

# Public Document Pack



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Monday, 20 April 2015

## Notice of Meeting

Dear Member

### Appeals Panel

The **Appeals Panel** will meet in the **Meeting Room 2 - Town Hall, Huddersfield** at **10.30 am** on **Tuesday, 28 April 2015**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft", on a light-colored background.

**Julie Muscroft**

**Assistant Director of Legal, Governance and Monitoring**

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Appeals Panel members are:-**

### **Member**

Councillor Christine Iredale (Chair)

Councillor Derek Hardcastle

Councillor Naheed Mather

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Minutes of Previous Meeting**

1 - 2

To approve the Minutes of the meeting of the Panel held on 2 and 10 March 2015.

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**2: Interests**

3 - 4

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests

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**3: Exclusion of the Public**

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

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**4: School Transport Appeal - MB**

5 - 52

Pages 1 - 26 Customer & Exchequer Team's Statement of Case  
Pages 27 - 38 Appellant's Statement of Case

To consider the above appeal.

Home to School Transport Policy attached at Appendix 5.

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Contact Officer: Jenny Bryce-Chan

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## KIRKLEES COUNCIL

### APPEALS PANEL – EDUCATION SCHOOL TRANSPORT

**Monday 2 March 2015**

Present: Councillor Iredale (in the Chair)  
Councillors Dodds & Rowling

**1 Minutes of the Previous Meeting**

That the minutes of the Panel held on 22 January 2015 be approved as a correct record.

**2 Interests**

No interests were declared.

**3 Exclusion of the Public**

**RESOLVED** - That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

**4 School Transport Appeal (JA)**

(Exempt information relating to the identity of an individual seeking financial assistance from the Authority. The public interest in maintaining the exemption, which would protect the rights of an individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making)

The Panel considered the information in the report and information received from the Service and the appellant and:

**RESOLVED** – That the appeal be dismissed.

**5 School Transport Appeal (AAA)**

(Exempt information relating to the identity of an individual seeking financial assistance from the Authority. The public interest in maintaining the exemption, which would protect the rights of an individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making)

The Panel considered the information in the report and information received from the Service and the appellant and:

**RESOLVED** – That the appeal be dismissed.

6

**School Transport Appeal (JP)**

(Exempt information relating to the identity of an individual seeking financial assistance from the Authority. The public interest in maintaining the exemption, which would protect the rights of an individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making)

The Panel considered the information in the report and information received from the Service and the appellant and:

**RESOLVED** – That the appeal be dismissed.

| <b>KIRKLEES COUNCIL</b>                       |  |  |   |
|---|--|--|---|
| <b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b> |  |  |   |
| <b>DECLARATION OF INTERESTS</b>               |  |  |   |
| <b>Name of Councillor</b>                     |  |  |   |
| <b>Item in which you have an interest</b>     | <b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b> | <b>Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]</b> | <b>Brief description of your interest</b> |
|   |  |  |   |
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Signed: ..... Dated: .....

**NOTES**

**Disclosable Pecuniary Interests**

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



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

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