

APPEALS COMMITTEE (SERVICE ISSUES)

MONDAY 11 APRIL 2016

7.00 PM

Bourges/Viersen Room - Town Hall

AGENDA

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| 1. | Apologies for Absence | |
| 2. | Declarations of Interest | |
| 3. | Minutes of the Meeting Held on 30 March 2015 | 3 - 4 |
| 4. | Minutes of the Sub-Committee Hearings Held Between May 2015 and April 2016 | 5 - 6 |
| | i) 29/06/15 | |
| 5. | Review of Transport Appeals Held Under the Terms and Conditions of the Children's Services Transport Policies | 7 - 10 |

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Committee Members:

Councillors: L Ayres, G Casey (Vice Chairman), G Elsey, J Holdich, Johnson, J Knowles, N North (Chairman), K Sharp, C W Swift and A Sylvester

Substitutes: Councillors: B Saltmarsh, D Seaton and J Shearman

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733452460 or by email – philippa.turvey@peterborough.gov.uk



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**MINUTES OF A MEETING OF THE APPEALS COMMITTEE (SERVICE ISSUES)
HELD AT THE TOWN HALL, PETERBOROUGH ON 30 MARCH 2015**

Members Present: Councillors North (Chairman), Casey (Vice Chairman), Elsey, F Fox, Holdich, and Johnson.

Officers present: Isabel Clark, Head of Admissions
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Knowles and Martin.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meeting held on 31 March 2014

The minutes of meeting held on 31 March 2014 were approved as a true and accurate record.

4. Minutes of the Sub-Committee Hearings held between April 2014 and September 2014

The following minutes, from the Sub-Committee hearings held between April 2014 and September 2014, were approved as true and accurate records:

- i) 02/04/14
- ii) 02/07/14
- iii) 29/09/14

5. Review of the Transport Appeals Held under the Terms and Conditions of the Children's Services Transport Policies

The Committee received a yearly update report detailing the outcomes of the home to school transport appeals held during 2014.

The Head of Admissions introduced the report and explained that the main policy for those children aged 4-16 had been reviewed and consulted upon and finally approved in November 2012 for implementation in January 2013. The policy for post 16 was required to be reviewed annually and was currently in the reviewing stage.

The Committee was advised that during 2014, a total of 33 appeals had been held, one of which had been dismissed, three of which had been allowed and 29 having been withdrawn. It was explained that the high number of withdrawn appeals was due to a second, more explanatory letter being sent to all applicants following their submissions. This letter outlined the reasons for refusal of home to school transport in greater detail.

Members discussed the report and key points raised included:

- When siblings were placed in different schools, provided that sufficient effort was made to arrange appropriate transport, schools would generally be understanding if students arrived late.
- It was considered that secondary school children had greater provision for independent travel to school.

- Problems were considered to arise when families moved from one area of the city to another on a regular basis, requiring children to frequently change school.

RESOLVED:

The Committee noted the transport appeals held during 2014.

Reason for Decision:

The report was presented to the Committee to ensure it was informed and kept up to date with the outcomes of transport appeals made under the policies in place at the time.

Chairman
7.00pm to 7.11pm

**MINUTES OF A MEETING OF THE APPEALS SUB-COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 29 JUNE 2015**

Members Present: Councillors Johnson, Sylvester, and Khan

Officers present: Lyn Bones, Appeals Clerk
Sara Thompson, Team Manager – Passenger Transport Operations

1. Apologies for Absence

There were no apologies for absence received.

2. Declarations of Interest

There were no declarations of interest.

3. Exclusion of Press and Public

In accordance with Standing Orders, Members agreed that agenda item 4 contained exempt information, as defined by paragraphs 1 and 2 of Schedule 12A of Part 1 of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, therefore the press and public were excluded from the meeting.

4. Transport Appeals

4.1 Appeal for JE

A transport appeal was held for JE.

RESOLVED: to dismiss the appeal.

4.2 Appeal for AE

A transport appeal was held for AE.

RESOLVED: to dismiss the appeal.

Chairman
10.00am to 12.00am

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APPEALS COMMITTEE (SERVICE ISSUES)	AGENDA ITEM No.5
	PUBLIC REPORT

Cabinet Member Responsible:	Councillor Holdich, Cabinet Member for Education, Skills and University	
Contact Officer(s):	Sara Thompson – Team Manager, Passenger Transport Operations	Tel. 317452

REVIEW OF TRANSPORT APPEALS HELD UNDER THE TERMS AND CONDITIONS OF THE CHILDREN’S SERVICES TRANSPORT POLICIES

R E C O M M E N D A T I O N S
FROM : Team Manager – Passenger Transport Operations
For the Committee to note the transport appeals held during 2015 and comment as appropriate.

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Committee by the Team Manager, Passenger Transport Operations as part of the Committee’s terms of reference.
- 1.2 This report will be submitted on an annual basis.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to enable the Committee to scrutinise, or review, the outcomes of the transport appeals held during 2015 under the terms of the School Transport Policy and Post 16 partnership Policy the Committees terms of reference 2.1.2 “to review the outcomes of appeals on an annual basis”.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. CHILDREN’S SERVICES SCHOOL TRANSPORT APPEALS

4.1 Background

- 4.1.1 The Council is required to have in place a policy for home to school transport for those children aged 4-16 and for those children attending a school or college for post 16 education.
- 4.1.2 The main policy for those children aged 4-16 was reviewed and consulted upon and finally approved in November 2012 for implementation in January 2013.
- 4.1.3 The policy for post 16 is required to be reviewed annually and is currently in the reviewing stage by your Officers.

4.2 Current Policy and Procedure

4.2.1 The appeals process will be undertaken in accordance with the following principles:

- That an application for an appeal will first be reviewed by the Head of Assets and School Place Planning and the Team Manager, Passenger Transport Operations as to whether the case should be considered for appeal;
- If the appeal application has set out exceptional circumstances or has said why this policy should not be applied to their application and indicates the nature of the school transport assistance sought, the Head of Assets and School Place Planning and Team Manager Passenger Transport Operations will refer the matter on for an appeal to be arranged;
- If the appeal application does not set out grounds for further consideration, or the circumstances are clearly covered by the School Transport Policy, but under the policy home to school transport does not apply, then the appeal application will be rejected; and
- Only one appeal per academic year will be permitted unless there is a material change in circumstances.

4.2.2 A panel consists of three Councillors drawn from a pool of trained members. Panel members should not be a representative of the Ward of the appellant.

4.2.3 A Children's Services Officer presents the case for the refusal of home to school transport and the appellant details why they believe an exception to the policy should be made.

4.2.4 Councillors, having heard both sides, retire to discuss and decide whether or not to allow an exception to the policy. This decision is communicated to the Clerk, who then writes to both sides with the decision.

4.3 Cases Rejected at First Stage

Month	Number of Appeal Requests rejected
April	1
May	1
September	3
November	1
December	1

4.4 Cases Heard During 2015

Month	Number of Appeals	Reasons for Appeal	Withdrawn	Allowed	Dismissed
June	2	Medical needs of children and parent			2
November	1	Exceptional circumstance		1	

5. REASONS FOR RECOMMENDATIONS

5.1 To ensure that the Committee is informed and kept up to date with the outcomes of transport appeals made under the policies in place at the time.

6. ALTERNATIVE OPTIONS CONSIDERED

6.1 There are no alternative options to be considered.

7. IMPLICATIONS

7.1 Financial, Legal and other officers all had input into the initial policy review. Impact on any specific community groups were also addressed as part of the policy review.

8. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

- *School Transport Policy for pupils aged 4 to 16 years*
- *Peterborough Post 16 Transport Partnership Policy*
(These policies themselves refer to statutory guidance and legislation relating to home to school transport and other local transport policies)

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