 3 - 26)</b>  |
| <b>9.</b>  | <b>10.15 am Case Number 11/14-15</b> | <b>(Pages 27 - 46)</b> |
| <b>10.</b> | <b>11.15 am Case Number 12/14-15</b> | <b>(Pages 47 - 72)</b> |
| <b>11.</b> | <b>12 noon Case Number 05/14-15</b>  | <b>(Pages 73 - 87)</b> |



## Minutes of the Appeals Committee (Transport)

18 November 2014

-: Present :-

Councillors Stocks, Stringer, Tyerman, Hill and Parrott

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### 24. Election of Chairman

Councillor Tyerman was elected Chairman for the meeting.

### 25. Apologies for absence

Apologies for absence were received from Councillors Addis and Thomas (D).

### 26. Minutes

The Minutes of the meeting of the Appeals Committee (Transport) held on 8 October 2014 and 28 October 2014 were confirmed as a correct record and signed by the Chairman.

### 27. Appeals for School Transport

The Committee received information on an appeal for school transport, referred to as Cases 10/14-15, 11/14-15, 12/14-15 and 13/14-15.

### 28. 09.30 am Case Number 10/14-15

The Officer representing Children's Services was unable to attend and Members took advice from our Legal Representative.

Members Resolved:

- (i) that Case 10/14-15 be deferred and requested that arrangements be put in place so the applicant was not prejudiced prior to the application being heard in December. This was an interim position and cannot be taken as any indication of any future Transport Appeal decision.

### 29. 10.15 am Case Number 11/14-15

The Officer representing Children's Services was unable to attend and Members took advice from our Legal Representative.

Members Resolved:

- (i) that Case 11/14-15 be deferred and requested that arrangements be put in place so the applicant was not prejudiced prior to the application being heard in December. This was an interim position and cannot be taken as any indication of any future Transport Appeal decision.

**30. 11.15 am Case Number 12/14-15**

The Officer representing Children's Services was unable to attend and Members took advice from our Legal Representative.

Members Resolved:

- (i) that Case 12/14-15 be deferred and requested that arrangements be put in place so the applicant was not prejudiced prior to the application being heard in December. This was an interim position and cannot be taken as any indication of any future Transport Appeal decision.

**31. 12 noon Case Number 13/14-15**

The Officer representing Children's Services was unable to attend and Members took advice from our Legal Representative.

Members Resolved:

- (i) that Case 13/14-15 be deferred and requested that arrangements be put in place so the applicant was not prejudiced prior to the application being heard in December. This was an interim position and cannot be taken as any indication of any future Transport Appeal decision.

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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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# Agenda Item 8

## Appendix 1

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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# Agenda Item 8

## Appendix 2

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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# Agenda Item 8

## Appendix 3

By virtue of paragraph(s) 1, 2, 3, 7a of Part 1 of Schedule 12A  
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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 10

## 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.

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# Agenda Item 11

## Appendix 1

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# Agenda Item 11

## Appendix 2

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