

**MINUTES OF A MEETING OF THE APPEALS COMMITTEE (SERVICE ISSUES)
HELD AT THE TOWN HALL, PETERBOROUGH ON 10 NOVEMBER 2011**

Members Present: Councillors North (Chairman) and Casey

Also Present: Councillors Kreling, Winslade and Khan

Officers present: Jonathan Lewis, Assistant Director Education and Resources
Isabel Clark, Head of Assets and School Place Planning
Kim Sawyer, Head of Legal Services
Gemma George, Senior Governance Officer

Nomination of Chairman: Councillor North was nominated as Chairman for the duration of the meeting.

1. Apologies for Absence

Apologies for absence were received from Councillors John Fox, Saltmarsh and Swift.

2. Declarations of Interest

Councillor Casey declared a personal interest that his children used to receive bus passes, but no longer did so.

3. Review of School Transport Processes and Appeals

The Head of Legal Services presented a report to the Committee which sought its views on the current processes for approval of school transport applications and appeals, and whether the Committee would like to consider any amendment to current procedures.

Members were advised that the Appeals Committee (Service Issues) met primarily to consider school transport matters and to hear appeals against the refusal of free school transport.

Members were further advised that it had also been considered timely to review the procedures by which Peterborough City Council undertook delivery of the appeals process under its School Transport Policy, as proposed revisions had been made to the School Transport Policy. These revisions were to be considered by the Committee at item 4 on the agenda.

The Committee was further requested to consider its own terms of reference and relating standing orders as these matters had not been reviewed by the Committee for some time.

There were a number of further issues highlighted within the report for consideration by the Committee, including:

- Whether provisional dates for the Appeals Committee (Services Issues) be placed into the Civic Calendar for the next municipal year;
- Whether the core membership of the Appeals Committee (Services Issues) should be increased;
- Whether the support and advice being given by Officers was to a satisfactory standard; and
- Whether training to undertaken transport appeals should be extended to all Councillors.

Comments made by Members, and responses to questions included:

- The core membership of the Appeals Committee (Service Issues) should be increased;
- Training should be extended to all Councillors in order to ensure a wider pool of Members;
- Members attendance at all meetings, including Appeals Committees to hear transport Appeals, should be officially recorded;
- Provisional dates for the Appeals Committee (Service Issues) should be included in the Civic Calendar. Members attendance at ad-hoc committee meetings tended to be difficult;
- The Chairman for Appeals Committees to hear transport appeals should be nominated on the day;
- Transport appeals should not be heard for the sake of it. There should be a filtering system in place for Officers to address issues in the first instance. A call-in type procedure could then be implemented;
- At the current time, everyone was entitled to an appeal. The proposed amendments to the Transport Policy would assist in these circumstances and all people would need to specify in writing why they wished to appeal;
- Guidance could be forwarded to parents as to which grounds they could **NOT** appeal on;
- Parents could challenge the notion of a safe walking route;
- If parents had specific concerns, they could contact their Ward Councillor to assist in completing the appeal form;
- Having a larger pool of Members able to undertake transport appeals would assist with any possible conflict of interest that may arise with Ward Councillors undertaking appeals for people in their own wards.

RESOLVED

The Committee:

- 1) Noted the contents of the report;
- 2) Considered whether there were any recommended service improvements to the transport appeals process; and
- 3) Considered the terms of reference and standing orders relating to the Appeals Committee.

4. Consultation on Changes to the Peterborough Transport Policy for Pupils Aged 14-16

The Assistant Director Education and Resources presented a report to the Committee which highlighted the proposed changes to the Peterborough Transport Policy for pupils aged 14-16 years.

The report was submitted to enable the Appeals Committee to note the proposed changes and to make any recommendations to the Cabinet Member for Education, Skills and University prior to a decision being taken on the proposed changes following the close of consultation on Friday 11 November 2011.

The policy was due for revision and had been updated to reflect the guidance in a number of documents.

The main changes related to:

- The removal of denominational transport;
- The introduction of a mileage rate to parents;
- The mechanism for appealing against a decision made in relation to the policy;
- The change in walking distance for pupils aged 8 to 11, rising from two miles to three miles

Key aspects of the changes were outlined to Members. Comments made by Members, and responses to questions included:

- There would be no changes to the provision of denominational transport for 'low income families', who would still receive assistance with transport;
- Schools had a budget for which they had discretion to use as they wished, if they wanted to use the budget for the provision of school transport then they were entitled to do so;
- Each of the Faith Schools in Peterborough had their own admissions policies and not all places were allocated to pupils of faith. The schools also had the option to offer transport if they chose to do so, bearing in mind budget constraints;
- If a low income family chose to send their child to a Faith School, not within their catchment area, they would be entitled to receive free school transport. The same family not on a low income would not be entitled to receive free transport. This reflected Government Legislation;
- The low income benefits only applied in the case of transport to Faith Schools;
- The rate proposed for mileage paid to parents was 0.40p per mile;
- The Transport Policy did reflect the situation where a child lived between two parents, but comments made by Members would be taken on board and reflected in the consultation response;
- There was no specified age for a child to be able to walk to school by themselves. It was the parent's responsibility to ensure the child got to school. It would not be appropriate to set an age criteria;
- The use of sustainable transport was encouraged in the Transport Policy and two offers were made to children, one being an allowance of £200 towards the purchase of a bicycle and secondly there was the offer of a term allowance of £30 to the parents. These were both available to those children who were currently accessing, or who were able to access free school transport. Members commented that the £30 allowance should perhaps be paid to the child instead;
- The word 'bicycles' would be changed to the word 'cycles' in order to encapsulate all of the different cycles which could be provided for children with different needs;
- The schools had responsibility for providing a travel plan and providing the children with the knowledge of safe cycling routes etc;
- The travel provisions for those children receiving living over two miles, but within three miles, of their school would be reviewed due to the proposed changes in walking distance for pupils aged 8 to 11, rising from 2 miles to 3 miles. Each case would be taken on its own merits however. Members expressed concern on this point and stated that transport for those children who had no option but to travel to schools further away should be provided. Members were advised that their views would be taken on board and fed back into the consultation;
- Children who had been excluded were provided school transport;
- The King's School was referred to as The King's (The Cathedral) School in the glossary, this had the potential to be confusing and would be rectified;
- The 'Yellow Bus' option had been explored in Peterborough but this had not been looked into further due to the cost implications. Schools should be encouraging sustainable transport and discouraging car travel.

Members were advised that the comments raised would be incorporated into the consultation response.

RESOLVED

The Committee:

- 1) Noted the Draft Peterborough Transport Policy for Pupils aged 4-16 Years, which was currently out to consultation and proposed to be introduced in September 2012;
- 2) Noted the main changes to the Policy, those being;
 - i) The removal of denominational transport (paragraph 3.8 of the Policy);
 - ii) The introduction of a mileage rate paid to parents (paragraph 13.1 of the Policy);
 - iii) The mechanism for appealing against a decision made in relation to this Policy (paragraph 20.1 of the Policy); and

- iv) The change in walking distance for pupils aged 8 to 11, rising from 2 miles to 3 miles (paragraph 3.1 f the Policy).
- 3) Made recommendations, to be considered by the Cabinet Member for Education, Skills and University, prior to a decision being taken on the proposed changes to the Policy; and
- 4) Noted that no changes were proposed that would affect 'low income families' who would still receive assistance with transport where applicable (paragraph 3.6 of the Policy).

Chairman
7.00pm to 7.55pm