



## DISCRETIONARY TRANSPORT APPEAL PANEL

THURSDAY, 30 SEPTEMBER 2021

1.00 PM CC1, COUNTY HALL, LEWES

MEMBERSHIP - Councillors Kathryn Field, Paul Redstone and Trevor Webb

### A G E N D A

1 Apologies for absence

2 Minutes of the meeting held on 31 August 2021 (*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 Report on changes to school transport policies (*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 - 16*)

9 Report on previous cases - to follow

10 To consider transport arrangements for pupils as exceptions to the normal policy (*Pages 17 - 78*)

- Case number 48/21
- Case number 50/21
- Case number 51/21
- Case number 52/21

11 Any other exempt items considered urgent by the Chair

12 Date and time for future meetings

PHILIP BAKER  
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22 September 2021

Contact

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## DISCRETIONARY TRANSPORT APPEAL PANEL

MINUTES of a meeting of the East Sussex Discretionary Transport Appeal Panel  
held on 31 August 2021

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Present - Councillors: Field, Redstone and Webb  
Officers: I Crudge

**1** Apologies for absence:

1.1 None.

**2** Public minutes:

2.1 RESOLVED to approve as a correct record the public minutes of the previous meeting held on 19 July 2021.

**3** Disclosures of interests:

3.1 Councillor Field declared a non-prejudicial interest in case 43/21.

**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 19 July 2021.

**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: 38/21, 39/21, 40/21, 41/21, 42/21, 43/21, 44/21, 45/21, 46/21 and 47/21.

[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 agreed the next meeting will take place on 30 September 2021 at 1pm.

Title of report: **Changes to school transport policies**

Purpose of report: **To update the Panel on changes to school transport policies and seek agreement on the wording that allows appellants to make their request for verbal representations to DTAP.**

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## **RECOMMENDATION**

**Agree to the proposed wording set out in Annex 1 of this document**

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### **1 Background**

1.1 On 13 September 2021, the Lead Member for EISEND considered a report on changes to the council's transport policies for mainstream children of compulsory school age and policies of support for sixth formers and adult learners with SEND. The report can be found at [HTST Reportv final.pdf \(eastsussex.gov.uk\)](#). The Lead Member RESOLVED to approve the proposed amendments.

1.2 The main changes relate to:

- adopting a two-stage appeal process for all age groups; and
- allowing verbal representations at stage 2 appeal hearings.

Although the opportunity was taken to improve readability and accessibility when accessing the policies online eg for users of screen reader technology.

1.3 Allowing verbal representations at stage 2 appeal hearings has been the subject of review following criticisms of our process. During the period of the review, appellants have been invited to set out any reasons why they think they would be significantly disadvantaged in the bringing their appeal by not being able to make verbal representations to DTAP.

1.4 Moving forward, the intention is to add a new section to the stage 2 appeal form in order to consider an appellant request to make verbal representations. A senior officer will decide if the reasons are adequate.

### **2. Conclusion and reasons for recommendations**

2.1 It is recommended to adopt the proposed wording on the stage 2 appeals form as set out in **Annex 1** so as to allow appellants to set out why they consider they would be significantly disadvantaged in bringing their appeal without verbal representations.

### Contact

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**Annex 1 – proposed wording for the stage 2 appeal form**

**6. Attending an appeal hearing:**

*It is not usually possible for students/parents/carers to attend Appeal Panel meetings in person. It may be possible to provide verbal representations at the meeting in exceptional circumstances where a student/parent/carer would face significant disadvantage in making their appeal without this. Examples of significant disadvantage could include having a relevant disability such as severe dyslexia or a learning difficulty that makes written communication difficult and where it has not been possible to access support to set out in writing the reason for appeal. It is expected that the verbal representation will be made via a telephone call or video call for a fixed duration at the start of the Appeal Panel hearing. The Appeal Panel may have questions during a hearing and in that situation, they may ask for the supporting officer to seek clarification by making a telephone call to the parent/carer.*

I would like to make a verbal representation at the meeting because I think we would be disadvantaged otherwise.

Please provide reasons:

I would like someone to else to make the verbal representation on my behalf.

Provide details on who you would like to represent you and why:

I require an interpreter.

Provide details on your requirements:

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

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