

## **Meeting of the Appeals Committee**

**Wednesday 15<sup>th</sup> February, 2023 at 10.00am  
In Committee Room 4 at the Council House,  
Priory Road, Dudley**

### **Agenda – Public Session (Meeting open to the public and press)**

1. Apologies for absence.
2. To report the appointment of any substitute members serving for this meeting of the Committee.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. [To confirm and sign the minutes of the meetings held on 5<sup>th</sup> October, 12<sup>th</sup> October, 19<sup>th</sup> October, 2022 as correct records.](#)
5. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).

Under the provisions of Part I of Schedule 12A to the Local Government Act 1972, the Monitoring Officer has decided that there will be no advance disclosure of the following reports because the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

6. Resolution to exclude the public and press

Chair to move:



“That the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information relating to any individual(s) under Part I of Schedule 12A to the Local Government Act 1972, as amended.”

## **Agenda – Private Session**

(Meeting not open to the public and press)

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|----|--|---------|
| 7. | Home to School and Post 16 Home to School/College<br>Transport Appeal – RJD (Pages 18 – 42)  | 10.00am |
| 8. | Home to School and Post 16 Home to School/College<br>Transport Appeal – RJTD (Pages 43 – 66) | 10.45am |



**Chief Executive**

**Dated: 3<sup>rd</sup> February, 2023**

**Distribution:**

**To Members of the Appeals Committee**

**Councillor *T Westwood (Chair)***

***Councillors S Greenaway and S Henley***



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- Sanitise your hands when arriving and leaving the building and wash your hands regularly.
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- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

**Submitting Apologies for Absence**

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below).



## **Private and Confidential Information**

- Any agendas containing reports with 'exempt' information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be handed to Democratic Services for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

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## **If you need advice or assistance**

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**Minutes of the Appeals Committee  
Wednesday, 5<sup>th</sup> October 2022 at 10.00 am  
In Committee Room 4 at the Council House, Dudley**

**Present:**

Councillor T Westwood (Chair)  
Councillor A Goddard and S Henley

**Officers:**

D Corbett – Senior Transport Officer (Directorate of Children's Services) and  
L Jury – Democratic Services Officer (Directorate of Finance and Legal).

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**33 An apology for Absence**

An apology for absence was received on behalf of Councillor S Greenaway.

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**34 Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

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**35 Exclusion of the Public**

**Resolved**

That the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information relating to any individual(s) as defined in Part I of Schedule 12A to the Local Government Act, 1972, as amended.

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36 **Home to School and Post 16 Home to School/College Transport Appeal – NW**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

**Resolved**

- (1) That, following careful consideration of the information outlined in the report submitted, the Committee determined that the appeal for NW be refused for the reasons set out in the report submitted.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.

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37 **Home to School and Post 16 Home to School/College Transport Appeal – MB**

A report of the Director of Children's Services was submitted on an appeal relating to home to school transport.

**Resolved**

- (1) That, following careful consideration of the information contained in the report submitted, the appeal for MB be upheld, and home to school transport be provided for MB up until the end of the 2023/2024 academic year and reviewed thereafter.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.

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38 **Home to School and Post 16 Home to School/College Transport Appeal – LS**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.



## **Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the Committee determined that the appeal for LS be refused for the reasons set out in the report submitted.
- (2) That LS be recommended to be assessed for Independent Travel Training.
- (3) That the parties be informed of the decision of the Committee in writing within five working days.

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### **39 Home to School and Post 16 Home to School/College Transport Appeal – MB**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

## **Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the Committee determined that the appeal for MB be upheld and home to school transport be provided to MB up until the end of the 2022/2023 academic year and reviewed thereafter. The Committee also advised that medical evidence be submitted, in respect of MB's needs, as discussed at the hearing, when reapplying for transport provision next year, if required.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.

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### **40 Home to School and Post 16 Home to School/College Transport Appeal – ZJD**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

## **Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the Committee determined that the appeal for ZJD be upheld and home to school transport be provided for the remainder of the 2022/2023 academic year and reviewed thereafter. The Committee advised that further medical evidence be submitted, specific to ZJD's difficulties travelling to school alone, as discussed at the hearing, should a further application for transport provision be submitted in the future.
- (2) That ZJD be recommended to be assessed for Independent Travel Training.
- (3) That the parties be informed of the decision of the Committee in writing within five working days.

### **41 Home to School and Post 16 Home to School/College Transport Appeal – LS**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

## **Resolved**

- (1) That, following careful consideration of the written information submitted and additional information supplied, the Committee determined that they were of the view that they were unable to make a decision based on the written evidence supplied and therefore, deferred the appeal.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.



42 **Home to School and Post 16 Home to School/College Transport Appeal – LH**

It was noted that the application had been withdrawn prior to the meeting.

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The meeting ended at 2.25pm.

CHAIR



AC/219

**Minutes of the Appeals Committee  
Wednesday, 12<sup>th</sup> October, 2022 at 10.00 am  
In Committee Room 4 at the Council House, Dudley**

**Present:**

Councillor T Westwood (Chair)  
Councillor S Henley and E Taylor

**Officers:**

D Corbett – Senior Transport Officer (Directorate of Children's Services) and  
K Griffiths – Democratic Services Officer (Directorate of Finance and Legal).

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**43 Apology for Absence**

An apology for absence from the meeting was submitted on behalf of  
Councillor S Mughal.

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**44 Appointment of Substitute Member**

It was reported that Councillor E Taylor had been appointed as a substitute  
Member for Councillor S Mughal, for this meeting of the Committee only.

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**45 Declarations of Interest**

No Member made a declaration of interest in accordance with the  
Members' Code of Conduct.

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46 **Minutes**

That the minutes of the meetings held on 14<sup>th</sup> September and 21<sup>st</sup> September, 2022, be approved as correct records and signed.

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47 **Exclusion of the Public**

**Resolved**

That the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information relating to any individual(s) as defined in Part I of Schedule 12A to the Local Government Act, 1972, as amended.

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48 **Change in Order of Business**

Pursuant to Council Procedure Rule 13(c) it was: -

**Resolved**

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

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49 **Home to School and Post 16 Home to School/College Transport Appeal – EW**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

**Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the appeal for EW be upheld and home to school transport be provided for the remainder of EW's education at the current provision.
  - (2) That the parties be informed of the decision of the Committee in writing within five working days.
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50 **Home to School and Post 16 Home to School/College Transport Appeal – AA**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

**Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the appeal for AA be upheld and home to school transport be provided for the remainder of the 2022/23 academic year, subject to review thereafter.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.

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51 **Home to School and Post 16 Home to School/College Transport Appeal – JT**

A report of the Director of Children's Services was submitted on an appeal relating to Post 16 Home to School/College Transport.

**Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the appeal for JT be upheld, and home to school transport be provided for the remainder of JT's education at the current provision, to be subsidised by the parent.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.

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52 **Home to School and Post 16 Home to School/College Transport Appeal – HP**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

**Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the appeal for HP be upheld and home to school transport be re-instated whilst a further review is carried out, taking into consideration all evidence referred to at the meeting.
  - (2) That the parties be informed of the decision of the Committee in writing within five working days.
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**53 Home to School and Post 16 Home to School/College Transport Appeal – DR**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

**Resolved**

- (1) That, following careful consideration of the information and representations made by all parties, the appeal for HP be upheld and home to school transport be provided for the remainder of DR's primary school education at the current school.
  - (2) That the parties be informed of the decision of the Committee in writing within five working days.
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**54 Home to School and Post 16 Home to School/College Transport Appeal – SA**

A report of the Director of Children's Services was submitted on an appeal relating to home to school transport.

**Resolved**

- (1) That, following careful consideration of the information outlined in the report submitted and additional information provided by the applicant, the appeal for SA be upheld, and home to school transport be provided to SA for the remainder of the 2022/23 academic year, subject to review thereafter.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.

The meeting ended at 3.10pm

CHAIR

**Minutes of the Appeals Committee  
Wednesday, 19<sup>th</sup> October 2022 at 10.00 am  
in Committee Room 4 at the Council House, Dudley**

**Present:**

Councillor T Westwood (Chair)  
Councillor S Henley and E Taylor

**Officers:**

D Corbett – Senior Transport Officer (Directorate of Children's Services) and  
L Jury – Democratic Services Officer (Directorate of Finance and Legal).

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**55    Apology for Absence**

An apology for absence from the meeting was submitted on behalf of  
Councillor S Greenaway.

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**56    Appointment of Substitute Member**

It was reported that Councillor E Taylor had been appointed as a substitute  
Member for Councillor S Greenaway for this meeting only.

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**57    Declarations of Interest**

No Member made a declaration of interest in accordance with the  
Members' Code of Conduct.

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58 **Exclusion of the Public**

**Resolved**

That the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information relating to any individual(s) as defined in Part I of Schedule 12A to the Local Government Act, 1972, as amended.

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59 **Home to School and Post 16 Home to School/College Transport Appeal – HN**

A report of the Director of Children's Services was submitted on an appeal relating to Home to School Transport.

**Resolved**

- (1) That, during the appeal hearing as it became evident that HN was eligible for free school transport, the appeal was withdrawn.
  - (2) That the parties be informed of the decision of the Committee in writing within five working days.
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60 **Home to School and Post 16 Home to School/College Transport Appeal – HBL**

A report of the Director of Children's Services was submitted on an appeal relating to Home to school transport.

**Resolved**

- (1) That, during the appeal hearing as it became evident that HBL was eligible for free school transport, the appeal was withdrawn.



- (2) That the parties be informed of the decision of the Committee in writing within five working days.
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61 **Post 16 and Home to School/College Transport Appeal – IE**

A report of the Director of Children's Services was submitted on an appeal relating to Post 16 Home to School/College Transport.

**Resolved**

- (1) That, following careful consideration of the information outlined in the report submitted, the Committee determined that the appeal for IE be refused for the reasons set out in the report submitted.
- (2) That the parties be informed of the decision of the Committee in writing within five working days.
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62 **Home to School and Post 16 Home to School/College Transport Appeal – RW**

It was noted that the application had been withdrawn prior to the meeting.

The meeting ended at 11.10am.

CHAIR