

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Appeals Committee**
held on Thursday, 29th October, 2009 at Committee Suite 1, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor S Bentley (Chairman)
Councillor L Gilbert (Vice-Chairman)

Councillors M Asquith, M Martin and M Simon

OFFICERS IN ATTENDANCE

Melissa Andrews	Solicitor and Clerk to the Appeals Committee
Jackie Speakman	Principal Transport Officer (Presenting Officer for the Local Authority)
Carol Jones	Democratic Services Officer

APOLOGIES

Councillors R Fletcher and D Topping

18 DECLARATIONS OF INTEREST

Council M Asquith declared a personal interest in Case No. 2 on the basis that he was a School Governor at Wilmslow High School, which was the named school in Case No. 2.

No other Member made any declaration of interest in any item of business on the agenda.

19 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 present and the Committee, therefore, proceeded to its next business.

20 MINUTES OF PREVIOUS MEETING

RESOLVED

That

the minutes of the meeting held on 24th September 2009 be approved as a correct record, subject to a revision to the Appeals Procedure at Minute No. 17, the revised procedure to read as follows -

1. The Chairman to welcome all to the meeting and make introductions.
2. The Local Authority Presenting Officer to outline the Authority's case.
3. The appellant to present their case.
3. The Local Authority Presenting Officer to ask questions of the appellant.
4. The appellant to ask questions of the Local Authority Presenting Officer.
5. Committee Members to ask questions of the Local Authority Presenting Officer.
6. Committee Members to ask questions of the appellant.
7. The Local Authority Presenting Officer to sum up the Authority's case.
8. The appellant to sum up their case.
9. The Local Authority Presenting Officer and appellant will then withdraw from the meeting, following which the Committee will reach its decision.

21 EXCLUSION OF 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, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, and the public interest would not be served in publishing this information.

22 SCHOOL TRANSPORT APPEALS

The Committee considered two appeals against the decision of the Integrated Transport Service not to allow assisted school transport, in accordance with the Council's Transport Policy.

In Case No. 1, the appellant and the Presenting Officer were in attendance throughout consideration of the appeal. After the appeal, the appellant and Presenting Officer withdrew from the meeting, following which the Committee reached its decision.

The appellant in Case No. 2 was not present, and the appeal was, therefore, heard in her absence. The Presenting Officer presented the Local Authority's case and the Committee considered the appellant's written evidence only. The Presenting Officer then withdrew from the meeting, following which the Committee reached its decision.

The Committee carefully considered the evidence presented to it both orally and in writing.

RESOLVED:

That

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| (1) | Case No. 1 | The appeal be UPHeld, subject to a contribution by the appellants towards the cost of transport. |
| (2) | Case No. 2 | The appeal be REFUSED. |

The meeting commenced at 2.20 pm and concluded at 3.20 pm

Councillor S Bentley (Chairman)