



DISCRETIONARY TRANSPORT APPEAL PANEL

FRIDAY, 15 MAY 2020

2.00 pm CC1 - COUNTY HALL, LEWES

Please note that the Panel members will not be present at County Hall but will take decisions remotely

MEMBERSHIP - Councillors Godfrey Daniel, Bob Bowdler and Kathryn Field

A G E N D A

- 1 Apologies for absence
- 2 Minutes *(Pages 3 - 4)*
- 3 Disclosure of Interests
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent items
Members wishing to raise urgent items are asked to notify the Chair to state the special circumstances which they consider justify the matters being considered urgently.
- 5 Temporary change to the wording of decision letters *(Pages 5 - 6)*
- 6 Any other non-exempt items considered urgent by the Chair
- 7 Exclusion of the public and press
To consider excluding the public and press from the meeting for the remaining items of the agenda on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in Category 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), namely information relating to any individual.
- 8 Exempt minutes *(Pages 7 - 10)*
- 9 Report on previous cases *(Pages 11 - 26)*
 - Case number 27/19
 - Case number 34/19
 - Case number 37/19
- 10 To consider transport arrangements for pupils as exceptions to the normal policy *(Pages 27 - 180)*

• Case number 04/20	Case number 07/20
• Case number 05/20	Case number 08/20
• Case number 06/20	Case number 09/20
- 11 Any other exempt items considered urgent by the Chair
- 12 Date and time for future meetings

PHILIP BAKER
Assistant Chief Executive
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7 May 2020

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DISCRETIONARY TRANSPORT APPEAL PANEL

MINUTES of a meeting of the East Sussex Discretionary Transport Appeal Panel held on 12 FEBRUARY 2020

Present - Councillors: Bowdler, Daniel and Field
Officers: I Crudge and D Gibson

1 Apologies:

1.1 None.

2 Public minutes:

2.1 RESOLVED to approve as a correct record the public minutes of the previous meeting held on 18 December 2019.

3 Disclosures of interests:

3.1 None.

4 Urgent items:

4.1 None.

5 Any other non-exempt items:

5.1 None.

6 Exclusion of the press and public:

6.1 It was RESOLVED - to exclude the public and press from the meeting for agenda items 7, 8, 9 and 10 on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraph 1 of Part 1 of the Local Government Act 1972 (as amended), namely information relating to an individual.

7 Exempt minutes:

7.1 RESOLVED to approve as a correct record the exempt minutes of the previous meeting held on 18 December 2019.

8 Report on previous cases:

8.1 None.

9 Consideration of transport provision in individual cases:

9.1 The Panel considered and reached a decision on the following transport provision case numbers: 01/20, 02/20 & 03/20.

[The full decision is set out in an exempt minute]

10 Any other exempt items:

10.1 None.

11 Date and time for next meeting:

- 11.1 Members confirmed the next meeting will take place on 15 April 2020 at 11:30am or the conclusion of Planning Committee, whichever is the later.

Title of report: **Temporary change to DTAP decision letters**

Purpose of report: **To amend the decision letter to reflect the fact the Local Government and Social Care Ombudsman has temporarily suspended all casework activity**

RECOMMENDATION

1) Agree to the proposed wording set out in paragraph 1.6 of this document

1 Background

1.1 On 25 March, the Local Government and Social Care Ombudsman (LGSCO) contacted local authorities to advise they would temporarily suspend all casework activity where that work places an administrative burden on councils or social care providers.

1.2 This measure was taken so that councils could concentrate on delivering front-line services during the Coronavirus outbreak.

1.3 In practice, this means the LGSCO we will not make any contact with councils or care providers that requires a response or the need to take action. They will not make any enquiries about new complaints, chase outstanding ongoing issues, or ask for comments on draft decisions. They will not issue final decisions, apart from where it is decided not to investigate a complaint. Cases still in progress will be frozen until they can return to normal operations.

1.4 They do expect councils and care providers to respond to the most urgent and high-risk complaints and concerns from the public during this period.

1.5 In the meantime, councils should not signpost people to the LGSCO in the traditional way which necessitates a change to the normal wording in decision letters.

1.6 Below is the current wording and proposed wording:

Current wording

You have the right to refer your case to the Local Government Ombudsman, their phone number is 0300 061 0614 or online at www.lgo.org.uk Please be aware that this action is not a further right of appeal. The Ombudsman cannot overturn the Panel's decision, and will only investigate your case if there has been a failure to comply with procedural rules or if there were irregularities in the way your appeal was handled.

Proposed wording

You have the right to refer your case to the Local Government and Social Care Ombudsman (LGSCO) who can investigate your case if there has been a failure to comply with procedural rules or if there were irregularities in the way your appeal was handled.

However, in line with the latest government guidance, the LGSCO is not currently accepting new complaints. They will accept complaints again when the situation improves and government guidance changes. You can find the most up-to-date information at www.lgo.org.uk or by listening to the recorded message on 0300 061 0614.

2. Conclusion and reasons for recommendations

2.1 It is recommended to adopt the proposed wording until the LGSCO resumes normal operations.

Contact Officer: Ian Crudge, Principal Admissions and Transport Officer
Email: ian.crudge@eastsussex.gov.uk

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