

# Minutes

Name of meeting	<b>GENERAL PURPOSES (APPEALS) SUB COMMITTEE</b>
Date and time	<b>MONDAY, 10 AUGUST 2009 COMMENCING AT 1.00 PM</b>
Venue	<b>COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllr Susan Scoccia (Chairman), Ivan Bulwer, David Williams
Officers Present	Chris Bartlett, Julie Martin, Amanda Page, Heather Whitchurch

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19. **Minutes**

RESOLVED :

THAT the Minutes of the meetings held on [23](#), [24](#) and [27 July 2009](#) be confirmed.

20. **Declarations of Interest**

Councillor David Williams declared a personal interest in Minute 22 (b) as he was the local member.

21. **Exclusion of 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 22, 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.

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

The Chairman welcomed those present and introduced Members of the Committee. She confirmed that all members had read the papers and outlined the procedure that was to be followed.

Consideration was given to appeals relating to school transport.

(a) Hearing 20 (09/10)

The appellant was not present at the start of the hearing; therefore the Sub Committee delayed the commencement of the hearing by 20 minutes to allow time for their attendance.

The appellant did not attend the hearing.

The Sub Committee was reminded that consideration of the appeal had been deferred from the 31 July 2009 meeting to enable the Road Safety Engineer to attend the hearing, as the risk assessment of the route undertaken was deemed to be a safe walking route by the Council's Traffic Management Section.

A brief update was given from the Children's Services representative. The Council's Road Safety Engineer attended the hearing to answer questions. He indicated that in assessing the route, it was expected that a child would be accompanied as necessary, which was in line with the guidelines set out in the Local Authority Road Safety Officers' Association (LARSOA).

All parties withdrew, whilst the Sub Committee adjourned to consider the appeal.

Due to the non attendance of the appellant the Sub Committee was only able to consider the evidence before them and that previously given at the 31 July 2009 meeting which included the appellant's comments with regard to their child walking to school and the additional photographic evidence provided.

The Sub Committee could see no compelling evidence or reason to exercise their discretion to override the Isle of Wight Council's Transport Policy and it was therefore decided that the appeal should be refused.

RESOLVED :

THAT the appeal be refused

(b) Hearing 18 (09/10)

Following representations from the Children's Services representative, the appellant and members of the Sub Committee asked questions.

The Council's Road Safety Engineer told the Sub Committee that he had undertaken a risk assessment of the route, which was deemed to be a safe walking route. He indicated in assessing the route, it was expected that a child would be accompanied as necessary, which was in line with the guidelines set out in the Local Authority Road Safety Officers' Association (LARSOA). The appellant and members of the Sub Committee asked questions.

The appellant and then outlined his case highlighting several points from the documentation previously submitted. The Children's Services representative and members of the Sub Committee asked questions of the appellant.

All parties withdrew, whilst the Sub Committee adjourned to consider the appeal.

The Sub Committee having considered all the reasons given by the appellant in his written and oral submissions, including the appellant's comments with regard to the shortest walking distance to the school, decided that the appeal should be refused.

The Sub Committee could see no compelling evidence or reason to exercise their discretion to override the Isle of Wight Council's Transport Policy.

RESOLVED :

THAT the appeal be refused

(c) Hearing 21 (09/10)

The appellant was unable to attend the hearing.

Following representations from the Children's Services representative, members of the Sub Committee asked questions. The Children's Services representative then withdrew, whilst the Sub Committee adjourned to consider the appeal.

The Sub Committee having considered all the reasons given by the appellant in her written submission, decided that the appeal should be refused.

Due to the non attendance of the appellant the Sub Committee was only able to consider the evidence before them and could see no compelling evidence or reason to exercise their discretion to override the Isle of Wight Council's Transport Policy.

It was also noted that the appellant had exercised her parental choice for her child not to attend the priority school.

RESOLVED :

THAT the appeal be refused