



Tuesday, 4 October 2011

APPEALS COMMITTEE (TRANSPORT)

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

Wednesday, 12 October 2011

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 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:

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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 5 September 2011 and 21 September 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) | <u>Case 07/11-12</u> | (Pages 3 - 18) |
| (b) | <u>Case 08/11-12</u> | (Pages 19 - 30) |
| (c) | <u>Case 09/11-12</u> | (Pages 31 - 52) |
| (d) | <u>Case 10/11-12</u> | (Pages 53 - 74) |

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Minutes of the Appeals Committee (Transport)

Monday, 5 September 2011

-: Present :-

Councillors Pritchard, Stringer, Thomas (D) and Tyerman

231 Election of Chairman

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

232 Apologies for absence

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

233 Minutes

The Minutes of the meeting of the Appeals Committee (Transport) held on 12 July 2011 were confirmed as a correct record and signed by the Chairman.

234 Exclusion of the Press and Public

Prior to consideration of the item in Minute 235 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.)

235 Appeals for School Transport

The Committee received information on an appeal for school transport, referred to as Cases 3/11-12, 4/11-12, 5/11-12 and 6/11-12.

235.1 Case 3/11-12

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 3/11-12 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 3/11-12 be refused on the grounds that there were no exceptional circumstances.

235.2 Case 4/11-12

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellants for Case 4/11-12 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 4/11-12 be refused on the grounds that there were no exceptional circumstances.

235.3 Case 5/11-12

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellants for Case 5/11-12 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 5/11-12 be allowed subject to terms agreed by the Committee.

235.4 Case 6/11-12

A representative from the Children's Services Directorate was present and made representations in respect of the appeal.

Resolved:

- (i) that Case 6/11-12 be deferred for further information.

235.5 Adjournment

At this juncture the meeting was adjourned until 11.30 a.m. on Wednesday, 21 September 2011.

235.6 Case 6/11-12

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 6/11-12 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 6/11-12 be allowed subject to terms agreed by the Committee.

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

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