



Tuesday, 15 October 2013

APPEALS COMMITTEE (TRANSPORT)

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

Wednesday, 23 October 2013

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 Morey

Councillor Tyerman

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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 11 October 2013. (Pages 1 - 2)
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 12/13-14** (Pages 3 - 17)
9. **Case Number 13/13-14** (Pages 18 - 30)

Agenda Item 3



Minutes of the Appeals Committee (Transport)

11 October 2013

-: Present :-

Councillor

Councillors Stocks, Thomas (D), Stringer, Tyerman and Hill

74. Election of Chairman

Councillor Thomas (D) was elected Chairman for the meeting. (Councillor Tyerman for Case Number 09/13-14).

75. Apologies for absence

Apologies for absence were received from Councillors Morey and Addis.

76. Minutes

The Minutes of the meeting of the Appeals Committee (Transport) held on 11 September 2013 were confirmed as a correct record and signed by the Chairman.

77. Exclusion of the Press and Public

Prior to consideration of the item in Minute 79, 80, 81, and 82, 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).

78. Appeals for School Transport

The Committee received information on an appeal for school transport, referred to as Cases 08/13-14, 09/13-14, 10/13-14 and 11/13-14.

79. Case Number 08/13-14

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 08/13-14 was unable to attend the meeting and the representations were made to the Committee in their absence.

Note: Councillor Stocks declared a non-pecuniary interest and left the room for this item.

Resolved:

- (i) that Case 08/13-14 be deferred until January 2014 and for transport assistance to continue until this time where Members requested full details of income and benefits.

80. Case Number 09/13-14

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellants for Case 09/13-14 attended the meeting and made representations to the Committee.

Note: Councillor Thomas (D) declared a non-pecuniary interest and left the room for this item.

Resolved:

- (i) that Case 09/13-14 be allowed subject to terms agreed by the Committee.

81. Case Number 10/13-14

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 10/13-14 advised the Committee they were unable to attend and the representations to the Committee we made in their absence.

Resolved:

- (i) that Case 10/13-14 be allowed subject to terms agreed by the Committee.

82. Case Number 11/13-14

A representative from the Children's Services Directorate was present and made representations in respect of the appeal. The appellant for Case 11/13-14 attended the meeting and made representations to the Committee.

Resolved:

- (i) that Case 11/13-14 be refused on the grounds that there were no exceptional circumstances.

Chairman/woman

Agenda Item 8

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.

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Agenda Item 9 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 9

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 9

Appendix 3

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