

## **APPEALS PANEL (CHILDREN'S SERVICES TRANSPORT)**

Thursday 14<sup>th</sup> October, 2010 at 10.00 am  
At Saltwells Education Development Centre,  
Bowling Green Road, Netherton, Dudley

### **PRESENT:-**

Councillor Vickers (Chairman)  
Councillors Crumpton and Mrs Dunn

### **Officers**

Mr T Wells (Senior Transport Manager), (Directorate of Children's Services),  
Mr R Sanders and Miss H Shepherd (Directorate of Law, Property and  
Human Resources)

### **Also in attendance**

Dave Corbett (Senior Transport Officer, Directorate of Children's Services) as  
an observer for training purposes (with the consent of both appellants).

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### 6 **DECLARATIONS OF INTEREST**

No member declared a Personal or Prejudicial interest in accordance with the  
Members' Code of Conduct, at this juncture, in respect of any item on the  
agenda.

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### 7 **MINUTES**

RESOLVED

That the minutes of the meeting of the Appeals Panel held on 17<sup>th</sup>  
June 2010, be approved as a correct record and signed.

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### 8 **RESOLUTION TO EXCLUDE THE PUBLIC**

RESOLVED

That the public be excluded from the meeting for the following items  
of business on the grounds that they involve the likely disclosure of  
exempt information as defined in Part 1 of Schedule 12A to the Local  
Government Act 1972 as indicated below:-

Description of item

Relevant Paragraph of Part 1 of  
Schedule 12A

Home to School Transport  
Appeals

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9 HOME TO SCHOOL TRANSPORT APPEALS – AT AND BT

(At the start of consideration of this item, the Chairman and Councillor Mrs Dunn indicated that they were known to the appellant. The appellant confirmed that she was content for the hearing to proceed.)

The Appeals Panel considered an appeal relating to Home to School Transport.

The applicant was in attendance at the meeting.

Following introductions, the Chairman outlined the procedure to be followed.

The Senior Transport Manager, Directorate of Children's Services, presented the report on behalf of the Council.

The applicant and Appeals Panel then asked questions on the Directorate of Children's Services case.

The meeting was adjourned at 10.10 am for the Senior Transport Manager to seek clarification from the school with regard to the public right of way access referred to in the appellant's evidence.

The meeting re-convened at 10.15 am.

The applicant then presented her case to the Appeals Panel.

Following final submissions, the parties left the meeting, at which point the Appeals Panel continued its deliberations in respect of the Home to School Transport appeal.

RESOLVED

- (1) That, following careful consideration of the written submissions as circulated with the agenda papers and all the comments made, the appeal be upheld and that the Directorate of Children's Services make the appropriate arrangements for transport in consultation with the appellant.
- (2) That the Director of Corporate Resources advises the applicant of the Panel's decision in writing.

## HOME TO SCHOOL TRANSPORT APPEALS – HH

(During consideration of this item, Councillor Crumpton declared a Personal Interest in accordance with the Member's Code of Conduct in view of the employment of his sister as a supply teacher who worked occasionally at Pens Meadow School)

The Appeals Panel considered an appeal relating to Home to School Transport.

The applicant was in attendance at the meeting, together with the child's father.

Following introductions, the Chairman outlined the procedure to be followed.

The Senior Transport Manager, Directorate of Children's Services, presented the report on behalf of the Council.

The Appeals Panel then asked questions on the Directorate of Children's Services case. No questions were raised by the parents.

The applicant then presented her case to the Appeals Panel and made reference to additional evidence, copies of which were distributed to the Appeals Panel.

Following the applicant's presentation, questions were asked by the members of the Appeals Panel.

Further questions were raised by the Appeals Panel to the Senior Transport Manager.

Following final submissions, the parties left the meeting, at which point the Appeals Panel continued its deliberations in respect of the Home to School Transport appeal.

### RESOLVED

- (1) That, following careful consideration of the written submissions as circulated with the agenda papers and all the comments made, the appeal be upheld in so far as the appellant be permitted to claim a mileage allowance at the Council's approved rate, to and from her home and Pens Meadow School, and that the Directorate of Children's Services make the appropriate arrangements in this regard.
- (2) That the Director of Corporate Resources advises the applicant of the Panel's decision in writing.

The meeting ended at 11.20 am.

CHAIRMAN