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To: The Chair and Members  
of the Appeals Committee

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

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Date: 15 December 2022

Contact: Fiona Rutley 01392 382305

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### **APPEALS COMMITTEE**

Monday, 9th January, 2023

A meeting of the Appeals Committee is to be held on the above date at 9.45 am at Committee Suite - County Hall to consider the following matters.

Jan Spicer  
Interim Chief Executive

### **A G E N D A**

#### **PART 1 - OPEN COMMITTEE**

1 Apologies for Absence

2 Minutes (Pages 1 - 2)

Minutes of the meeting held on 5 December 2022, attached.

3 Items Requiring Urgent Attention

Items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency.

#### **PART 11 - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS**

4 Exclusion of the Press and Public

**Recommendation:** that the press and public be excluded from the meeting for the following items of business under Section 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs and in accordance with Section 36 of the Freedom of Information Act 2000 by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5 Budget Monitoring

Director of Climate Change, Environment and Transport to report.

6 Deferred Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public are excluded)

To note: There were no appeals determined under urgency procedures (following Members' route walks) arising from the last meeting.

7 School Transport Appeals (Pages 3 - 40)

Timetable attached, together with briefing notes prepared by the Director of Children and Young People's Futures (Interim) and representations from appellants.

*Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.*

## **MEETINGS INFORMATION AND NOTES FOR VISITORS**

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### **Access to Information**

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### **Webcasting, Recording or Reporting of Meetings and Proceedings**

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Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Filming must be done as unobtrusively as possible without additional lighting; focusing only on those actively participating in the meeting and having regard to the wishes of others present who may not wish to be filmed. Anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance.

Members of the public may also use social media to report on proceedings.

### **Declarations of Interest for Members of the Council**

It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

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**Induction Loop available**



## APPEALS COMMITTEE

5 December 2022

### Present:-

Councillors J Hawkins (Chair), P Sanders, C Slade and C Whitton

### Apologies:-

Councillors P Henderson

\* 50

### Minutes

**RESOLVED** that the minutes of the meeting held on 7 November 2022 be signed as a correct record.

\* 51

### Exclusion of the Press and Public

**RESOLVED** that the press and public be excluded from the meeting for the following items of business under Section 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs and in accordance with Section 36 of the Freedom of Information Act 2000 by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

\* 52

### Budget Monitoring

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee received the Report of the Director of Climate Change, Environment and Transport on the financial impact of the Committee's decisions for the current financial year.

\* 53

### Deferred Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public are excluded)

There were no appeals that had been determined under urgency procedures following Members' route walks arising from the last meeting.

# Agenda Item 2

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APPEALS COMMITTEE

5/12/22

## \* 54 School Transport Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee considered reports from the Director of Children and Young People's Futures on appeals and written and verbal submissions from appellants who attended as follows:-

ST220	Bovey Tracey – Ilsington Primary	Appellant
ST212*	Dartmouth – Dartmouth Academy	Appellant and Local County Councillor
ST217 & ST218	Yelland – Barnstaple, The Park School	Appellant and Local County Councillor

Additionally, case ST214 had been deferred, at the request of the appellant.

### **RESOLVED:-**

(a) that the following appeal(s) be allowed:-

ST217 & ST218 Yelland – Barnstaple, The Park School

(b) that the following appeal(s) be refused:-

ST220 Bovey Tracey – Ilsington Primary

ST212\* Dartmouth – Dartmouth Academy .

\*Councillor Slade in the Chair for case ST212.

### **NOTES:**

1. Minutes should always be read in association with any Reports for a complete record.
2. If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting

\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 9.45 am and finished at 12.30 pm

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