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To: The Chair and Members
of the Appeals Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

Date: 21 October 2022

Contact: Fiona Rutley 01392 382305

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APPEALS COMMITTEE

Monday, 7th November, 2022

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 3 October 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 any appeals determined under urgency procedures following Members' route walks arising from the last meeting.

7 School Transport Appeals (Pages 3 - 52)

Timetable attached, together with briefing notes prepared by the Director of Children and Young People's Futures 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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Committee Terms of Reference

For the terms of reference for any Committee, please [visit the Committee page](#) on the website and click on the name of the Committee. Under purpose of Committee, the terms of reference will be listed. Terms of reference for all Committees are also detailed within Section 3b of [the Council's Constitution](#).

Access to Information

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Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of any meeting may be recorded and / or broadcasted live, apart from any confidential items which may need to be considered in the absence of the press and public. For more information [go to our webcasting pages](#)

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.

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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.

WiFi

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Contact Main Reception (Extension 2504) for a trained first aider.

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Induction Loop available



APPEALS COMMITTEE

3 October 2022

Present:-

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

* 40 **Minutes**

RESOLVED that the minutes of the meeting held on 5 September 2022 be signed as a correct record.

* 41 **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.

* 42 **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 2022/23.

* 43 **Deferred Appeals**

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

The Committee noted the following appeals determined under urgency procedures following Members' route walks arising from the last meeting:-

ST 207 Down St Mary – QEAT, Crediton: Route available, appeal refused.

Agenda Item 2

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APPEALS COMMITTEE

3/10/22

* 44 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:-

ST209	Tiverton – S Molton CC	Appellant and local County Councillor
ST210	Belstone – Okehampton College	Appellant
ST211	Winkleigh – Queen Elizabeth's (Crediton)	Appellant

RESOLVED:-

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

ST209 Tiverton – S Molton CC

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

ST210 Belstone – Okehampton College

ST211 Winkleigh – Queen Elizabeth's (Crediton).

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

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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