



Minutes

Name of meeting	GENERAL PURPOSES (APPEALS) SUB COMMITTEE
Date and time	MONDAY, 26 JANUARY 2009 COMMENCING AT 10.00 AM
Venue	COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Lady Sarah Pigot (Chairman), Ivan Bulwer, John Hobart
Officers Present	John Brocklehurst, Elaine Gutcher, Julie Martin, Keith Simmonds

44. **Declarations of Interest**

There were no declarations at this stage.

45. **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 46, 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.

46. **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 1

The appellant was unable to attend the hearing and had submitted further written evidence which was circulated to all members and officers prior to the hearing.

Following representations from the Children's Services representative, members of the Sub Committee asked questions. The Children's Services then 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 submission, including the additional information, decided that the appeal should be refused. Members had been provided with guidance from case law and legislation.

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 his parental choice for his child not to attend the priority school.

RESOLVED :

THAT the appeal be refused.

(b) Hearing 2

The appellant outlined her 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.

Following representations from the Children's Services representative, the appellant and members of the Sub Committee asked questions. During the discussion a question arose relating to confusion surrounding the appellant's admission appeal four years previously. The Children's Services representative withdrew to gather further information the point.

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 her written and oral submissions, 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.

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.

(c) Hearing 3

The Sub Committee was advised that an agreement had been reached with regard to this appeal.

CHAIRMAN