

Lancashire County Council

Student Support Appeals Committee

**Minutes of the Meeting held on Monday, 2nd October, 2017 at 10.00 am in
CHG 03 - County Hall, Preston**

Present:

County Councillors

A Cheetham
Y Motala

S Clarke

1. Apologies

CC C Edwards

2. Disclosure of Pecuniary and Non-Pecuniary Interests

CC C Wakeford – 4339d – conflict of interest.

3. Minutes of the meeting held on 4th September 2017

Resolved: That; the Minutes of the meeting held on the 04th September 2017 be confirmed as an accurate record and be signed by the Chair.

4. Urgent Business

It was noted that the paperwork appeal 4342 had only been finalised after the agenda had been circulated. As a result, the Chair had been consulted and had agreed that these appeals could be presented to the meeting under urgent business in order to avoid any delay in determining it.

Resolved: That, appeals were circulated to the Members of the Committee, to be considered alongside other appeals at the meeting.

5. Date of the Next Meeting

It was noted that the next meeting of the Committee would be held at 10.00am on Monday 06th November 2017, Room G02, County Hall, Preston

6. Exclusion of the Press and Public

Resolved: That the press and public be excluded from the meeting under Section 100A (4) of the Local Government Act, 1972, during consideration of the following item of business as there would be a likely disclosure of exempt

information as defined in the appropriate paragraph of Part 1 of Schedule 12A to the Local Government Act, 1972, as indicated against the heading of the item.

7. Student Support Appeals

(Note: Reason for exclusion – exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information).

A report was presented in respect of 25 appeals and 1 urgent business appeals against the decision of the County Council to refuse assistance with home to school transport. For each appeal the Committee was presented with a Schedule detailing the grounds for appeal with a response from Officers which had been shared with the relevant appellant.

In considering each appeal the Committee examined all of the information presented and also had regard to the relevant policies, including the Home to Mainstream School Transport Policy for 2015/16, and the Policy in relation to the transport of pupils with Special Educational Needs for 2013/14.

Appeal 4114

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 4.81 miles from their home address, and instead would attend their 11th nearest school which was 9.36 miles away. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The family were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law

In considering the appeal, it was noted that the appellant stated that they had no other choice than to send the pupil to the chosen school given the pupils difficulties with the child's health issue. The pupil was diagnosed at an early age and has subsequently received support throughout nursery and their time at primary school. This support has taken the form of Teaching Assistants specifically assigned to the pupil and the pupil is in receipt of Disability Living Allowance due to the condition.

The Appellant advises that the pupil portrays many of the traits associated with a specific health condition. Due to these reasons the appellant feels that the pupil will need the support of siblings who are already in attendance at the school of choice.

The Appellant believes that the sibling's support will be particularly important to the pupil when travelling to and from school. The Appellant feels that the siblings are well aware of pupil's condition and not only are they well versed in managing

situations that may arise involving the pupil but they will also ensure that the pupil arrives on time in the morning and then catches the bus home at the end of the day without being exposed to the risks, such as road safety, that the appellant claims are heightened by this condition.

The Appellant adds that the school the pupil is attending is aware of the pupil's condition and are committed to working with the family to ensure the best learning experience from them but they cannot guarantee that this support will extend to managing the journey to and from school. The Appellant feels that if the pupil was required to go to a different school to the siblings, this would have detrimental impact upon his education.

Considering the officer's comments, the Committee noted that transport assistance was refused as there are numerous nearer schools with places available to the home address that the pupil could attend. The documentation that the appellant had provided in reference to the pupil's need was dated and related to the pupils needs when the child was early key stage 1. The committee felt that for any professional opinion to be relevant then an up to date report should have been submitted. It is also noted by the committee that pupil does not have a statement of Special Education Needs or Education, Health and Care Plan. The committee noted that the County Council is of the view that all mainstream secondary schools can provide the appropriate support for a child with or without an EHC plan who is displaying traits associated with any health issues.

The committee noted that pupil's older siblings joined the school of preference at a time when the County Council had a more generous transport policy and awarded assistance to children who lived within the parishes that served a faith school and also reside over three miles away. From September 2015, the County Council removed discretionary elements of the Home to School Transport Policy. All new pupils starting school only receive assistance if they attend their nearest school and live more than three miles away. The committee noted and considered that when undertaking assessments there is no longer any consideration of the parish a pupil lives within and schools in neighbouring districts and other local authorities are also considered. The committee noted that the County Council still provides some denominational transport assistance when attending their nearest school of faith, however the committee noted that the other choices of school the appellant had submitted as a preference were not those of faith.

In considering the appeal further the Committee considered the family's financial circumstances and noted that they were not in a position to decide if the family were on a low income as defined in law. No evidence was submitted to prove that pupil is in receipt of Disability Living Allowance. The committee also noted that the supporting letter from the GP was also dated when the child was in Key stage 1 and did not provide any up to date information on the pupil's current condition or difficulties. The Committee noted also that no evidence had been provided to suggest that the family were unable to fund the cost of transport to school. The committee noted that the family were not eligible for Free School

Meals, therefore they are not entitled to extended provision awarded to families who qualify under extended provision on low income grounds.

Therefore, having considered all of the appellant's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4114 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4248

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 1.5 miles from their home address, and instead would attend their 2nd nearest school which was 1.6 miles away, both within the statutory walking distance of 3 miles from the home address to school. However the committee noted that the pupil is in receipt of free school meals and is therefore entitled to extended provision where the pupil attends their nearest school and the pupil has to travel more than 2 miles from the home address to school. The committee noted that as the distance from home to school is 1.5 miles they do not qualify under the extended provision awarded to families on a low income. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The family were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

In considering the appeal further the Committee noted that the appellant states that they had moved home at the beginning of 2017 and that the appellant also states that they are disabled and unable to accompany the pupil with the walk to the bus stop. The appellant states that prior to the house move, a neighbour gave the pupil a lift to school from the previous address. The appellant doesn't know anyone in the new area who they could ask for assistance in getting the pupil to and from school. The committee noted that the appellant has enclosed a supporting letter from their GP explaining their medical condition and also a supporting letter from the Head teacher of the school the pupil is attending.

In considering the appeal further, the Committee noted the Officer's comments. It was noted that the pupil was receiving some temporary transport when family were living at the previous address until July 2015 and received help from a neighbour who helped with transport to school for the pupil. The family then moved address and the school is now within the statutory walking distance from the new home. The committee noted the officer's comments that currently there is

a bus service that operates to the school and the nearest bus stop is just over 200m from the new home address, it is understood that this is how the pupil currently gets to and from school. The appellant has provided medical documentation that indicates there are mobility issues, this however related to her accommodation needs when at the previous address, it does not state that the appellant would be unable to accompany the pupil the 200 meters to the bus stop each day or that they would struggle to accompany the pupil to school.

The Committee have noted that the family is in receipt of Free School Meals. The supporting letter from the GP regarding appellant's health was dated 2016 and indicates that the appellant is under further hospital investigation, however this does not give any indication of the appellants current mobility issues or state that the appellant can accompany the pupil to school or the bus stop with the use of assistance aides.

In considering the appeal further the committee noted the letter from the pupils head teacher relates to the position of the family when the pupil attended in reception, therefore the committee were unable to establish if any of the contents of the letter was of any current relevance as it refers to the position of the family when the pupil was in reception and living at the previous address.

Therefore, having considered all of the appellant's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4248 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4263

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which is 1.34 miles from their home address and is within that statutory walking distance of 3 miles and would instead be attending their 4th nearest school which is 3.03 miles. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The family were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

It is noted that the family moved house a year ago and the appellant states that there are 3 grounds on which they wish to appeal:

- 1) Prior to house move, the pupil was already attending the school of parental preference and they feel it is unreasonable to expect a pupil to move to an alternative school which is 0.3 miles closer
- 2) The appellant explains that there are no pavements between their house and the school attended and the journey made on foot each day along this route would be "unthinkable". The appellant also states that the country roads are also on a 60mph speed limit.
- 3) The family have their own religious beliefs and the appellant states that due to those beliefs they require a non-denominational school. The school the pupil is attending satisfies their requirement on whereas the school which is considered to be the nearest suitable school would not and is therefore unsuitable on faith grounds.

The appellant states that in their conclusion, that when taken separately, each of these reasons are sufficient in the appellant's opinion to warrant a reversal of the County Council's decision. The appellant states that when taken as a whole, the appellant states they represent an indisputable and genuine set of circumstances that they believe can only lead to this one conclusion.

In considering the appeal further, the Committee noted the Officer's comments as defined in the schedule. The committee noted that the County Council has refused transport assistance as there is a nearer suitable school that pupil could attend. The committee noted that the appellant did not seek a place at the nearest school at the time pupil was admitted to primary school. The committee noted the officers statement that the nearest community school to the appellant's previous address was 2.7 miles from home. The appellant only expressed one preference which was 6.89 miles from the previous home and has since moved much closer to their chosen school which is now 3.03 miles from the new home.

The Committee noted that it is recognised that some of the routes in rural areas are assessed as unsuitable for a pupil to walk even when accompanied by a responsible adult. The committee however noted that the suitability of the route is only taken in to consideration where a pupil is attending their nearest school and therefore no consideration of the suitability of the walking route is assessed where the appellants have expressed parental preference in choosing a school.

The Committee was informed that by law the Council only had to provide transport assistance to the nearest suitable school and that such a school was taken to mean, in accordance with legislation, any school with places available that provides an education appropriate to the age, ability and aptitude of the child irrespective of denomination or non de nominal status. The Committee noted that only the school now attended was listed as a preference and that no other schools were chosen at the time of applying for a reception place. Whilst the Committee acknowledged the appellants comments in relation to the nearest school and its faith ethos and the reasons for choosing the primary school attended by the appellant

In considering the appeal further the Committee considered the family's financial circumstances and noted that they were not in a position to decide if the family were on a low income as defined in law. No evidence had been provided to suggest that the family were unable to fund the cost of transport to school. It was also noted that the family were not eligible for Free School Meals and not attending the nearest suitable school.

Therefore, having considered all of the appellant's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4263 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4290

It was reported that a request for transport assistance had initially been refused as the pupils would not be attending their nearest suitable school which was 2.54 miles from their home address, and instead would attend school which was 2.65 miles away. The pupils were therefore not entitled to free transport in accordance with the Council's policy or the law. The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellant states one of the pupils has special educational needs and requires reins or a push chair to get them into school and faces logistical difficulties when taking both pupils to school. It is noted that the family had to move house due to 'a forced sale' thus having to move further away from the school now attending. The family stated that they do wish the pupils to transfer to a school nearer to the family new home and they are currently on the waiting list for the nearer school. The appellant also states that they are under treatment by their doctor.

It is noted by the Committee, from the Officer's comments that transport assistance had been refused for both pupils as there is a nearer suitable school that they could attend. It is however, noted, that the school the pupils are attending at present was the closest school to the family's previous home at a distance of 0.43 miles before they were forced to move.

The Committee recognises the family had move address due to their rental property being sold. A travel application was submitted for one of the children when the family relocated and it was refused as there were places available at a

nearer primary school which is 1.66 miles from the home address and within the statutory walking distance. When a further assessment was undertaken in respect of the other pupil it was still determined that there was a nearer school that could accommodate both children but that distance was negligible in relation to the school now attending.

The committee noted that as one of the pupils does have a record of special education needs lodged currently but unfortunately as yet there is no formal assessment complete. Although, the pupils are on the waiting list at a nearer school places would need to become available for both year groups at the same time for the pupils to transfer to the nearer school. The school has an admission number of 90 and therefore any admissions are governed by Infant Class Size regulations.

The Committee, on considering the case further noted that both pupils were in receipt of bus passes for the past 4 weeks which was financed by the Wellbeing and Prevention and Early Help Service of the Council.

A further enquiry was made with the head of the school to check the pupil's attendance and it has been confirmed that attendance of both pupil has improved with the provision of the bus passes and that the family and various support services are working together to try to make the best of difficult circumstances. The pupils are on list for the nearer school and will be allocated places once available.

Resolved: That;

- i. Having considered all of the circumstances and the information as set out in the report presented, appeal 4290 be allowed on the grounds that the reasons put forward in support of the appeal were considered worthy of the Committee exercising its discretion to grant an exception and award temporary travel assistance which was not in accordance with the Home to Mainstream School Transport Policy for 2016/17;
- ii. The transport assistance awarded in accordance with i. above be up to the end of 2017-2018 academic year only.
- iii. The Appellant must inform the Local Authority if there is a change in circumstances whereas the request for assistance will need to be re assessed.

Appeal 4292

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 3.21 miles from their home address, and instead would attend their 2nd nearest school which was 3.33 miles away. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The family were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was

not in accordance with the Council's policy or the law. In considering the appeal, the appellant states they are aware of other pupils who reside on the same street as the pupil and have been awarded free transport which also includes the pupil's older sibling and would like an explanation of the change in policy and why the pupil is not entitled.

The Committee considered the Officer's comments and it was stated that transport assistance had been refused to the pupil due to the pupil not attending the nearest suitable school.

The Committee were advised that in regards to the explanation requested of the appellant relates to the change in policy, the committee were advised that from September 2015, the County Council removed discretionary elements of the Home to School Transport Policy and all new pupils starting school now only receive transport assistance if they attend their nearest school and live more than the statutory walking distance. The previous policy was much more generous and did award assistance under previous policies, where previous awards were granted the pupils will continue to receive the award until they complete their secondary education. The committee were reminded that staff from the Pupil Access team were available to discuss transport issues at most secondary schools and that at the time of applying for places for year 7 parents were advised that if transport to and from school was an issue to check the policy or ring the area education office where they would check entitlement to transport.

The committee were reminded that pupils attending the specific parental preference school in Years 10 & 11 from September 2017 will have been assessed under the previous policy. Good practice suggests that the introduction of any such changes in policy should be phased-in so that children who start under one set of transport arrangement continue to benefit from them until they either conclude their education at that school or choose to move to another school and County Council adheres to this good practice.

The committee were advised that the pupil's older sibling started at school in September 2015 and according to records held at the Area Education Office, was awarded transport assistance on the grounds of special education needs.

The committee were advised that the County Council assesses all the Year 6 pupils transferring to secondary school, every spring term and uses two bespoke packages of mapping software specifically used for the accuracy of measurements undertaken for both admissions and transport purposes and both have a proven history of accuracy. The committee noted that it is likely that in a number of localities, there are occasions that arise where some children living on a particular street are assessed as eligible and other children will be assessed as ineligible due to applying the policy.

No financial information or benefit statements were provided by the family to indicate that they are unable to meet the cost of travel for the pupil to and from school. The committee also noted that the pupil is not in receipt of free school meals and as such any extended provision was not considered.

Therefore, having considered all of the appellants' comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4292 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4299

It was reported that a request for transport assistance had initially been refused as the pupil would be attending their nearest suitable school, which was 2.76 miles from their home address, and was within the statutory walking distance (3 miles) of the home address. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellant states that the school the pupil is attending is their nearest suitable school and is over three miles away from their home address and has measured the distance between home and school using AA Route planner and the MARIO mapping system. The appellant states that in both assessments used the route between home and school states has shown to be in excess of three miles.

The committee noted that the appellant states that with one child at primary school and other pupil transferring to secondary school the family states they will face logistical difficulties due to the working hours of both parents and their child care arrangements. The appellants state that additionally, the schools are in opposite directions and states that the secondary school discourages car usage due to congestion.

The family state that they feel 3 miles is an excessive distance for a child to walk and state that the route would be challenging with main roads, busy junctions and a motorway cloverleaf, the committee also noted that the appellant states that cycling to school has been discounted for the above reasons.

The committee noted that the appellant states that they are aware of a number of children in similar circumstances who are receiving assistance and states if transport assistance was assessed on a straight line measure there are a number of pupils who would not qualify as they live closer to schools in other districts and local authorities. The appellants state they are concerned about inequity within

the provision provided and a desire to benefit from a subsidy that would allow pupil to travel safely to school.

The Committee has noted the Officer's comments which states that transport assistance had been refused as the home to school distance measurement has determined that pupil lives under 3 miles from school by the nearest suitable walking route. The County Council has two bespoke packages of mapping software specifically purchased for the accuracy of measurements undertaken for both admissions and transport purposes. Both have a proven history of accuracy. Measurements undertaken using AA Route Planner assess the distance of the route a car would take between two points rather than the walking route. MARIO is also provided to give parents a guide regarding distances but is not as accurate a measuring tool as Sia data Map 4.2 which shows the pupil to live 878.4 metres under the required mileage.

The Committee were advised that the County Council's Home to School Transport Policy provides for transport solely based on identification of the nearest qualifying school and the distance between home and school. The committee were advised that there is no discretion for the consideration of child care arrangements and the geographical location of other schools that siblings may attend when assessing home to school transport. The committee were of the opinion that there is no reason why the pupil cannot make use of any bus services, however under the policy there is simply no award of a free travel pass entitlement.

The committee noted that the policy states that it is the parents' primary responsibility for ensuring their child's safe arrival at school, in all cases, when assessing walking routes, the assessment is undertaken that the child is accompanied, where necessary, by a parent or other responsible adult and suitably clad.

At the end of every Spring Term, the County Council assesses the transport entitlement of all the pupils transferring to secondary school. All the pupils are assessed individually using the bespoke measuring software described above. Measurement are undertaken from the gate of a pupil's house to the nearest school entrance they could use to access the school site. There are occasions where pupils who live on the same street can either be entitled or not depending on their individual assessment. The committee were reminded that information is available to parents at open evenings at most secondary schools in relation to transport assistance by the Pupil Access teams. Transport information is also made available to all parents applying for schools places. The committee were reminded that at the time of application parents are reminded to check entitlement with the area offices at the time of applying for school places if transport was a consideration.

In considering the appeal further, the Committee has noted that the family are not in receipt of Free School Meals and the school is within walking distance. There is no financial evidence to evidence they are not able to pay for transport.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4299 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4300

It was reported that a request for transport assistance had initially been refused as both pupils are attending a school that is under the statutory walking distance (2 miles) of the home address. The pupils were therefore not entitled to free transport in accordance with the Council's policy or the law. The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

In considering the appeal, the Committee noted that the appellant stated they are not able to walk long distances and makes use of a wheelchair. The appellant has been diagnosed with a terminal illness. The appellant's partner is providing a caring role and is in full time employment so is unable to take pupils to school.

The social worker has provided a supporting letter that confirms that the appellant's mobility is very limited and they require a wheelchair whenever they leave the house. The social worker also confirms that the appellant's partner only has a work vehicle which does not allow to transport pupils to school.

Taking into account the Officer's comments, the County Council has refused transport assistance as the pupils live 1.17 miles from the school that they attend.

The County Council does have a discretionary element to their Home to School Transport Policy where parents or guardians are unable to accompany their children to school due to a medical condition. The policy specifically states however that the transport assistance will be for no longer than 12 weeks and is not provided where there is one parent or guardian unable to accompany the children due to work commitments.

It is noted that transport assistance was approved by the Student Support Appeals Committee in November 2016 but only until the end of the academic

year. It is noted that the appellant has provided up to date medical evidence as required by the Committee.

The Committee noted the pupils were not in receipt of free school meals. However, it is noted by the Committee that a court order had been submitted to stating that the school attended by both children should continue to attend the school currently attended for as long as it is considered in the best interest of the pupils.

Resolved: That;

- i. Having considered all of the circumstances and the information as set out in the report presented, appeal 4300 be allowed on the grounds that the reasons put forward in support of the appeal were considered worthy of the Committee exercising its discretion to grant an exception and award temporary travel assistance which was not in accordance with the Home to Mainstream School Transport Policy for 2016/17;
- ii. The transport assistance awarded in accordance with i. above be up to the end of 2017 -2018 academic year only.
- iii. The Appellant must inform the Local Authority if there is a change in circumstances whereas the request for assistance will need to be re assessed.

Appeal 4301

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 1.83 miles from their home address, and instead would attend their 3rd nearest school which was 3.34 miles away. The pupil is therefore not entitled to free transport in accordance with the Council's policy or the law. The family were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

In considering the appeal, the appellant stated that the preferred school for the pupil was not allocated as they did not have sufficient priority for a place. Lancashire County Council allocated a place at the school where the pupil is currently attending and no alternative schools were offered. The appellant states that they were informed at an appeal hearing that when the allocation process failed to secure a place for the pupil at the preferred school, Lancashire County Council allocated the next nearest school with places available. The appellant feels that as the pupil was not offered any other school they should not be refused transport on the grounds that there are nearer suitable schools with places available.

Taking into account the Officer's comments, the Committee noted that the County Council had refused transport as there is a nearer suitable school where pupil could have secured a place if the school had appeared as the first preference on the appellants secondary school application.

The appellant expressed only one preference for their choice of school which was 3.77 miles from home address and within another authorities jurisdiction . The Committee noted that no other school preference were submitted at the time of application. Had the appellant included nearer schools as preferences on the form then a place would have been allocated at the near school which is within the statutory walking distance.

The Committee noted that the Department for Education statutory guidance requires the County Council to assess transport eligibility by considering whether a place could have been allocated in the normal admission round if the appellant had included the school as a preference at the time of application. The Committee were informed that the last place offered to the nearest suitable school was allocated to a pupil who lived 2.27 miles away. The Committee were informed that the appellant lived 1.25 miles away and would have secured a place at the school if expressed as a preference at the time of application.

Once the initial offers have been made, parents can change their allocated school at any time dependant on place availability. If the appellant had contacted the School Admissions Team they would have been advised that an alternative offer could be made. There are currently places still available at both nearer schools, both of which are within the statutory walking distance of 3 miles from the home address to school.

The Committee also noted that the family do not qualify for Free School Meals, and therefor extended provision offered to family identified by Law as on a low income that extended provision does not apply in this instance.

Therefore, having considered all of the Appellant's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4301 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4309

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school which was 2.75 miles and instead attend their 7th nearest school which was 6.93 miles away. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The family were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in

exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

In considering the appeal, the Committee noted that the appellant states transport assistance should be awarded as the school of parental preference is over 3 miles from the home address and they prefer that school. According to the appellant the school of their choice is over 5 miles away from home and there is no transport available to nearer schools. The appellant states they are unable to transport the pupil and the only public bus and school service bus from their home area is to the preferred school the pupil currently attends .

The Committee noted that the appellant states they are aware of other children who live in the same village who receive free bus passes and cannot understand why the appellant does not qualify for transport assistance.

The Committee on considering the Officer's comments has noted that the County Council has refused transport assistance as the pupil is not attending their nearest suitable school.

The Committee were advised that in September 2015, the County Council removed discretionary elements of the Home to School Transport Policy. All new pupils starting at school now only receive transport assistance if they attend their nearest school and live more than three miles away. The committee were advised that when undertaking assessments there is no longer any consideration of which Geographical Priority Area or parish a pupil lives within and schools in neighbouring districts and local authorities are also considered when assessing the nearest schools to the pupil's home address.

The Committee were advised that the Department for Education issues statutory guidance that requires changes in the County Council's Home to School Transport Policy to be phased in so that children who start under one set of transport arrangements continue to benefit from them until they either conclude their education at that school or choose to move to another school.

The Committee were informed that pupils in Year 10 and 11 who are resident in the area may still be receiving transport assistance under the old policy which granted help with travel costs because children who live in the village were given priority for places in the admission criteria for school pupil currently attends at the time of application. The committee were reminded that information is available to parents at open evenings at most secondary schools in relation to transport assistance by the Pupil Access teams. Transport information is also made available to all parents applying for schools places. The committee were reminded that at the time of application parents are reminded to check entitlement with the area offices at the time of applying for school places if transport was a consideration.

The Committee were also informed that there is a public service bus which runs every hour to the nearest suitable school.

The Committee also noted that the family do not qualify for Free School Meals, and therefor extended provision offered to family identified by Law as on a low income that extended provision does not apply in this instance. The committee noted also that there was no evidence to suggest that the appellant was unable to fund the cost of a bus pass to the chosen school of preference.

Therefore, having considered all of the Appellant's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4309 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4311

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school which was 5.39 miles and instead attend their 3rd nearest school which was 5.87 miles away. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The family were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

In considering the appeal, the Committee noted that the appellant stated that the nearest suitable stated by Lancashire County Council is correct and that a bus pass was refused on the grounds that the nearest suitable school is closer than the school of preference. The Committee noted that the appellant also states they are a single parent and in receipt of universal credit but they do not qualify for tax credit and the appellant has to pay council tax while supporting two children.

The Committee notes that the appellant states that the father of the pupil lives away and is unemployed and does not contribute towards any child maintenance. The appellant claims she is only receiving child benefit for one of the pupils and that the father is claiming the sibling's child benefit. The committee noted the appellant's statement that if a bus pass is refused the appellant will struggle to pay for the cost of transport to and from school.

The Committee in considering the appeal further, noted that transport assistance had been refused as the pupil is not attending the nearest suitable school. The committee noted that the appellant had only expressed one school preference at the time of application. The committee were reminded that information is available to parents at open evenings at most secondary schools on transport

assistance by the Pupil Access teams. Transport information is also made available to all parents applying for schools places. The committee were reminded that at the time of application parents are reminded to check entitlement with the area offices at the time of applying for school places if transport was a consideration.

The committee were advised that the Department of Education's statutory guidance; Home to School travel and Transport guidance requires the County Council to determine whether a place could have been offered at the nearest school and were also informed that since September 2015, levels of subscription at the nearer school have meant that applicants have been able to secure places at the nearest suitable school had this been stated as one of their preferences at the time of application.

The Committee noted that the letter refusing transport assistance was issued to the appellant on 22 May 2017 and the letter did make reference to possible entitlement if the family were in receipt of the maximum benefit the committee noted that the appellant had been asked to contact the area office if this applied to the appellant. The committee were advised that as of 13th September 2017, no contact had been made by the appellant.

The committee also noted that no supporting evidence had been submitted by the appeal to confirm the statement that pupil's father is not paying any child maintenance.

The committee were reminded that the admission information which is available for all parents from each September provides a summary transport policy. Parents are advised to check the policy carefully if getting their child from home to school and back is a consideration. Parents are directed to a fully copy of the Home to School Transport Policy on the Lancashire County Council website and seek advice from the area education office if they have any enquiries. The County Council also has officers in attendance at most secondary school open evenings to give advice on transport eligibility and admission queries.

The Committee also noted that the family do not qualify for Free School Meals, and therefor extended provision offered to family's identified by Law as on a low income that extended provision does not apply in this instance. The committee noted also that there was no evidence to suggest that the appellant was unable to fund the cost of a bus pass to the chosen school of preference.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4311 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee

exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4319 and 4319a

It was reported that a request for transport assistance had initially been refused as neither pupils would be attending their nearest suitable school, which was 1.83 miles from their home address, and instead would attend their 17th nearest school which was 4.94 miles away.

In considering the appeal, the Committee were informed that the appellant, a foster carer, states that when the siblings came to live at the family home in September 2016 the Social Worker had asked which schools were their preferences. The school now attended was chosen as one of the preferences by the carer and the Social worker due to the fact that 2 other schools close to home were felt not to be an option as extended family attended those schools. The committee were advised however that there is still another school nearer to the home address within the statutory walking distance with places available that the pupils could attend, the committee noted the carers comment relating to the suitability of the school due to the ethnic makeup of the school. The committee concluded that any school irrelevant of ethnic makeup of the school be deemed inappropriate as all schools are able to offer an education that meets the needs of all children.

The committee noted that the Appellant states that the elder pupil has settled well despite previous gaps in their education and has begun preparation for GCSEs and completed course work. The committee noted the appellant's statement that the pupil had started GCSE this work in Year 9 and that the pupil has made a small group of friends and stated that this should be allowed to continue to sustain these friendships.

The Committee noted that the Appellant conveys that an application for the younger pupil was made to attend the school of their choice as the younger pupil wished to be at the same school as older sibling. The nearer schools were not deemed to be suitable by the appellant as explained above. The committee noted the appellant states that the younger pupil will be able to travel to school on the bus with the older pupil and that the older pupil will be able to ensure that younger pupil arrives at school safely.

The Committee noted all of the officers comments and noted that the County Council had refused transport assistance for both pupils as neither of the pupils are attending their nearest suitable school. The committee noted however that previously the elder pupil had been awarded a temporary travel pass by the Student Support Appeals Committee in December 2016 for the rest of the academic year 2016/17.

The Committee is sympathetic and recognises that the older pupil has started preliminary work on their GCSE courses and has also established a small

friendship group. It also understood the desire of the appellant and the younger pupil wishing to attend the same school as the older pupil.

The Committee noted the letter from the pupil's social worker who provided a supporting letter confirming the reasons for the school application and details regarding the foster allowance and the payment of home to school transport expenses. The Committee were advised that the allowance paid to carers is to cover XXXXXXXXXXXXXXXXXXXXXXXXXX

The Committee noted the pupils were not in receipt of free school meals.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4319 and 4319a be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4329

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable secondary school which is 1.49 miles and instead, would attend their 23rd nearest school which is 15.46 miles away. The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellant states that the pupil has health conditions and as a result needed to attend a school with a sixth form in it to avoid unnecessary distress and disruption in later school years. The appellant is a single parent and is unable to take the pupil to school due to their work being 15 miles in the opposite direction and there are no other local schools with a sixth form facility that the appellant feels is suitable for pupil.

The Committee noted the Officer's comments which states that the County Council has refused transport assistance as pupil is not attending the nearest suitable school in line with Lancashire County Council's home to school transport policy. The committee were reminded that the admission information which is available for all parents from each September provides a summary transport policy. Parents are advised to check the policy carefully if getting their child from home to school and back is a consideration. Parents are directed to a fully copy of the Home to School Transport Policy on the Lancashire County Council

website and seek advice from the area education office if they have any enquiries. The County Council also has officers in attendance at most secondary school open evenings to give advice on transport eligibility and admission queries.

The committee noted that the appellant has expressed their reasons for wanting the pupil to attend a school that has a sixth form. The committee were advised that there is a school considerably closer, with a sixth form, and is 5.93 miles from the home address and considerably closer with places available in the year appropriate year group. The committee also noted that the other 2 school preferences expressed on the application for a place in year 7 did not have a 6th form facility.

The Committee noted the pupil was not in receipt of free school meals, however the committee noted that the pupil is in receipt of Disability Living Allowance but no proof of what level of benefit has been provided. The committee noted also that the appellant also claims to be in receipt of benefits but has not provided evidence of any benefit payments.

The Committee also noted that the family do not qualify for Free School Meals and also noted also that there was no evidence to suggest that the appellant was unable to fund the cost of a bus pass to the chosen school of preference and that the award made to the pupil of Disability Living allowance, under mobility has already been awarded to the family.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4329 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4331

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 2.26 miles from their home address and instead would attend their 3rd nearest school which is 5.97 miles away.

The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee exercising its discretion and awarding transport that was not in accordance with the Council's policy or the law.

The Committee noted, that the appellant states that they are unhappy that the Local Authority considers schools which are in Special Measures to be 'suitable'. The committee also noted that the appellant statement referring to the findings in the OFSTED report for one of the schools in particular relates to inadequate leadership and management. The appellant states that the school is found to be requiring improvement in all other areas, and that the school is "failing to give pupils an acceptable standard of education", the committee noted the appellants concerns.

The committee went on to look at the statement that the appellant also considers the nearest suitable school unsuitable for the pupil due to faith. The family are active members of their faith and the appellant does not wish for the pupil to attend a school with of another faith.

The appellant states they live in a rural location that is not served by public transport and for the pupil to walk to school or catch a bus they would need to walk along rural country roads and the appellant explains that due work and being a single parent, the appellant is not able to transport the pupil to school. The committee also noted the appellant's statement that there are also concerns for pupil's personal safety. The appellant requests that the Committee review the outcome of the initial application of the policy

The committee in considering the case, noted that the County Council has refused transport assistance as pupil is not attending their nearest school. The school of parental preference is the 3rd nearest school and there are two schools which are nearer to the home address.

The nearest suitable school, for the purposes of assessing transport assistance, is any school that can provide education appropriate to a pupil's age, ability and aptitude. The committee noted that only one preference was submitted, the school of parental choice. The committee noted that for the purpose of transport assistance a school OFSTED rating or report is not taken into consideration when undertaking an assessment to receive assistance with home to school transport.

The Committee also noted that similarly, the Department for Education statutory guidance on home to school travel states; "parents do not enjoy a specific right to have their child educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school".

The committee were reminded that prior to September 2015, the County Council had a much more generous home to school transport policy and that many of the discretionary elements of this policy were removed from September 2015. All new pupils starting at school are only awarded transport assistance if they attend their nearest school and live more than three miles away. When undertaking assessments there is no longer any consideration of which Geographical Priority Areal a pupil lives within and schools in neighbouring districts and local authorities are also considered.

The committee noted that it is parent's preference to choose which school the appellant prefers their child to attend and the authority sympathises with the family's personal circumstances, however a preference for a particular school does not mean a child has a right to free transport to that school. The committee were reminded that the admission information which is available for all parents from each September provides a summary transport policy. Parents are advised to check the policy carefully if getting their child from home to school and back is a consideration. Parents are directed to a fully copy of the Home to School Transport Policy on the Lancashire County Council website and seek advice from the area education office if they have any enquiries. The County Council also has officers in attendance at most secondary school open evenings to give advice on transport eligibility and admission queries.

The Committee also noted that the family do not qualify for Free School Meals and also noted also that there was no evidence to suggest that the appellant was unable to fund the cost of a bus pass to the chosen school of preference.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4331 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4337

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 2.73 miles from their home address and within walking distance (3 miles), and, instead would attend their 3rd nearest school which was 4.54 miles away. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The appellant were appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

In considering the appeal, the Committee noted that the appellant is contesting that the "nearest suitable school" for the pupil in her opinion is the school that the pupil currently attends. The appellant doesn't agree that the nearest suitable school would be right for the pupil.

The committee noted that the appellant has quoted the Ofsted report for the nearest school: "Too often pupils do not learn effectively because work is not matched to their needs" and states that pupil's learning has only just started to be on par to where it should be and says that teacher need to know where pupil is on the learning journey to continue to improve. The appellant gave a further quote from the Ofsted report: "Bullying is not always effectively challenged" and states that the pupil's mental capacity cannot handle bullying and it would make the pupil withdrawn and tearful.

The committee noted that according to the appellant the nearest school is not suitable for the pupil due to the mental capacity of the pupil and states that they feel that the school of their choice with its nurturing ethos is the most suitable school for pupil and adds that the school of their choice is 3.7 miles according to the checks the family have made and not as stated in the schedule by the authority using google maps walking route.

The committee were advised that the County Council have two bespoke packages of mapping software specifically purchased for the accuracy of measurements undertaken for both admissions and transport purposes. Both have a proven history of accuracy.

In considering the appeal further, it was noted by the Committee that transport assistance had been refused as the pupil is not attending their nearest qualifying school. It is accepted that the provision at the nearest school was deemed inadequate by OFSTED in May 2016. As a result of this the school will be subject to an Action Plan with additional Local Authority resources allocated to improve standards.

The Committee noted that the appellant states that they are unhappy that the Local Authority considers schools which are in Special Measures to be 'suitable'. the committee noted the appellants concerns.

The Committee tried to determine the family's financial circumstances and noted that they were not in a position to decide if the family were on a low income as defined in law and noted that the family are not in receipt of free school meals, no financial information was submitted to the Committee to state that that the appellant are unable to afford the cost of a travel pass to the chosen school.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4337 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance

that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4338d

It was reported that a request for transport assistance had initially been refused as the pupils would not be attending their nearest suitable school, which is 3.77 miles from their home address and instead would attend their 2nd nearest school which is 4.25 miles away.

The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The Committee were advised that the appellant does not accept that the nearest school is suitable for the pupil as it is a faith school and they are not a religious family and state that the family would not meet the entrance criteria. The Appellant states that the pupil attended a faith school as it was the village school but having experienced that school, the pupil does not now wish to continue education in a faith school and this should be respected.

The committee noted that the appellant summarises by requesting neutrality when dealing with religious preference and asks the SSAC to reconsider the case.

The Committee noted, in considering the Officer's comments that transport assistance has been refused as, in line with Lancashire County Council's home to school transport policy the pupil is not attending nearest suitable school.

The committee noted the Officer's comments which states that the pupil is not entitled to transport assistance as they are not attending their nearest qualifying school. It is parental preference for schools and academies and the application of admission arrangements linked to these which informs and drives the subsequent application of the Local Authority's home to school transport policy. The Council has no statutory duty to provide transport assistance in circumstances where pupils do not attend their nearest school or academy. The DfE guidance confirms that parents do not enjoy a specific right to have their child educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school.

The Committee also noted the section 4 4b5 of LCC's home to school transport policy which clearly makes reference to selection tests; the policy states that "just because your child passes an entrance exam for a school does not mean that free transport assistance will be provided, this applies to all four of Lancashire's four selective grammar Schools/Academies."

Since September 2015, levels of subscription at the nearest suitable school have meant that applicants have been able to secure places at the school without scoring any points against the academy's admission criteria or where an applicant is awarded 2 points for attendance at a faith primary school. Having attended a primary faith school, the pupil would have secured a place at the nearest school had this school been one of their preferences.

The committee were advised that a letter was issued to the appellant, refusing transport assistance which made reference to possible entitlement if the family were in receipt of the maximum amount of benefits, and that they should contact the area office if this applied to the parent/guardian. The committee noted that as of now, no contact has been made by the parent.

Therefore the committee were unable to determine the family's financial circumstances and noted that they were not in a position to decide if the family were on a low income as defined in law and noted that the family are not in receipt of free school meals, no financial information was submitted to the Committee to state that the appellant is unable to afford the cost of a travel pass to the chosen school.

The admission information which is available for all parents from each September provides a summary transport policy. Parents are advised to check the policy carefully if getting their child from home to school and back is a consideration. Parents are directed to a full copy of the Home to School Transport Policy on the Lancashire County Council website and to seek advice from the area education office if they have any queries. The County Council also has officers in attendance at most secondary school open evenings to give advice on transport eligibility and admission queries.

Therefore, having considered all of Appellant's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4338d be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4340d

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 5.1

miles from their home address and instead would attend their 2nd nearest school which is 5.8 miles away.

The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee exercising its discretion and awarding transport that was not in accordance with the Council's policy or the law.

The Committee were advised that according to the appellant, if the pupil had not been accepted at the school of their choice, the appellant would not have wanted the pupil to attend the nearest school as the family do not have any religious beliefs and do not believe that faith plays any part in education. The Appellant believes that the nearest school places great emphasis on faith.

The Pupil's older sibling attended a non-faith school as the appellant did not want the sibling to attend a faith school either, even though the faith school was outperforming the school that the elder sibling attended at the time. The appellant claims that the pupil only attended a primary faith school in the village otherwise they would have been excluded from the local community life if they had attended a school further away of non faith.

The committee noted the appellant statement and view that the bus stop for the school of their choice where the pupil attends is only 0.7 miles from that of nearest school and a negligible cost would apply. The Appellant also is of the view that Lancashire County Council's policy does not enable children who live in rural areas to benefit from the choice given to those who live in urban area where there may be several schools within walking distance. The appellant believes that the school of their choice is the pupil's nearest suitable school based on non-denominational grounds.

The committee noted the Officer's comments which states that the pupil is not entitled to transport assistance as they are not attending their nearest qualifying school. It is parental preference for schools and academies and the application of admission arrangements linked to these which informs and drives the subsequent application of the Local Authority's home to school transport policy. The Council has no statutory duty to provide transport assistance in circumstances where pupils do not attend their nearest school or academy. The DfE guidance confirms that parents do not enjoy a specific right to have their child educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school.

Since September 2015, levels of subscription at nearest suitable school have meant that applicants have been able to secure places at the school without scoring any points against the academy's admission criteria or where an applicant is awarded 2 points for attendance at a faith primary school. Having attended a faith primary school pupil would have secured place at nearest suitable school had this school been the first preference on secondary school application.

It is noted by the Committee that the bus stop used for the school where the pupil attends is in close proximity to the one used by pupils travelling to the nearest school. The assessment to receive transport assistance however does not consider how a pupil might undertake the journey to school. The assessment is based solely on a determination of the nearest school and the distances involved.

Therefore the committee were unable to determine the family's financial circumstances and noted that they were not in a position to decide if the family were on a low income as defined in law and noted that the family are not in receipt of free school meals, no financial information was submitted to the Committee to state that the appellant is unable to afford the cost of a travel pass to the chosen school.

The Committee also noted section 4 4b5 of LCC's home to school transport policy which clearly makes reference to selection tests; the policy states that "just because your child passes an entrance exam for a school does not mean that free transport assistance will be provided, this applies to all four of Lancashire's four selective grammar Schools/Academies."

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4340d be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeals 4341

It was reported that a request for transport assistance had initially been refused as the pupils would not be attending their nearest suitable school, which was 0.75 miles from their home address and within the statutory walking distance(3 miles), instead would attend their 15th nearest school which is 6.48 miles away.

The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellant states that the school of their choice where the pupil is attending was their first preference as they felt the pupil would settle more quickly at that school than at any other school as they had family already attending (not siblings). The Appellant had stated that the pupil had a couple of issues with

some children while attending primary school and did not want the pupil to attend the same school as those particular children. The Appellant is expecting and has lost entitlement to Job Seeker's Allowance and is having to submit a claim for Universal Credit. The Appellant would not receive payment for six weeks after claiming and states they ;"cannot afford to buy anything, never mind pay for a bus pass". The appellant describes the situation as dire. The situation is causing the appellant a lot of stress and upset during pregnancy and the baby is due just after the pupil starts school.

The Committee noted the Officer's comments which states that the pupil had been refused assistance as they did not attend their nearest qualifying school. A summary of the County Council's Home to School Transport Policy is provided within all the admissions documentation, both in the booklets and online. Parents are urged to contact their local education office if travel costs are a consideration or concern when parents are making a secondary school application. Additionally, members of the Pupil Access Team are in attendance at nearly all of the secondary school open evenings to give advice about admissions and transport entitlement.

The committee were advised that there is additional assistance available to low income families but only if parents are in receipt of one of the qualifying benefits for free school meals or the maximum working tax credits. Universal Credit is one of the qualifying benefits to receive additional assistance but In order to qualify for help with travel costs a pupil must be attending one of their nearest three schools within 2 to 6 miles or their nearest faith school within 2 to 15 miles. There are numerous schools closer to the pupil's home than the school of parental preference, and two nearer faith schools. The Committee noted that the pupil was in receipt of Free School Meals but still did not qualify for assistance.

The committee noted that there are family members in attendance at the school the pupil attends but this is not part of the consideration when assessing home to school transport entitlement.

The Committee noted that there is no evidence of bullying from the appellant, the committee were reminded that it is the responsibility of the appellant to evidence any claims, unfortunately no evidence was submitted so the committee were unable to substantiate this claim by the appellant.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4341be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance

that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4342/4342a

It was reported that a request for transport assistance had initially been refused as both pupils would not be attending their nearest suitable school and within the statutory walking distance which was 2.00 miles from their home address and instead would attend their next nearest school which is 4.00 miles away.

The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The Committee, noted from the comments from the appellant that in considering the school placements, the appellant looked at both the school of their preference and the nearest suitable school and met with relevant SENCOs. In meeting throughout Year 6 it was evident to all professionals concerned that school of their preference was most suitable school.

The Appellant states that it was only recently whilst being supported with this appeal that they realised that the Local Authority had inserted a caveat into the Statement that transport was their responsibility. This was never raised during any meetings or at any Annual Reviews. The Appellant presumed that as everyone agreed it was the most suitable school and that both pupils would receive transport. The Appellant also remembers discussing transport in one of the meetings and being told they would be able to request it.

The appellant requested home to school transport in the form of a bus pass, as whilst one of the pupil who would be on medication would be able to access the school bus only as long as they were accompanied by the sibling on the bus. Without the appellant accompanying both the pupils to and from the bus stop the pupils would be unable to walk to the bus stop safely and in an appropriate manner as both pupils have a tendency to display inappropriate behaviour towards each other and the community. Walking to school would be an impossibility due to the number of roads, traffic, lack of concentration and appropriate behaviour.

The committee noted that the appellant is finding the cost of transport crippling and currently the cost for both pupils is currently £7.40 per day.

The committee in considering the appeal further, noted the Officer's comments which state that both pupil's special education needs could be met in any mainstream school and the nearest mainstream school is according to the authority the nearest suitable school identified in the schedule when assessing transport to and from school. The committee noted that the appellant stated after careful consideration they preferred the school of their choice and that they believe it to be the most suitable school for the pupil. The committee also noted

that the authority's admission team were able to allocate a places in line with parental preference for both pupils. It was also noted by the committee that the school of the appellant's choice was named as the parent's identified chosen school in both the pupil's Statement of Special Education Needs which was issued on 15 February 2016.

However the committee were advised that the nearest suitable school in the opinion of the Local Authority is the nearest school. The appellant and family had expressed a preference for the school of their choice which has been agreed by the Authority as being suitable to meet both pupils' needs. However, in accordance with the Local Authority's Transport Policy the appellant and family will be responsible for all travelling expenses in respect of both pupils' attendance at the preferred school of choice.

The committee also noted that transport to school was considered in the annual review meeting held on 05/05/16 and the Review Summary records for both pupils:

- *Additional visits to high school to be arranged as necessary*
- *One of the pupils would not be able to get to school independently.*
- *Family to drive pupil to school.*
- *No issue for the other pupil getting to school independently.*

The committee noted that an application for free travel was received on 08/03/17. This was refused by the authority on 09/03/17 with the reason for refusal given as "School of Parental Preference is not the nearest suitable school in the opinion of the Local Authority".

Resolved: That;

Having considered all of the circumstances and the information as set out in the report presented, appeal 4342 and 4342a be allowed on the grounds that the reasons put forward in support of the appeal were considered worthy of the Committee exercising its discretion to grant an exception and award temporary travel assistance which was in accordance with the Home to Mainstream School Transport Policy for 2016/17;

- ii. The transport assistance awarded in accordance with i. above be up to the beginning of January 2018 academic year only.
- lii The Appellant to provide further information on income and benefits claimed.
- iv. The Appellant must inform the Local Authority if there is a change in circumstances whereas the request for assistance will need to be re assessed.

Appeals 4344

It was reported that a request for transport assistance had initially been refused as the pupil would not be attending their nearest suitable school, which was 1.88 miles from their home address and instead would attend their 5th nearest school which is 4.11 miles away.

The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellant states that there is no safe route to the school of their choice. The journey would mean walking down narrow roads with fast moving traffic with no pavements and the appellant and partner cannot take pupil to school because of work commitments and also they are taking a younger sibling to school. The Appellant states that Central Government policy says "If there is no safe walking route, they must be given free transport, however far from the school they live".

The Committee noted the Officer's comments which states that pupil had been refused transport assistance as they are not attending the nearest qualifying school. The Department for Education's statutory guidance states that local authorities are required to; "make transport arrangements for all children who cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed unsafe to walk." As there are a number of nearer school that pupil could attend the Council policy does not apply in this case as the pupil is not attending their nearest suitable school. However the committee noted that the transport policy states;

The County Council will not consider assistance where one parent is unable to accompany the child to school due to work commitments nor will it usually Consider it necessary to provide assistance to secondary school aged pupils as they will usually be deemed to be capable of walking to school Unaccompanied.

In considering the appeal further the Committee considered the family's financial circumstances and noted that they were not in a position to decide if the family were on a low income as defined in law. No evidence had been provided to suggest that the family were unable to fund the cost of transport to school. It was also noted that the family were not eligible for Free School Meals and not attending the nearest suitable school.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4344 be refused on the grounds that

the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4371 – finance and extended travel assistance

It was reported that a request for transport assistance had initially been refused as the school the pupil is attending is only 1.03 miles from the home address.

The family was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The Committee, in considering the appeal noted that the appellant states that home to school transport assistance is required because the appellant has constant difficulties walking and finds it difficult to accompany the pupil to and from the bus stop. The Appellant suffers from health issues which cause difficulties in walking and also suffers from extreme tiredness, which they state is debilitating. The appellant states that their home is not on a bus route and would take 15 minutes to walk to the nearest stop. The committee noted that due to the provision of a taxi previously awarded, the pupil's school attendance has improved.

The committee noted that the appellant has suffered from illness for a few years and note her statement that the symptoms are getting worse. The committee noted that the appellant has forwarded supporting evidence in the form of a benefit statement from January 2017 and a Bank Statement covering the period 30th June to 28th July 2017 showing some income and some outgoings.

The Committee noted the Officer's comments which states transport assistance was initially agreed by the Student Support Appeals Committee in December 2015. The County Council accepts that the school the pupil attends is the nearest school with a place available at the present time. The committee noted that the journey from home to school would involve a 20-25 minute walk. The committee also noted that the journey time could be shortened by making use of bus.

The committee however noted that the appellant has not provided any recent medical evidence to demonstrate that she cannot walk the relatively short distance from home to school or the Bus Stop. The committee noted that the appellant has suggested that the County Council should contact the GP with a list of questions and meet the cost of requesting such information. The committee were advised that the notes provided with the appeal form makes it clear that it is an appellant's responsibility to provide any evidence needed to support their appeal. The County Council has no resources to gather information on an appellant's behalf and there are Data Protection concerns relating to medical records.

It is noted by the committee that the appellant was asked to return the form by 24 July 2017 in order to organise travel arrangements for her daughter for the start of the new term and that staff at the council had had to remind the appellant via e-mail on a couple of occasions to submit and sign the correct paperwork.

The Committee have noted that again no medical evidence has been supplied to support the appellant's health issue claims and that it is the appellant responsibility to supply that information. The Bank Statement shows considerable expenditure and it was noted by the committee that the benefit statement provided only shows partial information of the benefit awarded to the appellant.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that they were not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4371 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 4374

It was reported that a request for transport assistance had initially been refused as the pupils would not be attending their nearest suitable school from their home address. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellants are an English-Gypsy family who live on a site; their children attend school and they have made great efforts, in liaison within the Traveller Education Service to settle the pupils into school. In May, the family suffered an incident and to help them heal as a family, (with full agreement from school) they travelled for a period of time. The school places were kept open for them but the taxi provision, however, was stopped. The appellant state that the family are still coming to terms with the trauma and that the family would like the pupils to go back to the school they were attending previously. The appellant states they were unaware that the taxi would cease and do not feel it is right that the family were not told that going away would have an impact on the transport that the family have previously relied on.

The Committee noted the Officers comments which states that this form was hand-delivered to the Education Authority by a worker from the Gypsy-Roma

Traveller Service with a request that the appeal was rushed through, as all the children were currently out of school.

The committee were advised that when a family who have had transport previously provided leave the area and they then choose to return to the area, the family will be re-assessed in line with LCC's home to school transport policy. If the continuation of assistance with home to school transport was a consideration, enquiries could have been made by the family, or the Traveller Education Service, prior to leaving the area at which point they would have been advised that the family would not retain any entitlement to assistance with transport. The committee noted that no supporting evidence had been submitted with the appeal paperwork from the family.

The committee noted the officer's comments that on the appeal form it states that places at Mayfield were 'kept open' for the family, however, there would not have been any requirement for this school to keep places available as the school has room in all year groups.

The committee noted that in line with LCC's current home to school transport policy, none of the children are entitled to transport as they are not attending their nearest school which is 1.72 mile from the home address, with places for all 3 pupils. The school where the pupils are attending at present is the 14th nearest school. The nearest suitable school still have room in all year groups, and is under the statutory distance from home to school. The committee noted that there is no requirement within LCC's current home to school transport policy that states pupils under the jurisdiction of the Traveller Education Service will be offered transport to a school that is not their nearest.

The committee noted that the school had provided extra evidence on some of the siblings of their attendance and supported the need for the pupils to be attending school.

The committee noted that the family are in receipt of Free School Meals. However, there is no evidence to state why the appellant and family are not able to take the pupils to school.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4374 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17.

Appeal 565869

It was reported that a request for transport assistance had initially been refused as the pupil is attending their nearest suitable school which is located within the statutory walking distance (3 miles) of the home address. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law.

The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellant acknowledges the distance between home and school is under 3 miles, but appeals under SEND and under section 508B and Schedule 35B of the education Act 1996, where the law states that the Local Authority are under a duty to provide transport to eligible children, children with SEND. The appellant feels that the pupil fits within the eligible criteria.

The appellant states that the pupil would be unable to walk to school and would be unsafe to themselves and others due to huge anxiety, attachment, confrontational attitude, displays of violent and outbursts that the pupil displays. The appellant also highlights the many busy roads, traffic noise and numerous distractions. The appellant fears that the pupil would run away as they have previously done in the past.

The committee noted that the assessment made by the National Centre for Child Trauma & Dissociation in Oct 2016 found that the pupil has complex needs and difficulties due to significant trauma and loss in their early life. The committee noted the opinion of the report that this is why transport to school on the school bus alongside peers in a calm and structured environment ensures the pupil arrives at school emotionally ready to learn, they also noted that the pupil struggles to get out of bed and displays extremely challenging behaviour, which the appellant addresses through a series of calming interventions. The committee noted the appellant's statement that when the appellant transports the pupil, even a short distance, the pupil can be impulsive, resulting in pulling on the handbrake and flicking indicator switches.

The Committee considered the Officer's comments which states that the Local Authority acknowledges that under Section 508(B) of the Education Act 1996 they must provide free transport to and from school if the child is 5 to 16 and live outside the statutory walking distance between home and the nearest suitable school. However, in this case pupil lives within the statutory walking distance as the distance from home to school is 2.3 miles.

The committee were advised that the Authority must provide transport assistance to children who could not reasonably be expected to walk the statutory walking distance to their nearest suitable school because of their SEN, disability or

mobility problem. The Authority recognises that the pupil has special needs but that these needs do not mean pupil is unable to walk the distance to school.

The committee noted that the authority states that medical evidence is required before transport assistance is agreed and that the authority recognises the assessments carried out by National Centre for Child Trauma & Dissociation stating that pupil has complex needs, however, the authority does not consider these to impact on pupil's ability to walk to school.

It is noted by the committee that an application for free travel was received on 08/03/17. This was refused by the authority on 09/03/17 with a reason for refusal given as "School of Parental Preference is not the nearest suitable school in the opinion of the Local Authority".

Resolved: That;

Having considered all of the circumstances and the information as set out in the report presented, appeal 565869 be allowed on the grounds that the reasons put forward in support of the appeal were considered worthy of the Committee exercising its discretion to grant an exception and award temporary travel assistance which was in accordance with the Home to Mainstream School Transport Policy for 2016/17;

- ii. The transport assistance awarded in accordance with i. above be up to July 2018 academic year only.
- iii. The Appellant must inform the Local Authority if there is a change in circumstances.

Appeal 600723

It was reported that a request for extended transport assistance for the pupil to be dropped off at after school provision had initially been refused. The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

The appellant is stating that they work 4 days on a full time basis and there is no flexibility with times at work and feels the policy is unacceptable and penalising parents for working and is discriminatory, does not consider individual circumstances and needs revising. The appellant states that the pupil has friends at the after school club and continued attendance would benefit the pupil. The Appellant feels that if the pupil had continued to attend the previous school and not changed to this particular school then they would have been granted transport.

The Committee has noted the Officer's comments which states that the pupil has started at the school of parental choice and transport has been agreed for pupil from home to school only and return from both parents' addresses as required and that both parents are now separated.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 600723 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17

Appeal 1520425

It was reported that a request for transport assistance had initially been refused as the pupil is attending their nearest suitable school which is 0.8 miles (located less than 2 miles) from home address. Free home to school transport assistance will be provide to children of compulsory school age if they attend the nearest suitable school and they live more than 3 miles away for a child aged 8 or over. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law.

There are nearer other schools and one of them is marginally closer (by 0.1miles) but they did not have space when the pupil moved into the area. However, all three schools are located within the statutory walking distance (2miles) of the home address.

The authority must provide transport assistance to children who could not reasonably be expected to walk the statutory walking distance to their nearest suitable school because of their SEN disability or mobility problem.

The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law. Pupil has an Education Health and Care Plan and primary care of need is ASD. This was diagnosed in 2015.

The Pupil struggles with play, communication, socialisation, imagination, behaviour and flexibility of thought and particularly struggles to understand spoken language. All this combines to make the journey to school practically impossible.

The Pupil relies heavily on adult support, but is extremely self-directed and their ability to listen and follow verbal instructions is limited. This impacts massively on the journey to and from school and the pupil does not listen or understand what the appellant is saying and has no awareness of danger. The Pupil is very determined and becomes frustrated if they are not able follow their own agenda. The Pupil will then become rigid, making it impossible for the appellant to manoeuvre and guide them safely to school.

Although the family live less than the statutory walking distance, travelling to school involves crossing 2 major roads and this is very stressful and the pupil will often lie down in the middle of the pavement or road and refuse to get up. Although there is a crossing on one road, the pupil does not understand to wait when the red light is on. The Pupil is a large for their age and often runs away from the appellant when walking to school. The Pupil is also prone to removing clothes and throwing them into the road.

The appellant is unable to drive and has no friends or relatives in the country. The Appellant has health issues and is sometimes up all night when the pupil does not sleep and then would be unable to get pupil to school.

It states in policy that a child should arrive in school stress free and ready to learn but on many occasions, this is not the case. On the basis of the above and the attached supporting letter, appellant requests that the Panel look favourably on her request.

The Committee has noted the Officer's comments which states that it was parental choice for pupil to attend the school where pupil is currently and it was the nearest school with spaces available when the family moved to the area. The Local Authority agrees that pupil is currently attending the nearest appropriate school which can meet the pupil's needs.

The transport application was turned down on the basis that the school is well within the statutory walking distance at 0.8 miles

It is acknowledged that pupil does have some significant behavioural needs, related to their diagnosis and are described in the parental appeal, the supporting letter and EHC plan.

Information from school states that pupil is in possession of an Education Health and Care Plan and it was apparent that the pupil required a very high level of support. Plan was put into place and support of two adults working as a job share were required as the physical demands proved too much for one adult only.

It is noted that there is no statement to say that pupil cannot walk to school. Appellant is a single parent and only has pupil as dependent. There is no evidence that pupil is on Free School Meals and no details about appellant being on low income or benefits.

Therefore, having considered all of the parent's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee felt that the school the pupil would attend was a matter of parental preference and was not persuaded that there was sufficient reason to uphold the appeal.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 1520425 be refused on the grounds that the reasons put forward in support of the appeal did not merit the Committee exercising its discretion to make an exception and award transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2016/17

UB- Appeal 4342

It was reported that a request for transport assistance had initially been refused as the pupils would not be attending their nearest suitable school, which is 2.34 miles, and, instead attends their 5th nearest school which is 3.55 miles from their home address. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The appellant was appealing to the Committee on the grounds that they had extenuating circumstances to warrant the Committee in exercising its discretion and award transport that was not in accordance with the Council's policy or the law.

In March 2014, the family suffered a difficult separation. The family were threatened and for their safety, they moved out of the area and the family were approached on their way to and from school. The Police became involved which resulted in a court case. Upon Police request, the family relocated to another area.

The appellant states that the pupil did not wish to attend the nearest suitable school as they were concerned that the family were also having issues with children there. The appellant stated also that the pupil also preferred the school of a different faith.

The committee noted that the appellant does not drive and cannot provide transport for the pupil. The appellant states that they suffer with serious health issues and very rarely leaves home and that the pupil and siblings have also received counselling.

The appellant is asking if the Committee would reconsider a bus pass for the pupil as it is a real struggle, financially to provide one. At present the pupil is on Free School Meals and the appellant relies on benefits as they are not able to work due to health reasons.

The Committee noted the Officer's comments which state transport assistance has been refused, as in line with Lancashire County Council's home to school transport policy as the pupil is not attending their nearest suitable school.

The admission information which is available for all parents from each September provides a summary of the transport policy. Parents are advised to check the policy carefully if getting their child from home to school and back is a consideration. Parents are directed to a full copy of the Home to School Transport Policy on the Lancashire County Council website and to seek advice from the area education office if they have any enquiries. The County Council also has officers in attendance at most school open evenings to give advice on transport eligibility and admission enquiries.

The committee noted that whilst the appellant states they did not want pupil to go the particular faith school, the pupil used to attend a school of that faith. There is also a school of another faith in the area which has room in all year groups. There are a further 3 schools, all of which have places and are closer to the families home address than the school where the pupil is attending.

It is noted by the committee that whilst the pupil is in receipt of free school meals the pupil is not entitled to receive assistance with transport, as in line with LCC's home to school transport policy, section 6, 6a1, pupil is not attending one of their 3 nearest schools

The committee noted that no additional supporting evidence has been provided to support the issues identified by the appellant. And the form was also unsigned.

i. Having considered all of the circumstances and the information as set out in the report presented, appeal 4342 be deferred until further information is provided to evidence the appellant's claims. The appellant is required to submit complete and up to date benefit statements and evidence relating to the appellants health issues in order for the committee to make their decision.

L Sales
Director of Corporate Services

County Hall
Preston