

Appeals Committee

Agenda

Date: Thursday, 23rd September, 2010
Time: 2.00 pm
Venue: Committee Suite 1 & 2, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal or prejudicial interests which they may have in any item of business on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos. 11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. It is not required to give notice of the intention to make use of public speaking provision, however, as a matter of courtesy, a period of 24 hours notice is encouraged.

Members of the public should provide 3 clear working days notice, in writing, if they wish to ask a question at the meeting, in order for an informed answer to be given.

For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

Contact: Carol Jones
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4. **Minutes of the Previous Meeting** (Pages 1 - 2)

To approve as a correct record, the minutes of the meeting held on 29 July 2010.

5. **Exclusion of Press and Public**

The report relating to the remaining item on the agenda has been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matter may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves 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 and the public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

6. **School Transport Appeals** (Pages 3 - 26)

The Committee is asked to determine an appeal against the decision of the Council not to offer assisted school transport to the appellant's child. A copy of the "Under-16 Transport Policy" is enclosed and has been applied to this case.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Appeals Committee**
held on Thursday, 29th July, 2010 at Committee Suite 1 & 2, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor S Bentley (Chairman)
Councillor J Crockatt (Vice-Chairman)

Councillors R Fletcher and M A Martin

IN ATTENDANCE

Victoria Cassidy	Solicitor and Clerk to the Appeals Committee
Pat Wilson	SEN Assessment and Monitoring Team (Presenting Officer)
Jackie Speakman	Principal Transport Officer
Carol Jones	Democratic Services Officer

APOLOGIES

Councillors M Asquith, L Gilbert and M Simon

6 DECLARATIONS OF INTEREST

No declarations of interest were made.

7 PUBLIC SPEAKING TIME/OPEN SESSION

In accordance with Procedure Rules Nos. 11 and 35, a total period of 10 minutes was allocated for members of the public to address the Committee on any matter relevant to its work.

There were no members of the public in attendance and the Committee proceeded to its next business.

8 MINUTES OF THE PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 20th May 2010 be approved as a correct record.

9 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following item, pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 and the public interest would not be served in publishing this information.

10 SCHOOL TRANSPORT APPEALS

The Committee considered an appeal against the decision of the Integrated Transport Service not to allow assisted school transport, in accordance with the Council's "Under-16 Transport Policy".

The appellant was not present and the Committee heard the appeal based on the appellant's written evidence only.

The Presenting Officer detailed the Local Authority's case. Members of the Committee were able to ask questions by way of clarification.

The Presenting Officer and the Principal Transport Officer then withdrew from the meeting following which the Committee reached its decision.

RESOLVED:

That the appeal be REFUSED.

The meeting commenced at 2.00 pm and concluded at 2.45 pm

Councillor S Bentley (Chairman)

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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