

# Public Document Pack



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

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Tuesday 29 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 **Wednesday 6 November 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 Caroline Holt

Councillor Matthew McLoughlin

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of the Panel**

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

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**2: Minutes of Previous Meeting**

1 - 2

To approve the Minutes of the meeting of the Panel held on the 21<sup>st</sup> October 2024.

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**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.

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**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.

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**5: School Transport Appeal (Pre-16) - MHI**

5 - 20

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.

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**6: Travel Assistance Appeal (Post-16) - TH**

21 - 76

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 10:15pm.

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**7: Travel Assistance Appeal (Post-16) - EF**

77 - 110

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 11:15am.

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**8: Travel Assistance Appeal (Post-16) - FB**

111 -  
208

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 12:30pm.

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Contact Officer: Nicola Sylvester

## KIRKLEES COUNCIL

### APPEALS PANEL

**Monday 21st October 2024**

Present: Councillor David Longstaff (Chair)  
Councillor Matthew McLoughlin  
Councillor Alex Vickers

In attendance: Russell Williams, Operational Manager, Public Protection  
Tanya Cogan, Senior Travel Assessment Unit Manager  
Heather Thompson, Appeals Officer  
Claire Gardiner, 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 the 7<sup>th</sup> October 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 (Pre-16) - SLT**

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 SLT be refused.

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

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 present exceptional circumstances and allowed the appeal.

**RESOLVED –**

That the appeal in respect of JS be allowed.

## Appeals Panel - 21 October 2024

### 7 **School Transport Appeal (Pre-16) - DE**

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 present exceptional circumstances and dismissed the appeal.

#### **RESOLVED –**

That the appeal in respect of DE be allowed.

### 8 **School Transport Appeal (Post 16) - GT**

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 GT be refused.



<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>

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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