

Appeals Committee Agenda

Date:	Thursday, 31st March, 2011
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 and/or prejudicial interests in any item 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 its work. There is no requirement 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.

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.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable 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

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4. **Minutes of Previous Meeting** (Pages 1 - 2)

To approve the Minutes of the Meeting held on 13 January 2011.

5. **Exclusion of the 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 to exclude the press and public 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 to 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, 13th January, 2011 at Committee Suite 1 & 2, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors R Fletcher, L Gilbert and M J Simon

IN ATTENDANCE

Anita Barnett	Solicitor and Clerk to the Appeals Committee
Sarah Baxter	Democratic Services Officer
Jackie Speakman	Principal Transport Officer – Integrated Transport Service (Presenting Officer)

20 APOLOGIES FOR ABSENCE

Apologies were received from Councillors M Asquith and M A Martin.

21 DECLARATIONS OF INTEREST

Councillor M J Simon declared a personal interest in Case No. 1 on the basis that she was a Governor at the school which was referred to in the appeal.

No other declarations of interest were made.

22 PUBLIC SPEAKING TIME/OPEN SESSION

In accordance with Procedure Rule No 35, a total period of 10 minutes was allocated for members of the public to address the Committee on any matters relevant to its work, or to ask a question.

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

23 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 25 November 2010 be approved as a correct record.

24 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 Paragraph 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 this information.

25 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 Council's Post-16 Transport Policy.

The appellant was in attendance throughout consideration of his appeal. The Principal Transport Officer detailed the Local Authority's case.

The appellant spoke in support of his appeal and submitted further written evidence which was also considered by the Committee.

Members of the Committee asked questions of both parties by way of clarification. The appellant and the Present Officers were also able to ask questions by way of clarification.

At this point in the proceedings, the appellant and the Presenting Officer 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 3.09 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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