

# Agenda

Name of meeting	<b>APPEALS SUB COMMITTEE</b>
Date	<b>TUESDAY 16 JANUARY 2024</b>
Time	<b>10.30 AM</b>
Venue	<b>CONFERENCE ROOM 4, FLOOR 4, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Members of the committee	Cllrs I Dore (Chairman), G Brodie and V Churchman
	Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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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 3 August 2023.

3. **Declarations of Interest**

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

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 5 (a),(b) and (c), 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.



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.

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

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

- (a) 15-2023 (Pages 7 - 20)
- (b) 16-2023 (Pages 21 - 34)
- (c) 17-2023 (Pages 35 - 58)

CHRISTOPHER POTTER  
Monitoring Officer  
Monday, 8 January 2024

## 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](mailto:christopher.potter@iow.gov.uk), or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email [justin.thorne@iow.gov.uk](mailto:justin.thorne@iow.gov.uk).

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### **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](mailto:democratic.services@iow.gov.uk)

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## Minutes

Name of meeting	<b>APPEALS SUB COMMITTEE</b>
Date and Time	<b>THURSDAY 3 AUGUST 2023 COMMENCING AT 10.00 AM</b>
Venue	<b>CONFERENCE ROOM 4, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs J Bacon (Vice-Chairman), V Churchman and P Spink
Also Present	Ben Gard, Sarah Linington, Regan Matthews and Dean Thistlewood
Also Present (Virtual)	
Apologies	Cllrs

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1. **Apologies and Changes in Membership (if any)**

Cllr P Spink attended as a substitute for Cllr D Adams.

2. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 23 March 2023 be approved, subject to the amendment of the first part of Minute 24 to read "The appellant was not in attendance. Consideration was given to an appeal relating to Home to School Transport."

3. **Declarations of Interest**

No declarations were received at this stage.

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 number 24, 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. **Report of the Director of Children's Services**

6. **05-2023**

The appellant was unable to attend the hearing. Consideration was given to an appeal relating to Home to School Transport. Following oral representations by the Children's Services representative and SEN specialist questions were asked by members of the Sub Committee. The Sub-Committee, when considering their decision, also took into consideration the late evidence with additional information provided by the parents.

RESOLVED:

To dismiss the appeal on the grounds of route safety, but to uphold the appeal on the grounds of exceptional circumstances and such transport as the council considers necessary to secure home-to-school transport will be provided for the academic year 2023/2024.

CHAIRMAN

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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