

APPEALS COMMITTEE (TRANSPORT)

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

Monday, 5 September 2011

commencing at **11.00 am**

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

Members of the Committee

Councillor Addis
Councillor Morey
Councillor Pritchard
Councillor Stocks

Councillor Stringer
Councillor Thomas (D)
Councillor Tyerman

Our vision is for a cleaner, safer, prosperous Bay

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

Lisa Warrillow, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207064

Email: democratic.services@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 12 July 2011.

(Pages 1 - 2)

4. **Declarations of interest**

(a) To receive declarations of personal interests in respect of items on this agenda

For reference: Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of personal prejudicial interests in respect of items on this agenda

For reference: A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial 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 Democratic Services 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:-

- | | | |
|------------|--|-----------------|
| (a) | Case 3/11-12
To be considered at 11.00 a.m. | (Pages 3 - 18) |
| (b) | Case 4/11-12
To be considered at 11.30 a.m. | (Pages 19 - 32) |
| (c) | Case 5/11-12
To be considered at 12.00 p.m. | (Pages 33 - 48) |
| (d) | Case 6/11-12
To be considered at 12.30 p.m. | (Pages 49 - 62) |

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Minutes of the Appeals Committee (Transport)

12 July 2011

-: Present :-

Councillors Addis, Thomas (D) and Tyerman

136. Election of Chairman

Councillor Thomas (D) was elected Chairman for the meeting.

137. Apologies for absence

Apologies for absence were received from Councillors Morey, Pritchard, Stocks and Stringer.

138. Exclusion of the Press and Public

Prior to consideration of the item in Minute 140 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 paragraph 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended.)

139. Appeals for School Transport

The Committee received information on an appeal for school transport, referred to as Cases 01/11-12 and 02/11-12.

140. Case 01/11-12

The appellants for Case 01/11-12 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 01/11-12 be allowed subject to terms agreed by the Committee.

140.1 Case 02/11-12

Case 02/11-12 was held in the absence of the appellants at the appellants request.

Resolved:

- (i) that Case 02/11-12 be refused on the grounds that there were no exceptional circumstances.

Chairman

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

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