

Public Document Pack



Monitoring Officer
Christopher Potter

County Hall, Newport, Isle of Wight PO30 1UD
Telephone (01983) 821000

Agenda

Name of meeting	APPEALS SUB COMMITTEE
Date	MONDAY 21 NOVEMBER 2022
Time	10.00 AM
Venue	CONFERENCE ROOM 5, FLOOR 4, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	Cllrs I Dore (Chairman), A Garratt and M Oliver

Democratic Services Officer: Marie Bartlett
democratic.services@iow.gov.uk

1. **Apologies and Changes in Membership (If Any)**

To note any changes in membership of the Committee made in accordance with Part 4B paragraph 5 of the Constitution.

2. **Minutes** (Pages 5 - 6)

To confirm as a true record the Minutes of the meeting held on 1 September 2022.

3. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

4. **Exclusion of the Public and Press**

To consider passing a resolution that, under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, namely Agenda item number 5a, on the grounds that there is likely to be the disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act and in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. **Confidential Report of the Director of Children's Services**

To consider appeal relating to home-to-school transport:

- (a) 14 - 2022 (Pages 7 - 40)

Appeal will not be heard before 10.00am.

CHRISTOPHER POTTER
Monitoring Officer
Friday, 11 November 2022

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

Notice of recording

Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast (except any part of the meeting from which the press and public are excluded).

If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

If you require further information please see the council guide to reporting on council meetings which can be found at <http://www.iwight.com/documentlibrary/view/recording-of-proceedings-guidance-note>

All information that is recorded by the council is held in accordance with the Data Protection Act 2018. For further information please contact Democratic Services at democratic.services@iow.gov.uk

This page is intentionally left blank



Minutes

Name of meeting	APPEALS SUB COMMITTEE
Date and Time	THURSDAY 1 SEPTEMBER 2022 COMMENCING AT 10.00 AM
Venue	CONFERENCE ROOM 5, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs A Garratt (Chairman), V Churchman and M Oliver
Also Present	Ben Gard, Sarah Linington, Dean Thistlewood, Sarah Philipsborn and Megan Tuckwell

1. **Election of a Chairman**

Due to the absence of the Chairman and Vice-Chairman, it was necessary to elect a Chairman for the day.

RESOLVED:

THAT Cllr Andrew Garratt be elected Chairman for the day.

2. **Declarations of Interest**

Cllr Martin Oliver declared an interest in Minute item 17 as a governor at St Georges School.

3. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 6 January 2022 be approved.

4. **Exclusion of the Public and Press**

RESOLVED:

THAT under Section 100(A) (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, namely Minute numbers 18(a), 18(b) and 18(c) on the grounds that there was likely to be disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. **Confidential Reports of the Director of Children's Services**

5a **07 - 2022**

The Chairman welcomed those present. The appellant was in attendance. Consideration was given to an appeal relating to Home to School Transport. Following oral representations by the Children's Services representative questions were asked by the appellant and members of the Sub Committee. Following oral representations by the appellant questions were asked by the appellant and members of the Sub Committee.

RESOLVED:

THAT, having carefully considered all the reasons given by the appellant in their written and oral submissions (including late additional evidence), the appeal be refused.

5b **11 - 2022**

The Chairman welcomed those present. The appellant was not in attendance. Consideration was given to an appeal relating to Home to School Transport. Following oral representations by the Children's Services representative and the Senior Special Needs Officer, questions were asked by members of the Sub Committee.

RESOLVED:

THAT, having carefully considered all the reasons given by the appellant in their written submissions (including the late additional statement), the appeal be upheld in part by determining that although no statutory duty exists for the provision of home to school transport, in the circumstances of the appeal the Sub Committee exercises its discretion to award home to school transport until the end of the first half term in October 2022.

5c **12 - 2022**

The Chairman welcomed those present. The appellant was in attendance. Consideration was given to an appeal relating to Home to School Transport. Following oral representations by the Children's Services representative and the Senior Special Needs Officer, questions were asked by members of the Sub Committee.

RESOLVED:

THAT, having carefully considered all the reasons given by the appellant in their written and oral submissions, the appeal be refused.

CHAIRMAN

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank