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**Service Director – Legal, Governance and
Commissioning**

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Friday 11 October 2024

Notice of Meeting

Dear Member

Appeals Panel

The **Appeals Panel** will meet in the **Meeting Room 2 - Town Hall, Huddersfield** at **9.30 am** on **Monday 21 October 2024**.

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 "S Lawton".

Samantha Lawton

Service Director – Legal, Governance and Commissioning

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 David Longstaff (Chair)

Councillor Matthew McLoughlin

Councillor Alex Vickers

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Panel

To receive apologies for absence from those Members who are unable to attend the meeting.

2: Minutes of Previous Meeting

1 - 2

To approve the Minutes of the meeting of the Panel held on the 7th October 2024.

3: Declaration of Interests

3 - 4

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

4: 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.

5: School Transport Appeal (Pre-16) - SLT

5 - 18

This report is recommended for consideration in private because the information contained in it is exempt information within Paragraph 1 of part 1 to schedule 12A of the Local Government Act 1972 as amended by the Local Government (access to Information) variation order 2006. It is considered the report contains information relating to any individual. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency and openness in council decision making.

To consider the appeal at 9:30am.

6: School Transport Appeal (Pre-16) - JS

19 - 28

This report is recommended for consideration in private because the information contained in it is exempt information within Paragraph 1 of part 1 to schedule 12A of the Local Government Act 1972 as amended by the Local Government (access to Information) variation order 2006. It is considered the report contains information relating to any individual. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency and openness in council decision making.

To consider the appeal at 10:15am.

7: School Transport Appeal (Pre-16) - DE

29 - 42

This report is recommended for consideration in private because the information contained in it is exempt information within Paragraph 1 of part 1 to schedule 12A of the Local Government Act 1972 as amended by the Local Government (access to Information) variation order 2006. It is considered the report contains information relating to any individual. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency and openness in council decision making.

To consider the appeal at 11:00am.

8: School Transport Appeal (Post 16) - GT

43 - 82

This report is recommended for consideration in private because the information contained in it is exempt information within Paragraph 1 of part 1 to schedule 12A of the Local Government Act 1972 as amended by the Local Government (access to Information) variation order 2006. It is considered the report contains information relating to any individual. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency and openness in council decision making.

To consider the appeal at 12:00pm.

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Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

APPEALS PANEL

Monday 7th October 2024

Present: Councillor David Longstaff (Chair)
Councillor Matthew McLoughlin
Councillor Hanifa Darwan

In attendance: Russell Williams, Operational Manager, Public Protection
Sharon Ainley, Travel Assessment Unit Team Manager
Kathryn Westerby, Passenger Travel Manager
Tanya Cogan, Senior Travel Assessment Unit Manager
Heather Thompson, Appeals Officer
Stacey Hofmann, Democracy Officer

1 Membership of the Panel

All Panel Members were in attendance.

2 Minutes of Previous Meeting

That the minutes of the meeting held on 24th September 2024 were approved as a correct record.

3 Declaration of Interests

No interests were declared.

4 Exclusion of the Public

Determined.

5 School Transport Appeal (Post-16) - AAR

The Panel considered information in respect of a Stage 2 Post 16 Travel Assistance Appeal.

Having carefully considered the information presented the Panel determined that the circumstances of the case did present exceptional circumstances and agreed that physical transport should be provided.

RESOLVED -

That the appeal in respect of AAR be allowed.

Appeals Panel - 7 October 2024

6 **School Transport Appeal (Post-16) - TB**

The Panel considered information in respect of a Stage 2 Post 16 Travel Assistance Appeal.

Having carefully considered the information presented the Panel determined that the circumstances of the case did not present exceptional circumstances and agreed that a personal travel budget should be awarded.

RESOLVED -

That the appeal in respect of TB be refused.

7 **School Transport Appeal (Post-16) - NMW**

The Panel considered information in respect of a Stage 2 Post 16 Travel Assistance Appeal.

Having carefully considered the information presented the Panel determined that the circumstances of the case did not present exceptional circumstances and agreed that a personal travel budget should be awarded.

RESOLVED -

That the appeal in respect of NMW be refused.

8 **School Transport Appeal (Pre-16) - CH**

The Panel considered information in respect of a School Transport Pre-16 Appeal.

Having carefully considered the information presented the Panel determined that the case did not present exceptional circumstances and dismissed the appeal.

RESOLVED -

That the appeal in respect of CH be refused.

KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	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]	Brief description of your interest

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.

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