

KENT COUNTY COUNCIL

REGULATION COMMITTEE APPEAL PANEL (TRANSPORT)

MINUTES of a meeting of the Regulation Committee Appeal Panel (Transport) held in the Stour Room - Sessions House on Tuesday, 30 April 2019.

PRESENT: Mr A H T Bowles (Chair), Mr S C Manion, Mr D Murphy and Mr R A Pascoe

IN ATTENDANCE: Mr A Ballard (Principal Democratic Services Officer)

UNRESTRICTED ITEMS

6. Appeal 1
(Item D1)

Not upheld

7. Appeal 2
(Item D2)

Postponed

8. Appeal 3
(Item D3)

Upheld

9. Appeal 4
(Item D4)

Not Upheld

10. Appeal 5
(Item D5)

Not Upheld

11. Appeal 6
(Item D6)

Not upheld

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

Minute Item 6

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Minute Item 8

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Minute Item 9

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Minute Item 10

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Home to School Transport Appeals

Preferred School	Langton Green Primary School		
Child's Name	Isabella Ralf	Date	30.4.19
Clerk	Andy B	Start time	
Panel Chair	Bowles	Members	Manion, Pascoe & Murphy
Appellants	HIA		
Representatives			
Presenting Officer	Krystle Davies		
Chair welcome/introductions			Y
Chair explained procedure			Y
Chair explained independence of Panel (decision was binding on all parties)			Y
Additional evidence brought to the hearing by appellants, read and considered by panel as follows:-			
Additional email from parent to say that she is unable to attend and for the appeal to be HIA.			
Case for Admission Authority			
LA gave reasons as to why transport not provided as detailed in appendix 4.			
Questions to presenting officer from Panel			
<p>Manion – still places at nearest school LA – no as it was based on pref when making application Clerk – however situation has changed since then due to ill health please refer to the additional email that has been sent in</p>			
Questions to presenting officer from Parent			
None			
Appellants case			
Chr – read out statement			
Chairman asked appellants if satisfied they had made their case			Y
Chairman advised appellants when to expect the result of their appeal			Y
Appeal finish time			

Reaching a Decision

A Was the Home to School Transport Policy correctly applied in this child's case?	Decision Y
If no would the child have been offered Transport assistance if they had	Decision Y/N
<p>Key points of the appellants case</p> <ul style="list-style-type: none"> • Isabella has been very unwell and has not yet recovered from the operations that she received in January and as transport is not been awarded it is preventing her education. • Diagnosed with thyroid cancer and had two major operations to remove a lump from her neck and thyroids. • She had radiotherapy in January which killed the rest of the cancer cells. • She is unable to walk far, she has no energy and not able to participate in sports and day to day activities • She has had a lot of time off of work due to being so ill. • She is now on a lifetime of medication once a day. • Also on disability moving allowance • Additional information from NHS • • 	<p>The Panel were still in agreement that they would not support this. They considered the high cost of the transport that would need to be put in place and still came to the conclusion that although they had further correspondence with the parent it did not change the original decision from the last Panel.</p>
<p>Does the strength of case outweigh the refusal?</p>	
<p>Decisions and reasons</p> <p>The additional information that you provided the Panel in order for the appeal to be heard again.</p> <p>However even with the additional information, the Panel still did not feel that this warranted them to use their discretion and award transport.</p>	

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