

Lancashire County Council

Student Support Appeals Committee

Minutes of the Meeting held on Monday, 8th April, 2019 at 10.00 am in County Hall, Preston

Present:

County Councillor Christian Wakeford (Chair)

County Councillors

A Cheetham

Y Motala

1. Apologies

CC J Cooney

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None were declared.

3. Minutes of the meeting held on 11th March 2019

Resolved: That; the Minutes of the meeting held on the 11th March 2019 were confirmed as an accurate record and were signed by the Chair.

4. Urgent Business

None.

5. Date of the Next Meeting

It was noted that the next meeting of the Committee would be held at 10.00am on Monday 3rd June 2019, 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

Appeal 4593

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 1.26 miles from the home address, and within the statutory walking distance of under 3 miles and instead would attend a school which was 5.23 miles away. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law. The committee noted that the officer also states that there are 2 further schools closer to the family home than the school attended by the pupil and that if these schools were selected by the appellant as a choice of school then the pupil would have been offered a place at closer schools than that attended by the pupil.

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 appellant's appeal the committee noted that the appellant states that they have exceptional circumstances that are medical, the medical issues relate to the appellant and not the pupil but the appellant states that they have a direct impact of the pupil.

The Policy states that transport assistance will only be applied to those children who attend their nearest suitable school that can provide suitable education for their age/aptitude etc. The Committee noted that the family stated the school attended as 1st preference and initially allocated their second preference of school. The committee noted that the appellant had appealed for the school attended and that a place had been granted on appeal. The committee were advised that schools awarded through appeal do not come with an award of transport assistance.

In considering the appeal further the Committee considered the family's circumstances. The policy states that if you have a low income and your child is in Year 7 to 11 in secondary school, we may be able to provide free transport if they go to one of their three nearest schools. For your child to receive free transport, the school must be between 2 and 6 miles away from your home. The committee noted that the school the pupil attended was 5.23 miles from the home address and was not one of the three nearest school to the home address.

In considering the family's circumstances the Committee noted that the appellant suffered from a long term sickness condition. The appellant had requested the Committee to reconsider the outcome of the initial transport assessment that had been submitted, additional evidence in the form of a letter from the GP relating to the difficulties of the appellant, report from the school relating to the pupil and the attendance record for the pupil. The letter refers to the pupil placed in the school attended, the committee were reminded that the place was awarded through an appeal for a place at the school attended and not as stated in the letter from the GP and that the appeal was specifically requested by the appellant for the pupil to attend the school. The committee noted that the attendance of the pupil was good and that there were no issues highlighted on the attendance sheet from the

school that gave the committee any concerns in relation to the attendance of the pupil or any issues relating to the achievement of the pupil from the school report submitted.

The Committee noted the Officer's comments which stated 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 to 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 Committee considered all evidence submitted by the appellant and did sympathise with the medical circumstances of the appellant. However it was noted by the committee that the family appealed for the place and as such this was a conscience choice of school by the appellant.

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 4593 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 2018/19.

Appeal 4609

It was reported that a request for the cost of reimbursement of transport fees 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 financial reimbursement that was not in accordance with the Council's policy or the law.

In considering the appellant's appeal the committee noted that the appellant was seeking financial reimbursement dating back to May 2017 for bus fees paid by the appellant. The appellant states that the authority should have been proactive and make the appellant aware of their entitlement.

It was brought to the Committee's attention that eligibility to receive transport assistance is assessed by determining the distance between a child's home and the nearest school they could attend. The committee were advised that the pupil does attend the nearest school to the home address and that the pupil would be entitled to free transport assistance, the committee further noted that the pupil had attended the school since May 2017.

The committee noted that the appellant had made direct contact with the school transport ticket team and had not contacted the Pupil Access team to check entitlement. The committee were further advised that anyone moving school or home after year 7 has commenced that the onus is on the parent to enquire and to check with the area education office at the time of move.

The committee were further informed that backdated reimbursement if entitled will only be awarded if the pupil access team have been found to be at fault and caused financial /delay to the appellant and that backdated reimbursement can only be awarded up to the maximum of the current school year only. The committee considered carefully the appellants claims and reasons for the appellants claim.

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 and that the provision of entitlement is the responsibility of the appellant and that entitlement should have been checked at the time with the Pupil Access Team at the time the pupil started at the school attended by the appellant.

The Committee also noted that the appellant had signed the application form for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4609 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 2018/19.

Appeal 4630

It was reported that a request for transport assistance had initially been refused as the pupils are not attending their nearest suitable school, which is 1.72 miles from their home address and is within that statutory walking distance miles from home to school. The pupils are attending instead a school which is 2.05 miles from the home address and not within the statutory walking distance of home to school.

The pupils were therefore not entitled to free transport in accordance with the Council's policy or the law as they do not attend the nearest school to the home address. 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 Committee noted that the pupils do not attend the nearest school and that the family had moved into the area in February 2019, it was also noted that at the time of the move places were available for the children to attend a nearer school which was under the statutory walking distance offered to families from a low income of under 2 miles from the home address.

The Committee were advised that there is additional assistance available to low income families but only if the parents are in receipt of one of the qualifying benefits for free school meals or are in receipt of the maximum working tax credits. In order to qualify for help with travel costs, a pupil must be attending one of their nearest three schools between 2 and 6 miles. The committee were advised that the family did have an active claim for free school meals and did qualify for extended entitlement offered to families from a low income. The committee noted however that the school attended is not one of the 3 nearest schools to the home address.

In considering the appellant's appeal further the committee noted the appellant stated that they had 6 children and had recently separated from their partner and was on their own with the 6 children. The appellant states that they are finding it difficult to logistically get to school and nursery for all children. The committee noted also that the appellant states they do not have access to their own transport. The committee noted that it is the responsibility of the parent/carers to ensure that children arrive safe at school. There is no dispensation for parents or carers who due to work commitments or other commitments i.e. taking other children to school are unable to transport children to school, the committee note that in these instances that parents/carers are expected to make suitable arrangements to ensure that pupils in their care arrive safe at school.

The committee noted that there had been involvement from Social Services from another authority and that the Headteacher of the school had sent in a letter of support for transport assistance for the pupils. It was noted by the committee that no further details from Social Services had been submitted by the Headteacher or appellant to support the claim made by the appellant.

The Committee also noted that the appellant had signed the application form for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4634 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 2018/19.

Appeal 4634

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 5.9 miles from their home address, and instead would attend a much further school. 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 appellants appeal the Committee noted that the appellant is appealing on Medical and Financial grounds. The committee note that both pupils and one of the parents have medical issues that impact on travelling to and from school as stated by the appellant. The committee note that there are schools nearer that have places available for the pupils and this is why travel assistance has been refused.

The Committee in considering the appellants financial circumstances 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 appellant was unable to fund the cost of transport to school. It was also noted that the family were not eligible for Free School Meals. The committee also note that both pupils are in receipt of DWP mobility allowance and that this provision is for additional costs that may be incurred by the pupils with everyday mobility expenses such as getting to and from school and as such financial assistance had already been awarded by DWP for mobility.

The committee note that the appellant states that they take to pupils to and from school and that there is no other family help available to them for assistance. However there is no evidence or reasons given by the appellant to state why this arrangement cannot continue. The committee were reminded that it is the responsibility of the parent/carers to ensure that children arrive safe at school. There is no dispensation for parents or carers who due to work commitments or other commitments i.e. taking other children to school are unable to transport children to school, the committee note that in these instances that parents/carers are expected to make suitable arrangements to ensure that pupils in their care arrive safe at school.

The committee noted that pupils in year 10 or 11 are offered extended transport assistance, however this only applies to pupils who attend their nearest suitable school and the family are from a low income. The committee were advised that neither criteria met with the circumstances of the family. The committee do recognise that moving pupils at this stage in their academic career can cause difficulties for the pupils for all sorts of reasons, however the committee noted that the authority has no statutory duty to provide transport assistance where pupils do not attend their nearest school. The committee note that the authority

is not stating that the pupils should move school only that the authority has no statutory duty to provide such transport to and from school.

The committee note the letters from the school stating that both pupils are on the SEN register and receive additional assistance at school. The committee note that the pupils do not have an Education and Health Care plan, the committee were reminded that the DFE state that schools can be considered when undertaking assessments to receive assistance if they have places available and provide education appropriate to the age, ability and aptitude of the pupil and include any SEN that pupil may need. The committee were advised that the authority delegates a significant amount of funding to all mainstream schools to provide the learning support for pupils that may have additional needs. All schools are expected to provide the 1 to 1 support to enable a pupil to fully access the curriculum. The authority would expect any school to be able to provide appropriate support for any additional needs the pupils may face.

The committee also noted that the appellant had signed the application form for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

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 pupils 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 4634 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 2018/19.

Appeal 4637

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 2.87 miles from their home address and within the statutory walking distance of under 3 miles and instead the year 10 pupil would attend a school 7.3 miles away and the year 8 pupil would attend a school 7.49 miles from 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. The committee note that the appellant is appealing on educational continuity grounds.

In considering the appellant's appeal the Committee noted that the family had moved address in 2017. The committee noted that prior to the move of address the school attended was not the nearest school to the previous home address.

In considering the appeal further the Committee 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 appellant was unable to fund the cost of transport to school. It was also noted that the family were not eligible for Free School Meals.

The committee also noted that the appellant had signed the application form for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

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 4637 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 2018/19.

Appeal 4638

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 3.55 miles from their home address, and over the statutory walking distance of 3 miles and instead would attend a school which is 3.92 miles from the home address and also over the statutory walking distance of 3 miles.

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 considering the appeal further the Committee noted that the appellant was appealing on financial, medical, and educational continuity grounds.

Financial - The family were not eligible for Free School Meals and as such did not qualify for extended transport provision. The policy states that if you have a low income and your child is in Year 7 to 11 in secondary school, we may be able to provide free transport if they go to one of their three nearest schools. For your child to receive free transport, the school must be between 2 and 6 miles away from your home. The committee note that the appellant had not supplied any supporting financial evidence to indicate that they could not afford the cost of a bus passes for the pupils to get to and from school.

Medical – The Committee note that the appellant states that the pupil suffers from Anxiety and is being supported by CAHMS. The committee note that the appellant states that the pupil worries about getting to school without a Bus Pass. The committee note that the appellant has stated on the application form that the pupil currently travels on the school bus. There is no evidence however submitted by the appellant to state how this affects the pupil medically, there is no CAHMS report or any report from another medical professional to substantiate the medical issues that have been highlighted by the appellant.

Educational Continuity – The committee noted that pupils in year 10 or 11 are offered extended transport assistance, however this only applies to pupils who attend their nearest suitable school and the family are from a low income. The committee were advised that neither criteria met with the circumstances of the family. The committee do recognise that moving pupils at this stage in their academic career can cause difficulties for pupils for all sorts of reasons, however the committee noted that the authority has no statutory duty to provide transport assistance where pupils do not attend their nearest school. The committee note that the authority is not stating that the pupils should move school only that the authority has no statutory duty to provide such transport to and from school. The committee also note that the appellant had not submitted any evidence to substantiate that anxiety was affecting the pupil's attendance. The committee were reminded that appeals are evidence bases and that the appellant is expected to submit all evidence to substantiate any claims.

The Committee were reminded 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 previous awards were granted to pupils who attended one of their nearest 3 schools, these pupils will continue to receive the award until they complete their secondary education. The committee were reminded that when a pupil moves home then that entitlement is re assessed under the current policy and this unfortunately has resulted in the appellant now not qualifying for transport assistance.

The committee noted that it is the responsibility of the parent/carers to ensure that children arrive safe at school. There is no dispensation for parents or carers who due to work commitments or other commitments i.e. taking other children to school are unable to transport children to school, the committee note that in these

instances that parents/carers are expected to make suitable arrangements to ensure that pupils in their care arrive safe at school.

The committee also noted that the appellant had signed the application form for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

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 4638 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 2018/19.

Appeal 4640

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 1.98 miles from their home address, and instead would attend a school which was 3.24 miles away.

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, as noted by the Committee, was appealing on financial and Educational continuity grounds.

It was noted by the Committee that although the family were classified as of a low income and qualified for free school meals, the pupil did not qualify for free home to school transport. Extended transport provision for free transport on low income can only be granted if school in question was one of the three closest to home and the distance is between 2 and 6 miles. In this instance, the school was not one of the three closest to home and therefore transport assistance could not be granted.

The committee further considered the circumstances for the move of house and the family dynamics and the affect this had had on the pupil, it was noted that the appellant had submitted a CAF report from February 2019 and the committee

noted the low attendance recorded for the pupil. The committee were unsure how given the circumstances that the pupil seems to have relating to going to school how a travel pass would make an improvement.

There was no medical or professional report from another professional body to state that a travel pass would improve attendance. The committee noted the letter from the Headteacher and the CAF report both highlight the anxiety issues that the pupil suffers and the measures that the school has put in place. However the committee could not establish from the report or the letter from the Headteacher that any of the interventions already accessed had improved the anxiety of the pupil or if there was any measured improvement with attendance. The committee recognised and sympathised with the appellants circumstances highlighted in the head teachers letter and the CAF report but were unable to determine what effect the intervention had.

The Committee also noted that the appellant had signed the application from for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

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 4640 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 2018/19.

Appeal 4642

It was reported that a request for transport assistance had initially been refused as the pupil was attending their nearest suitable school which was 0.29 miles from the home address and under the statutory walking distance of 3 miles from home to school for children aged over 8 years. The pupil is 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 further the Committee noted that the appellant was appealing on medical grounds. The committee noted that the pupil was currently in year 4 and that the school attended was 4.89 miles from the home address. The committee noted all the evidence submitted from the appellant.

Therefore, having considered all of the mother's comments and the officer responses as set out in the Appeal Schedule, application form and supplementary evidence the Committee was persuaded that there was sufficient reason to uphold the appeal and provide **temporary travel assistance for the pupil up to the end of the summer term 2019 (July 2019) academic year to support the family in the interim in the form of a taxi.**

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4642 be allowed on the grounds that the reasons put forward in support of the appeal did merit the Committee exercising its discretion to make an exception and award temporary transport assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2018/19.

Appeal 4643

It was reported that a request for transport assistance had initially been refused as the pupils would not be attending their nearest suitable schools, which was 0.5 miles for the year 3 & 4 pupils and 0.64 miles for the year 5 pupil, both schools are under the statutory walking distance. The committee note also that there are places available for all pupils at a school 1.57 miles from the home address and within the statutory walking distance of under 3 miles. Instead the pupils attend a school 4.81 miles from the home address and over the statutory walking distance for a pupils of this age.

The pupils were 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.

The Committee noted the appellant advised they were a single parent appealing on financial, medical and educational continuity grounds.

In considering the appeal further the Committee acknowledged the medical difficulties of the appellant as stated by the appellant and the benefits listed by the appellant. However the committee note that there is no medical report to substantiate the claims of the appellant. The committee were unsure of the current arrangements of how the pupils are getting to and from school as the appellant states that it was costing over fifty pounds a week to take the pupils to and from school on the bus, the appellant then goes on to state that the appellant finds it impossible to leave the house because of their medical condition. The appellant also states that they have no assistance in the way of family to assist with the School run as noted by the committee.

The committee also note that the appellant states that they are appealing on financial grounds. The committee note that the appellant has listed all the benefits that the family are in receipt of but also note that the family are not

classed as on a low income. The Committee were advised that there is additional assistance available to low income families but only if the parents are in receipt of one of the qualifying benefits for free school meals or is in receipt of the maximum working tax credits. In order to qualify for help with travel costs, a pupil must be attending one of their nearest three schools between 2 and 6 miles. Had parent received free school meals or be in receipt of the maximum amount of working tax credits, free transport would still not have been awarded as the school attended is not one of the 3 nearest to the home address. No evidence had been provided to indicate the appellant could not afford the cost of bus travel tickets for the pupils to attend the current school.

The committee noted that the family were appealing also on the grounds of educational continuity. The committee were reminded that the family had moved in March 2019. All pupils had previously attended the school currently attended, it was noted that the pupils were placed on role again in March 2019 after being educated out of the area for almost a year. The committee were reminded that the policy states that continuity of education only applies to pupils who following a house move in year 6, 10 or 11 are entitled to transport assistance if the appellant are in receipt of free school meals or the maximum amount of working tax credits. The committee note that none of the children are currently in year 6 so this element of the policy does not apply to the family in this instance.

The committee also noted that the appellant had signed the application form for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

Therefore, having considered all of the appellant's comments and the officer responses as set out in the Appeal Schedule, application form and any 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 4643 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 2018/19.

Appeal 4644

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 6.89 miles from their home address, and instead would attend a school which was 7.5 miles away.

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, as noted by the Committee they were appealing on financial and medical grounds relating to both the appellant and the pupil.

It was noted by the Committee that the pupil did not qualified for free school meals, therefore is not entitled to extended rights for transport to and from school. Extended transport provision for free transport for families on low income can only be granted if school in question was one of the three closest to home and the distance is between 2 and 6 miles. In this instance, the school was not one of the three closest to home and over 7.5 miles and therefore transport assistance could not be granted.

The Committee also noted that the appellant had signed the application form for the transport appeal and that this states that "I Declare that the information given in this application is correct and complete to the best of my knowledge and belief, I have attached all relevant supplementary information I wish to make available to support my case."

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 4644 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 2018/19.

L Sales
Director of Corporate Services

County Hall
Preston