

Lancashire County Council

Student Support Appeals Committee

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

Present:

County Councillor Christian Wakeford (Chair)

County Councillors

A Cheetham
Y Motala

I Brown

1. Apologies

CC J Cooney

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None were declared.

3. Minutes of the meeting held on 2nd September 2019

Resolved: That; the Minutes of the meeting held on the 2nd September 2019 were confirmed as an accurate record and were signed by the Chair.

4. Urgent Business

2 urgent business items were submitted to the committee and agreed to be heard by the chair items 4747 & 565447.

5. Date of the Next Meeting

It was noted that the next meeting of the Committee would be held at 10.00am on Monday 4th November 2019 at 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 23 appeals and 2 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 2019/20, and the Policy in relation to the transport of pupils with Special Educational Needs for 2013/14.

Appendix 4659

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 2.97 miles from the home address, and within the statutory walking distance of under 3 miles and instead would attend a school which was 5.81 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 appellant moved house prior to the summer term 2019 due problems with the neighbours. The appellant was appealing to the committee on financial and educational continuity grounds, the committee note that they are not appealing on medical grounds of either the parent or the pupil.

The appellant states that they are on a low income and they cannot afford the cost of Bus travel to and from school each day for the pupil. They state that it is important for the pupil to continue at the school attended as they have lived in the UK for less than 2 years the pupil is making good progress, has made friends and as the school is a faith school this offers the pupil a good caring ethos. The appellant states that they would like transport assistance awarded as soon as possible and until the child leaves the school attended.

The committee noted that there is a school closer to the home address with availability for the pupil to attend. The school attended was noted as the second nearest school to the home address from the previous address. The committee were advised that the school attended by the pupil was only 0.84 miles from the previous address and was within the statutory walking distance from home to school. The school attended is now not the closest to the home address and is 5.81 and the 3rd nearest school to the home address. At the time of application for a place at high school the committee noted that the appellant was offered their 3rd choice of school from the previous address.

The committee noted that the school the pupil attended was a school of faith but there was no evidence that the pupil had been admitted on faith grounds. The committee noted that the appellant is appealing on educational continuity grounds and financial grounds. The committee were reminded that the pupil started at the school in year 7 in September 2019 and that this was very early in pupil's educational career and that a move at this time would not be detrimental to the pupil, the committee however did sympathise with the appellants reasons for wishing the pupil to stay at the school attended as previously stated. It was noted by the committee that no evidence had been provided by the appellant from any professional body to substantiate that a move of school at this stage would be detrimental to the pupil and their education.

The committee then considered the financial circumstances of the family and noted that although the appellant had submitted some financial evidence this was not conclusive to confirm the full income that the family were in receipt of. The committee were advised that an officer had tried to contact the appellant to ask for the Tax Credit Award for 2019-20 at the end of July 2019 but that the information requested had not been submitted. The committee were further advised that based on the information supplied in March 2019 the authority concluded that the family were slightly over the limit of being classed as a low income family, the committee were advised that if the appellant had supplied the asked for up to date financial evidence and that information confirmed that the family were classed as a low income family then the pupil would qualify for a free pass on this basis.

In considering the family's financial circumstances the Committee noted that the family are not on a low income as defined in law. The appellant states that due to financial circumstances they cannot afford the cost of the travel for the pupil to attend school. 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 or in receipt of the Maximum amount of working tax credit.

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 4659 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 2019/20.

Appendix 4666

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 0.39 miles from the home address, and within the statutory walking distance of under 3 miles for a pupil over the age of 8 and instead would attend a school which was 2.40 miles away. And also under the statutory walking distance of a pupil's age. The pupil was therefore not entitled to free transport in accordance with the Council's policy or the law.

The Committee noted that the appellant is appealing to the committee on financial, medical relating to the pupil and also on educational continuity grounds.

The committee noted from the officer's statement that the appellant had previously appealed for transport assistance and that since that time the LA had considered if an EHCP was required for the pupil. The committee noted that the decision relating to whether an EHCP was required for the pupil was made during the summer 2019, the committee noted that an officer had checked with officers within the service and noted that no plan was deemed necessary for the pupil. The committee noted that no other details relating to the reasons why the plan was not deemed necessary was not disclosed to the officer enquiring or the committee.

The committee noted that the appellant states that the pupil cannot travel on public services due to their medical condition, unfortunately the appellant has not supplied any information or evidence to the committee to substantiate the appellant's claims as to why public transport was not an option for the pupil. The committee also note that there is no reason stated why the appellant and the pupil are unable to walk to and from school or any medical evidence to substantiate why this is not an option for the appellant and pupil.

The committee also noted that the school attended was 2.40 miles from the home address but note that the appellant states that the taxi fare is in the region of £100 per week for the 4.8 mile taxi as stated as required, the committee noted that the appellant does not state if this amount (£100) is for 2 journeys or 4 journeys each day. The committee noted that no taxi receipts were submitted by the appellant.

The committee were advised that the appellant had previously moved the pupil to the school now attended because they were unhappy with an incident that had occurred at the previous school relating the care and needs of the pupil.

The committee note that the appellant states that the pupil is now settled and is flourishing in the school now attended and the appellant wishes for this to continue as the school meet the pupil's academic and medical needs.

In considering the family's financial circumstances the Committee noted that the no evidence had been submitted to indicate if the family were on a low income as defined in law. The appellant states that due to financial circumstances they cannot afford the cost of the travel for the pupil to attend school. No evidence had been provided to suggest that the family were unable to fund the cost of transport to school.

It was noted by the committee that several attempts had been made by officers to contact the appellant to obtain further evidence to support the appeal. The committee noted that this had not resulted in any evidence being submitted by the appellant for any of the reasons in relation to requiring assistance with transport to and from school.

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 who are unable to transport or escort 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."

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4666 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 2019/20.

Appendix 4692

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 4.33 miles from the home address, and instead would attend a school which was 4.95 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 appellant is appealing on the grounds of exceptional reasons. The committee noted that the family state this as the sole reason for the transport appeal and that it is because they live in a rural village and have no access to public transport. The committee note that the family state

that they are aware that previous families within their area have been awarded free transport to and from the school of choice which they also believed to be the closest school to the home address and within their GPA. The committee also note that there is currently a school service bus for the school of choice operating in the village.

The appellant states that they think it is unfair that they will have to pay for the bus to and from school for the pupil as previous students were awarded a pass. The appellant state that they are unable to transport the pupil to and from school due to work commitments.

The committee were reminded that in 2015 the authority removed its discretionary element of entitlement to a bus pass from the Transport Policy. All students from 2015 now only receive transport assistance if they are attending their nearest school and live more than the statutory 3 mile walking distance. The committee were reminded that when assessing the closest school to the home address the policy included schools in other Local Authority's and no longer took into account any GPA's previously relating to schools.

The committee note as stated by the appellant that a relation of the family had been awarded a bus pass who lived at an address on the same street as the appellant and this was unfair. The committee were advised that if the appellant supplied this information then the officers could look into the matter the reasons why the other pupil was awarded transport assistance, however the appellant would not be made aware of the outcome of any such investigation. The committee were advised that the appellant according to the appeal paperwork had not provided this information.

The committee were reminded that irrespective of other families' awards in the area that this could not be used as evidence or for the committee to speculate if the appellant was entitled to transport assistance and that each case is individual and assessed against the relevant transport policy at the time of application.

The Committee also noted that the appellant states that the distance they have measured is not the same as that stated by the authority and that they have used Google maps. The Committee were advised that the County Council 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. These packages are used for all pupils on admissions and for transport entitlement for the whole of the authority. Google Maps however only calculates the distance travelled by car from one location to another.

The committee note that both the appellant and their partner both work and are unable to take the pupil to and from school due to work commitments. 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 who 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.

In considering the family's financial circumstances the Committee noted that the family are not 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.

The committee note that a statement from the appellant refers to information being made clearer that information relating to transport has changed. The committee were advised that admission information is available to all parents at the time of applying for school places. A summary transport policy is made available to all, which parents and carers are advised to check 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 schools open evenings to give advice on transport eligibility and admission queries.

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".

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 4692 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 2019/20.

Appendix 4702

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 1.84 miles from the home address, and within the statutory walking distance of under 3 miles and instead would attend a school which was 1.99 miles away and also under the statutory walking distance for a child over the age of 8 to walk to and from school. 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 Financial and Medical grounds relating the appellant, no medical grounds of appeal relate to the pupil.

The appellant states that they moved to the area now lived in a number of years ago to escape from a violent relationship and they were advised to keep the family private so as not to make their whereabouts known to the ex-partner.

In considering the appeal further the Committee noted that the appellant was appealing on financial grounds. The Committee were advised that the family did qualify for extended transport provision and the pupil was entitled to free school meals. 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 address. The committee noted that the school the pupil attended was the 2nd nearest school to the home address and was 1.99 miles from the home address and under the statutory walking distance awarded for low income families. The appellant has supplied some financial information but this only states Bank Giro Credits from April 19 to July 19. No further financial evidence was submitted by the appellant as noted by the committee, the committee were reminded that transport appeals were evidence based.

The appellant was also appealing on medical grounds and stated that they are unable to leave the house some days due to anxiety, this causes the appellant to go hot, sickly, dizzy and emotional. The committee noted that you have stated that you would not allow the pupil to walk alone to school but that you also could not commit to accompanying the pupil to school due to your medical condition. The appellant further states that the pupil did plan to travel to and from school with a few other pupils that would use the school bus. The committee note that the appellant now states that they worry about finding the money for the bus fare each day. The appellant states that they have no family or friends who are able to assist in getting the pupil to and from school each day. The committee however note that he appellant has not provided any medical information relating to her inability to take the pupil to and from school or any medical evidence to state why the pupil cannot walk each day to and from school.

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. No evidence was supplied to state that the pupils were unable to walk to and from school.

The committee noted that the pupil attended their 1st choice of preference starting in September 2019. 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 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 4702 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 2019/20.

Appeal 4706

The Committee was informed that the two pupils would not attend their nearest schools. It was reported that a request for transport assistance had initially been refused as the pupil's would not be attending their nearest suitable schools, which was under the statutory walking distance of 3 miles for the age of the year 4 pupil one, and over the statutory walking distance for the year 7 pupil two.

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 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 relating to the appellant and also educational continuity grounds for the pupils. The committee note that the pupils do have an active free school meals claim in but that this does not entitle to pupils to extended transport assistance because the schools attended are not one of the 3 nearest schools to the home address. The committee note that the pupils are currently traveling to and from school by Taxi. The elder pupil stated that they would like to be awarded a bus pass that will enable them to travel with an elder sibling that they do not reside with. A Taxi is requested for the younger sibling.

The committee noted that the appellant moved from their previous property to the new address and that the reason for the move as stated by the appellant was that a much bigger property was required to accommodate the children under a new guardianship arrangement for the pupils and appellant.

The appellant state that both pupils have other siblings attending both schools attended by the pupils and that it is important that these relationships are

encouraged to continue as the pupils have already been removed from their parents within the past 12 months and that the other siblings offer stability to the pupils within the educational setting attended by the pupils it was also noted that the pupils had friendships who also offered stability and support to each of the pupils.

The committee also note from the officers notes that as the pupils are looked after then the elder pupil would have been given priority under the admissions round to any school they had shown a preference for on the admissions application for intake 2019.

The appellant confirms that the family are being supported and that the social worker had confirmed to officers that they fully support the pupils attending the schools currently attending and that transport would be required as requested by the appellant and that if not granted then there could be a possibility of the placement for the pupils being jeopardised as the appellant could not get the pupils to school without assistance being in place.

The committee noted that the appellant had submitted a lot of medical evidence to substantiate that they are currently unable medically to assist the pupils to and from school. All information submitted was considered by the committee.

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 4706 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 2019/20.

Appeal 4708

The Committee were informed that the pupil would not attend their nearest school. 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 4.70 miles from the home address and over the statutory walking distance

and instead would attend the 2nd nearest school to the home address at 4.80 miles from the home address also over the statutory walking desistance.,

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 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 under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that they did not agree with the measurements as stated by the Local Authority, they did not have access to the mapping system used by the LA and had based their reasoning for appealing the decision based on the mapping tool Google Maps.

The committee were advised that officers from the home to school transport team had supplied screenshots to the appellant showing clearly the map and the distance to the school of choice and the nearest school as identified by the Local Authority and that this was shared via e-mail on the 20th August 2019. The Committee were reminded that when assessing the closest school to the home address this is done using a straight line measure and that the authority uses two bespoke mapping systems to determine this and that the mapping software used had a proven record for accuracy. The measurements provided by the appellant showed the distance of routes taken to each of the schools using Google Maps, the committee were reminded that the authorities mapping system was much more detailed and took into account the distance measured from the home address to the nearest entrance to each of the schools (this is not always the front entrance). The committee noted that the appellant felt that they were at a disadvantage because they did not have access to the mapping software used by the authority, the committee however were satisfied that the results had been shared with the appellant and that the authority had been transparent with the appellant with their findings.

The committee were reminded that the mapping software used was also used to determine the closest school to the home address for pupil admissions purposes and school transport and that both systems had a proven record for accuracy. The appellant states that the policy for admission for both schools mentions GPA within their admission criteria, the committee did note this but were reminded that as both are Academies they are their own admission authority and as such can set their criteria on admissions as they choose.

The committee were reminded that the local authority admissions code has no reference to admissions relating to GPA and that this is in line with the Local authorities mainstream transport policy 2019/20, the committee noted that this compliments the government statutory admissions code adopted by the local authority. All guidance can be viewed by using the links below:-

Statutory School Admissions Code

<https://www.gov.uk/government/publications/school-admissions-code--2>

Academy Guidance

<https://www.gov.uk/guidance/academy-admissions>

Transport Guidance for home to school transport

<https://www.gov.uk/free-school-transport>

The committee were also reminded that a Summary of the County Council's Home to School Transport Policy is provided within all the admissions documentation, both in 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 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 noted that the appellant refers to admission guidance for one of the school attended from a previous year and not the current academic intake year 2019/20.

The committee noted that both admissions policy for both schools did have a section relating to "transport" included within their admissions policy and that this did not refer in any way to any GPA a child may live.

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 did sympathise with the appellants understanding of previous awards being made available to pupils for travel assistance for pupils living within the appellant's village, the committee note that this is now the 4th year that the policy has been in place and as such the committee does not consider this to be a recent change in policy.

The committee noted that the appellant felt they were at a disadvantage and that also others within the village also were disadvantaged. The committee noted that all the information was available to all families applying for places at secondary schools and that the authority are not responsible if parents choose not to refer to guidance available to them when choosing a school.

The committee note that the appellant states that they have been given different information from different "human workers" and state that this is open to errors to advise the appellant appropriately. However the committee note that the appellant has not shared in any detail what these questions may have been or

what conflicting information in the way of answers were given to the appellant. The committee were reminded that transport appeals are evidence based.

The appellant also refers to another pupil who they state won an appeal last year and is in receipt of a free bus pass. The committee were reminded that no further evidence was submitted by the appellant in order for the officers to check at county hall the circumstances to any such award of transport being made or not. The committee were reminded that each appeal is treated in confidence and relates only to the appellant and their circumstances and any finding would not be shared with the appellant. Again the committee were reminded that appeals are evidence based.

The committee noted the appellant's statement that it is unfair for a pupil to change schools and this would be detrimental to the wellbeing of a pupil. The committee were advised that the authority are not stating that you must change the school attended by the pupil only that they are not entitled to free transport to school as the school attended is not the closest to the family home.

The Committee were reminded that it is the parents' primary responsibility for ensuring their child's safe arrival at school and in all cases when assessing the suitability of routes, the County Council will assume that the child is accompanied, where necessary, by a parent or other responsible adult and is suitably dressed.

The committee were reminded and noted that the authority will not take into account the working arrangements of parents or other commitments like taking other children to and from school when assessing transport entitlement.

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 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 note that the family are not claiming on financial grounds, however in the letter submitted by the appellant it states that families are already stretched and that families are put under already unnecessary stress impacting negatively on their mental health as well as increasing the risk of poverty as families "try and make ends meet". The committee noted that this seems to be a generalised statement made by the appellant the statement is not substantiated by any evidence relating to anyone in particular and the committee were reminded that all information is freely available to all parents prior and during the application process and if transport is a contributing factor then parents are encouraged to take the time to read the guidance and ask for assistance if needed. The authority is not responsible for those that choose not to make themselves aware of the up to date arrangements for admissions or transport.

The Committee have noted and viewed the evidence submitted by the appellant in the way of google maps, admissions policy and criteria from both the Academies (one out of date) and a letter stating their views. The committee respectively read the appellant's letter stating opinion, however the appellant chose not to submit evidence to substantiate any of the claims made.

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 4706 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 2019/20.

Appeal 4710

The Committee were informed that the pupil was attend their nearest suitable school. 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 1.34 miles from the home address and under the statutory walking distance for a child over the age of 8.

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 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 under medical reasons relating to the pupil. The committee noted that the appellant was a foster carer for the pupil and the pupil had been in their care for the past nine months, that the pupil had previously attended a school in a different area and that the pupil had commenced their secondary education starting in year 7 at the school applied for and was awarded their 1st preference.

The committee note that the appellant states that they are a single parent and that the award of a bus pass will offer the foster carer and pupil reassurance that

the pupil will get home safely when the appellant is unable to pick up or drop off the pupil as the foster carer works full time and also have to attend meetings in relation to fostering. The appellant states that the pupil currently has no friends and that the provision of a bus pass will make the pupil less vulnerable. The appellant also states that the appellant states that the pupil is on a care plan, however the committee note that no care plan has been submitted as evidence by the appellant.

The appellant states that the pupil takes regular medication and that this can make the pupil groggy and cause a slow start to the morning and another medical condition that also makes the pupil feel tired. The committee noted that no medical evidence had been provided to substantiate the claims made by the appellant.

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 and from 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 safely at school and at home at the end of the school day.

In considering the family's financial circumstances the Committee noted that the family are not 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 by way of purchasing a bus ticket for the pupil when required the committee were reminded also that provision of home to schools transport is made to foster carers for the pupils in their care and as such this award has already been made.

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 4710 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 2019/20.

Appeal 4713

The Committee were informed that the pupil was attend their nearest suitable school. 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 1.8 miles from the home address and under the statutory walking distance for a child over the age of 8.

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 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 under financial and medical grounds relating to the pupil. The committee noted that the appellant had applied for the pupil had commenced their secondary education starting in year 7 at the school applied for and was awarded their 1st preference. The appellant notes that they are unable to accompany the child to school because they have two other children and that the appellant cannot walk the pupil to school. The arrangements for the other pupils getting to and from school was not started by the appellant. The appellant states that they do not drive and that the 1st preference of school as awarded was chosen because the appellant considered that the school chosen to attend was the nearest and safest bus journey for the pupil.

The appellant states that they do not work, do not have a partner and own their own home and that this takes a large chunk of their income each month. The committee also note the appellant states that the pupil does not have good road sense, that the pupil struggles socially and could put themselves in danger and that they have sensory issues especially their feet and as such the pupil does not like to walk far. The committee note that the appellant states that the pupil currently under CAMHS and is currently under further medical assessment. The committee note that the appellant has submitted evidence:-

- Letter stating that the pupil is under CAMHS
- TAF Report
- Family Benefit Awards

The committee note that the pupil is on free school meals and as such is entitled to extended transport provision awarded to families from a low income. 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 address. The committee noted that the school the pupil attended was 1 under the allocated distance and was only 1.80 miles from the home address and within the statutory walking distance for a pupil over the age of 8 years of age.

The committee note that the appellant states that the pupil has medical issues. However the committee note that the appellant has not submitted any evidence that the pupil cannot walk to and from school. The committee note the TAF report submitted and note that most of the information contained in the report relates to behaviour and transition arrangements for the pupil within high school. The committee note that transport was mentioned within the report and that the appellant and child would do some test runs to and from school to enable the pupil to do this starting school. The committee note that there was no mention if these journeys would be by bus or by foot but note that the journey details within the report state that the journey would be by the pupil on his own.

The Committee were reminded that it is the parents' primary responsibility for ensuring their child's safe arrival at school and in all cases when assessing the suitability of routes, the County Council will assume that the child is accompanied, where necessary, by a parent or other responsible adult and is suitably dressed.

In considering the appeal further the Committee noted that the appellant was appealing on financial grounds. The Committee were advised that the family did qualify for extended transport provision and the pupil was entitled to free school meals. 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 address. The committee noted that the school the pupil attended was the nearest school to the home address and was 1.80 miles from the home address and under the statutory walking distance awarded for low income families.

The committee note that the appellant has not submitted any medical evidence to state that the pupil cannot walk to and from 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 4713 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 2019/20.

Appeal 4716

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 4.80 miles from the home address and over the statutory walking distance and instead would attend a school 7.23 miles away from 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 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 and the appellant's medical issues. 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 7.23 miles from the home address was not one of the three nearest school to the home address, nor as noted by the committee one of the 3 preferences stated on application for a place at high school. The committee note that the appellant only specified one choice of school for the pupil and that as that place could not be awarded then a place was awarded by the LA.

The appellant states that the family had to move home in August 2018 because the previous house flooded and that the family needed more space. The committee were advised that there was no evidence or flood report submitted by the appellant to explain the move and that the appellant had moved from a 2 bed property to another 2 bed property.

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 who are unable to transport or escort 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.

It was noted by the Committee that that the appellant is claiming on financial grounds, however the appellant has not submitted any financial evidence to substantiate their claim relating to finance. The committee note that the appellant states they are unable to submit pay claims because the appellant's partner is self-employed. The committee would like it noted that there are other ways to

prove income and that the appellant could have evidenced full and up to date Benefit statements that would have proved income.

The committee were advised however that free transport entitlement 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 the distance exceeded the 6 mile upper limit.

The appellant is also appealing on their own medical incapacity, the committee were reminded that the policy does account for a temporary award for a limited for parental incapacity if the pupil attends their nearest suitable school. The pupil does not attend their nearest suitable school and it was noted that the appellant has not submitted any medical evidence to substantiate any of the medical or financial claims 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."

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 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 4716 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 2019/20.

Appeal 4717

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 0.60 miles from the home address and instead would attend a school 6.42 miles away from the home address and over the statutory walking distance.

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 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 grounds. 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 6.42 miles from the home address and that there were schools closer to the home address that had places available for the pupil to attend.

The appellant states that they moved the pupil because the pupil was subjected to bullying from Adults and Pupils within the educational establishment. The committee note that the appellant has supplied a tax credit statement but this was only up to April 2019 and was not up to date.

The committee felt that due to the seriousness of the allegations relating to bullying and the out of date financial information submitted then it was only right that the appellant was given a further opportunity to submit evidence in this instance to substantiate the appellant's claims in order that the committee could fully understand and consider the appeal fully.

Resolved: That Appeal 4717 be deferred in order to obtain:

- i. Financial evidence - up to date benefit and full benefit statements of the appellant.
- ii. Evidence relating to the allegations of Adult and Pupil bullying which occurred at the previous school attended.

Appeal 4720

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 1.07 miles from the home address and instead would attend a school 1.60 miles away from the home address and also under the statutory walking distance.

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 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 grounds. 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 address.

The committee noted that the school the pupil attended was 1.60 miles from the home address, the committee also noted that the appellant had submitted a late application for a place at secondary school and that only two preferences had been specified by the appellant. The committee noted that neither school of preference had been allocated to the pupil.

In considering the appeal further the Committee noted that the appellant was appealing under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that they did not agree with the measurements as stated by the Local Authority, the family were being supported by the EMA Service and that it was stated by the appellant that they felt it was important for the pupil to attend secondary school but that their community disagreed with the appellants decision for the pupil which made the family anxious for the pupil. The appellant states that the pupil had made friends at primary school and that the pupil could attend school with these friends who travelled to school on the bus, unfortunately the appellant felt that they could not afford the cost of bus fares. It was also noted by the committee that the family state that they also struggled with the cost of uniform for the pupil.

The committee noted that the school attended was nearer that one of the school as specified as a preference, thus the pupil would have to travel further to the school stated as a preference by the appellant.

The Committee were reminded that it is parental responsibility for ensuring their child's safe arrival at school. In all cases, when assessing the suitability of routes, the County Council will assume that the child is accompanied, where necessary, by a parent or other responsible adult and is suitably clad. 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 and from 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 safely at school and at home at the end of the school day. When assessing home to school transport entitlement, it is not possible for there to be consideration of how the pupil might undertake the journey to school. The availability and capacity of bus services can change depending on demand and revenue from bus fares. Many public bus services and school bus services are under review.

The distance from home to school is within acceptable walking distance, the appellant has not stated any medical reasons why the appellant or the pupil cannot walk to and from school.

The committee then considered the financial circumstances of the family and noted that although the appellant had submitted some financial evidence this was not complete and not within date, however the committee note that the pupil is in receipt of free school meals and as such does qualify for extended transport provision made to families from a low income. The appellant however lives under the statutory walking distance awarded to such families and therefore do not qualify for transport assistance.

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 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 4720 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 2019/20.

Appeal 4723

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 4.57 miles from the home address and over the statutory walking distance and instead would attend a school 7.37 miles away from the home address and also over the statutory walking distance.

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 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 and medical grounds relating to the appellant. 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 address.

The committee noted that the school the pupil attended was 7.37 miles from the home address was not one of the three nearest school to the home address, nor as noted by the committee one of the 3 preferences stated on application for a place at high school. The committee note that as that place could not be awarded at one of their 3 preferred options then a place was awarded to the pupil by the LA.

It was noted by the Committee that there is an additional entitlement to transport assistance for low income families if parents are in receipt of qualifying benefits for free school meals or the maximum amount of Working Tax Credit. Free travel is provided if a pupil is attending one of their three nearest schools and the school is situated between 2 and 6 miles from home. The committee noted that the school attended was further than the 6 mile awarded to families on low income and that there are 3 closer schools that could have offered the pupil a place if the appellant had chosen one or all of them as a preference during the normal admissions round for a place in year 7. The committee were advised that the 1st preference of school on application was at a school over 9 miles away from the home address that would not qualify for the family for travel assistance.

The committee note that the family moved while the pupil was completing their final year of primary education and that under the transport policy an award had been made for the child to complete his education at primary school and travel assistance was awarded in accordance with the transport policy. The committee note that no reasons were specified to the committee to advise on why the move took place.

The committee were also reminded that a Summary of the County Council's Home to School Transport Policy is provided within all the admissions documentation, both in 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 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 note that the appellant is appealing to the committee also on medical grounds, the committee note that the appellant has submitted benefit information in the form of the universal credit awarded that also includes the PIP awarded to the appellant. The committee note that the appellant as part of their evidence has submitted a copy of their parking card for disabled people and that this is valid from 06/19. The committee note that the family do have use of a car but that the appellant states they cannot drive far due to their medical condition. The appellant also states as noted by the committee that the appellant has difficulties with mobility and uses a walking stick and wheelchair. The committee note that no evidence has been submitted by the appellant to validate the claim only the award of PIP is noted.

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 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 4723 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 2019/20.

Appeal 4724

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 4.75 miles from the home address and over the statutory walking distance and instead would attend a school 5.32 miles away from the home address and also over the statutory walking distance.

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 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 not appealing on financial and medical or educational continuity grounds.

In considering the appeal further the Committee noted that the appellant was appealing under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that they did not agree with the nearer school identified by the authority as being a suitable school as the appellant states that they are not of the faith of the nearer school identified. The committee note that the appellant selected 3 schools on the admissions form for the pupil and that the pupil had been awarded their 1st preference of school. However the committee noted that the 2nd preference of school selected on admission was of the same faith as the nearer school identified by the authority.

The committee also note that the appellant has adamantly stated that the child is not of the faith of the school identified as the nearest school and that the pupil does not follow a faith. The appellant goes on to state that under the Equality Act it would not be expected of an individual to be subjected to religion in this way and would never have considered the school due to no religious belief.

However the committee note that the appellant selected the 2nd school of preference of the same religion when selecting schools for admission for secondary education. The committee were therefore satisfied that a school of faith was considered by the appellant on the selection of schools within the area as a considered as a valid possibility for the pupil to attend. The committee were advised that there were more schools within the area that are not of any religious

following that could have been selected by the appellant if religion was such a considered factor for the pupil's education.

The committee also noted that in the officers schedule that the Department for Education states that by law the Council only had to provide transport assistance to the nearest qualifying 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 and that when undertaking the assessment the authority does not discount any school based on the school OFSTED category. This includes faith schools and academies.

In considering the appeal further the Committee considered the family's 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 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. The committee were therefore unable to offer extended transport assistance awarded to families who qualify under Low income grounds.

The Committee were reminded that 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 appellant also states that they do not have access to suitable transport at home, however the committee note that no evidence was submitted to substantiate this claim. 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 who 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 4724 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 2019/20.

Appeal 4725

The Committee were informed that the pupils would not be attending their nearest suitable schools. 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 0.33 miles from the home address and under the statutory walking distance and instead would attend a school 6.93 miles away for the elder pupil from the home address and over the statutory walking distance. It was noted also that the younger pupil attends school 9.84 miles away from the home address and also over the statutory walking distance from home to school.

The committee note that the elder pupil was in year 10 and the younger pupil was in year 8, the appellant states that pupils current arrangements for travel to school is the school bus, it was noted that no further details were mentioned by the appellant in relation to current travel arrangements.

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

The committee noted that the appellant was appealing on financial and medical grounds relating to the appellant. The committee noted from the officers comments and the evidence submitted by the appellant that the family were in receipt of benefits and that the financial award provided by the appellant confirmed that the award was up to April 2020.

The committee note that the appellant previously received denominational assistance with transport on low income grounds. The committee note from the officer's comments and the benefit statement and the letter from the appellant that the appellant no longer qualified for the maximum amount of working tax credits and as such no further entitlement for the pupils school transport can be applied.

The appellant states and is noted by the committee that due to an abusive relationship this has left the appellant in a lot of debt with repayments having to be made monthly to pay back the debt. The appellant also states that they are being supported by HARV and that the family have had to visit a food bank a couple of times during the recent summer holiday period. The committee noted that one slip showing authorisation had been submitted as evidence but that it was not dated as being fulfilled by the food bank.

The committee note the appellant has not submitted any evidence of any debt that they are stating they are having to pay back.

The appellant also states that they have medical issues, unfortunately there are no doctor's notes, appointment letters confirming the appellant's condition or what support the appellant is receiving in relation to their medical issues by a medical professional.

The appellant states that they are being supported by HARV, the committee note that the letter is dated 2011 and does not refer to any financial support offered to the appellant in the way of managing debt. The committee note that the appellant has submitted a further letter from HARV, this only confirms that the service are to offer support to the children while they are at school in relation to the effects of abuse and that this letter is dated August 2019. It was noted that there is no mention of any support from the organisation in relation to the appellant either to manage finance or other support relating to domestic abuse at the current time.

The committee also note that the appellant has submitted pay details confirming their wage and employment, it was noted by the committee that it was noted that the appellant works for the family business.

The committee noted other submitted evidence from Minds matter dated July 2019 stating that the appellant had been discharged and referred to another local service in relation to domestic violence counselling service. The committee noted that the referral took place in July but no further information had been made to the committee, however the committee hoped that the appellant had access to the support offered to the service and that the support proved helpful.

It was also noted that information in the form of a letter had been submitted from a nursery that one of the pupils had attended dated April 2011, the committee although respectful of the information shared with the committee concluded that this information really could not give any up to date clarification relating to that pupil as the evidence supplied was not current and over 8 years old.

The committee noted that the appellant states that they cannot afford the bus fares to and from school for the pupils to attend a nearer school and that they cannot also afford the cost of new uniforms for the pupils and the school currently attended are good schools and that both pupils deserve to attend a good school. The committee were reminded that help is available with the cost of school uniforms if the appellant qualifies – details are available using the link below and further information can be sought in relation to eligibility by contacting the area Pupil Access Office of which the details are available below.

<https://www.lancashire.gov.uk/children-education-families/schools/school-uniform/>

The committee were reminded that The Department for Education 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.

Considering the Officer's comments, the Committee noted that it was 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. There was also no evidence provided by the appellant to state that the cost of travel to and from school could not be met by the appellant.

The Committee reminded that it is the parents' primary responsibility for ensuring their child's safe arrival at. The committee were reminded and noted that the authority will not take into account the working arrangements of parents or other commitments like taking other children to and from school when assessing transport entitlement.

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 4725 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 4726

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 3.33 miles from the home address and over the statutory walking distance and instead would attend a school further away at 3.66 miles from the home address and also over the statutory walking distance from home to school.

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 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 was awarded 1st preference of school on admissions for secondary school places for the pupil to start year 7 in September 2019.

In considering the appeal further the Committee noted that the appellant was appealing on financial grounds the appellant was not appealing on medical or educational continuity grounds, the appellant was also appealing under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that they considered the school identified as the nearer school to be unsuitable because the school is of a catholic religious ethos and that the appellant states that the pupil attending any such would be highly inappropriate.

The committee note that the appellant selected the school of preference attended by awarded and attended by the pupil. The committee noted that the second preference of school made by the appellant was that also of a catholic ethos, the appellant did not select a third preference.

The appellant also states that due to being a single parent and working part time they also have to take a sibling to school and thus cannot also take the pupil to and from school.

The Committee were reminded that 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 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 who 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 were reminded that The Department for Education 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 were reminded that the appellant had also considered a school of a same faith identified as the closest school to the home address as 2nd preference and that the choice must have been a valid and considered option by the

appellant for the pupil. The committee note that the appellant states in their appeal form "The pupil is neither religious or has been christened, to send the pupil to a catholic High school would be highly inappropriate", yet the committee noted that the appellant had chosen a catholic school as 2nd preference on 19-20 admission application for the pupil.

The committee also note that the appellant is not in receipt of maximum working tax credits and the pupil is not entitled to free school means so cannot be offered extended entitlement offered to families from a low income.

In considering the family's financial circumstances the Committee noted that the family are not on a low income as defined in law. The appellant states that due to financial circumstances the cost of a bus pass would put immense strain on the family to enable the pupil to travel to and from school. 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 address. The committee note that the family are not classed as on a low income, the appellant has supplied no evidence to support her financial circumstances, nor has any information or evidence been submitted to evidence that the appellant cannot afford the cost of a bus pass for the pupil to attend school by catching the bus.

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 4726 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 2019/20.

Appeal 4729

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 3.33 miles from the home address and over the statutory

walking distance and instead would attend a school 3.66 miles away from the home address and also over the statutory walking distance.

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 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 grounds the appellant was not appealing on medical or educational continuity grounds.

The appellant states that they are on a low income and they cannot afford the cost of Bus travel to and from school each day for the pupil. In considering the appeal further the Committee noted that the appellant was appealing on financial grounds.

The Committee were advised that the family did qualify for extended transport provision and the pupil was entitled to free school meals. 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 address.

The committee noted that the school the pupil attended was the nearest school to the home address but was 1.90 miles from the home address and under the statutory walking distance awarded for low income families.

The Committee were reminded that 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 or the distance is under the statutory walking distance awarded to low income families.

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 who 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 4729 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 2019/20.

Appeal 4730

The Committee were informed that the pupil would be attending their nearest suitable school. 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 1.79 miles from the home address and under the statutory walking distance.

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 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 not appealing on financial, medical or educational continuity. In considering the appeal further the Committee noted that the appellant was appealing under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that they considered the route from the home address to the school an unsuitable route, the appellant states that there is no lighting in places and that it is a rural road and in places does not have complete pathways. The appellant had supplied photos of the route and these were reviewed by the committee.

The committee also note that the appellant states that they had wished that the pupil would be able to travel to school with peers but that no peers would be attending the school starting year 7 from the previous school. The appellant does not state how it was intended that the pupil would travel to school with their peers. The appellant states that the pupil has been identified as requiring help with self-confidence, resilience and emotional support and that the appellant had hoped that travelling to and from school would help with friendships.

The Committee were reminded that it is the parents' primary responsibility for ensuring their child's safe arrival at school and in all cases when assessing the suitability of routes, the County Council will assume that the child is

accompanied, where necessary, by a parent or other responsible adult and is suitably dressed. The County Council's Unsuitable Routes Policy considers routes to be safe if there is a footway, verge, walkable roadside strips or footpath. The committee were reminded and noted that the authority will not take into account the working arrangements of parents or other commitments like taking other children to and from school when assessing transport entitlement.

The Committee were informed that there was a public bus service from the home area to the school attended by the pupil with the stop from home a few minutes' walk away. The appellant would be able to contact the relevant operator to enquire about purchasing a ticket. Details of monthly amounts can be found by visiting website <https://www.lancashire.gov.uk/children-education-families/schools/school-transport/school-bus-season-tickets/?page=4>

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 4730 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 2019/20.

Appeal 4731

The Committee were informed that the pupils would not be attending their nearest suitable school. 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 2.53 miles from the home address and under the statutory walking distance and instead attend a further school which was located 3.71 miles from the home address and over the statutory walking distance. 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 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.

The committee note that the appellant has supplied some financial evidence and stated that assistance is needed for the pupils to attend school until the families financial circumstances change.

The committee considered the financial information supplied by the appellant and noted that the appellant was awarded PIP and was in receipt of child tax credits, however the committee noted that the benefits did not identify the family in terms of classified as a low income family and as such the family are not entitled to extended transport entitlement offered to those family who are deemed as on a low income.

The committee noted that due to the appellant having an accident they had been off sick and currently awaiting an operation and the appellant states they are unable to drive. The committee sympathised fully with the appellant and the accident but note that the appellant had kindly supplied a sick note that stated that the appellant was not fit for work and that the appellant was awaiting knee replacement surgery. However the sick note submitted was dated 12th August and was valid for 4 weeks, no further evidence from medical professions was submitted for the committee to consider.

The appellant states that even after the appellant returns to work that they will not be able to afford bus passes for the pupils to attend the school attended. The committee were uncertain what the appellant meant by this, however no clarification or evidence was submitted to substantiate the statement.

The Committee were reminded that it is the parents' primary responsibility for ensuring their child's safe arrival at school and in all cases when assessing the suitability of routes, the County Council will assume that the child is accompanied, where necessary, by a parent or other responsible adult and is suitably dressed. The County Council's Unsuitable Routes Policy considers routes to be safe if there is a footway, verge, walkable roadside strips or footpath. The committee were reminded and noted that the authority will not take into account the working arrangements of parents or other commitments like taking other children to and from school when assessing transport entitlement. The committee were reminded that this applies to both parents and not just 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."

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 4731 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 2019/20.

Appeal 4733

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 3.63 miles from the home address and over the statutory walking distance and instead attended a further school which was located 7.87 miles from the home address and also over the statutory walking distance.

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 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 of the appellant and is not appealing on educational continuity grounds. The committee noted that the pupil was offered 1st preference of school on admissions application.

The appellant states as noted by the committee that the family moved into their present accommodation in December 2018 following a relationship breakdown and the appellants own ill health. The appellant states that the younger sibling is hoping to attend a school within walking distance (the committee note that the sibling is young and is in the infants). The appellant states that they cannot drive the elder pupil to school in the car. The committee noted that the appellant had supplied page 3 of 17 pages of the tenancy agreement that the committee was incomplete and unsigned by the appellant. The committee also note that the amount charged for rent each month was £795 per month but note that the bank statement supplied did not list this amount as an outgoing.

The appellant starts as noted by the committee that the appellant is disabled and cannot work and is in receipt of benefits and PIP. The appellant stats that the mobility car awarded under disability was taken back when the appellant moved onto PIP. However the committee note that the appellant states that they cannot drive the pupil to school because they are taking the sibling to school. The committee note that he appellant does own a car but that they are struggling to run the car. The committee also note that the appellant has provided within their

application amounts that the appellant is in receipt of, however the appellant has not provided any award to substantiate this from the DWP and note that there are some entries from the DWP included in the bank statement provided.

The appellant states that the ex-partner left the family in arrears in all areas and that a debt relief order was taken out by the appellant. The committee note that no order had been submitted by the appellant to substantiate the claim and on looking further into the bank statement provided by the appellant no amount could be identified from any of the transactions. The appellant states that the maintenance amount paid to the appellant each week provides special milkshakes for the pupil that include vitamins due the pupil's eating disorder. The committee note that the bank statement does include reference to transactions relating to milk4life, however the committee note that this is a school milk service for primary school children. The committee note that no medical evidence has been submitted by the appellant to give any details about the medical condition of the pupil referred to in the application form or any information as to why this relates to the request for financial assistance with a bus pass to and from school by the appellant.

The appellant is appealing on financial grounds and it was noted by the committee that the pupil is on free school meals and therefore entitled to extended transport provision offered to families from a low income. The committee were reminded that extended travel is awarded to low income states that if they have a low income and the child is in Year 7 to 11 in secondary school, they 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 address. However the committee note that the pupil is attending their 9th nearest school to the home address and that the distance from home to school is measured as 7.87 miles from the home address.

The appellant states that they are also appealing on medical grounds and lists a number of medical issues that they state that the symptoms are unpredictable. The committee note that the appellant has listed PIP as one of the benefits the family are in receipt of but note that no benefit statement has been submitted by the appellant.

The committee note that the appellant states that the family spend every penny they have on the home and food, that the family eat out a lot when the appellant is poorly because the appellant cannot shop or cook for the family. The committee noted that there are what appears to look like the family eating out from detailed entries on the bank statements that confirm this, however the committee note also that the appellant seems to be out and about most days according to the bank statement transactions. The committee also state that they were a little confused as to the reasons for eating out a lot as the reasons given by the appellant did not seem to make sense. The committee considered this life style choice rather than medical reasons.

The appellant states that the pupil is a carer for the appellant and that the pupil needs to get home quickly if needed. The committee note that the distance from the home to school is quite a distance and would take the pupil travelling direct in the car at least 15 mins and considerably longer if the pupil had to travel by public transport or school bus. The committee note that the appellant has not provided any evidence to support her health issues.

The appellant also states as noted by the committee that the appellant are being supported by the children, family and Wellbeing service and Ribble valley health visitors, the appellant however does not state what assistance is being offered to the appellant or any reports to confirm assistance being offered to the family.

The Committee also noted that the appellant had Not 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." However they has noted an e-mail from the appellant to state that they agreed with everything in the report and consented the appeal to go ahead. This was noted as in the form of an e-mail dated 22nd September 2019 @ 14:58 from the Childrens transport team at County Hall, Preston

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 4733 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 2019/20.

Appeal 4735

The Committee were informed that the pupils would not be attending their nearest suitable school. 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 6.6 miles from the home address and over the statutory walking distance and instead attended a further school which was located 6.83 miles from the home address and also over the statutory walking distance.

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

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 not appealing on financial or medical grounds. The committee note that the appellant is appealing on educational continuity grounds. The committee note that one pupil is in year 10 and the other pupil is in year 9. The appellant states that the next two years are important to the education of the pupils as they are starting their GCSE years and that the Ofsted report for the nearer school is inferior to the school the pupils attend.

The appellants state they currently take the pupils to school by car and do not agree with the authority's calculation of the school identified as being the nearest school. The committee note that the appellant does state mileage calculations for the schools they consider to be the nearer schools, the committee note that no evidence was provided by the appellant to state how these calculations were arrived at or what software was used.

The Committee were advised that the County Council 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. These packages are used for all pupils on admissions and for transport entitlement for the whole of the authority.

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 noted that the policy states that schools can be considered when undertaking assessments to receive transport assistance if they have places available and "provide education appropriate to the age, ability and aptitude of the pupil and any SEN that the pupil may have. Ofsted ratings are not a consideration when assessing transport entitlement.

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 who 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 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 4735 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 2019/20.

Appeal 4736

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 2.54 miles from the home address and under the statutory walking distance and instead attended a further school which was located 2.89 miles from the home address and also under the statutory walking distance.

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 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 not appealing on financial, medical or on educational continuity grounds. The committee noted that the pupil was offered 1st preference of school on admissions application. The committee also note that the 2nd choice of school was also a faith school but that of a different faith.

In considering the appeal further the Committee noted that the appellant was appealing under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that the appellant was appealing on faith grounds and that none of the nearer schools reflects their Christian ethos and that the appellant was appealing under the Human rights act stating their right to choose a school they deemed suitable, the committee noted that the appellant states faith, "Christian Ethos".

The committee were reminded that The Department for Education 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 were reminded that the appellant had also considered a school of a

different faith as 2nd preference and that the choice must have been a valid and considered option by the appellant for the pupil.

The committee also note that the appellant also makes reference to free transport that the pupil received previously whilst at primary school. The committee were advised that the primary school attended by the pupil was the closest to the home address and that transport had been awarded to the pupil due to the route being deemed unsuitable to walk.

The committee were reminded that in 2015 the authority removed its discretionary element of entitlement to a bus pass from the Transport Policy. All students from 2015 now only receive transport assistance if they are attending their nearest school and live more than the statutory 3 mile walking distance. The committee were reminded that when assessing the closest school to the home address the policy included schools in other Local Authority's and no longer took into account any GPAs previously relating to schools. The committee were reminded that the pupil does not attend the nearest school to the home address and therefore 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 committee note the appellant's statement and e-mail evidence submitted from the Local Police dated 14th August stating that there were 2 RTA's on the road in question from June to August 2019. However the committee note that the e-mail contains no question from the appellant. The statement from the police confirms 2 accidents on the road that the appellant resides, however as noted by the committee the road in question is quite a long road, no details were given as to where the accidents took place, the severity of the accidents and no actual statistical information relating to the area stating if this was high or low compared with similar roads in the area or compared to the same period relating to previous years.

The committee note that the family state they are farmers, do have access to transport within the home but that due to milking times and other commitments with taking other pupils to school they cannot take the pupil to school that they are appealing for transport for. The committee note that the farm also operates a holiday letting business along side the working farm.

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 advised that admission information is available to all parents at the time of applying for school places. A summary transport policy is made available to all, which parents and carers are advised to check 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 schools open evenings to give advice on transport eligibility and admission queries.

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 who are unable to transport or escort 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 family are not appealing on financial grounds, 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 or in receipt of the Maximum amount of working tax credits.

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 4736 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 2019/20.

Appeal 4746

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 1.00 miles from the home address and under the statutory walking distance and instead attended a further school which was located 4.95 miles from the home address and over the statutory walking distance.

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

The committee noted that the school allocated was the 1st preference on admissions for a place in year 7 for September 2019.

In considering the appeal further the Committee noted that the appellant was appealing on financial, medical needs of the appellant, Educational Continuity grounds and also under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that the appellant had supplied a contact name and e-mail address of an officer of LCC, the officer and committee have to presume that the contact information supplied related to support that the appellant and family are in receipt of, the committee would like it noted that this was only a presumption as the appellant had not stated fully and further details.

It was noted by the Committee, the appellant had completed the Financial Section of the Appeal Form, stating they did not work did not have a partner and had supplied a bank statement, the committee note however that the statement presented as evidence only listed child benefit allowance and tax credits. The committee note that the appellant had not chosen to submit any benefit statements or a full bank statement to give the committee a fuller understanding of the financial circumstances of the family.

The committee were advised that the pupil is in receipt of free school meals and as such extended transport the committee note that extended provision awarded to families from a low income only allows transport to be awarded to Low income families who attend one of their 3 nearest schools. The committee note that the pupil could attend 3 nearer schools to the home address and as such an award for transport cannot be awarded under this criteria of the transport policy.

The committee were reminded that the Department for Education states that by law the Council only had to provide transport assistance to the nearest qualifying 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 and that when undertaking the assessment the authority does not discount any school based on the school OFSTED category. This includes schools of faith and academies.

The appellants suffers from medical conditions that they state prevents them supporting the child to access transport provision, the appellant states they are unable to leave the house on occasion and that the grandparent also has long term medical issues that prevents them also from assisting the pupil. The committee note that he appellant states they do not have a car.

The committee note that there is an elder sibling who attends the school of choice and that the appellant moved the elder sibling to the school attended because of bullying, the committee note that the appellant has not chosen to supply any evidence or further information to the committee in relation to their statement. The committee were reminded that attendance of a sibling at a school of choice during the admissions round would be considered and may have qualified the pupil a higher ranking during the admissions round, however this

would not be part of any consideration in relation to applying the home to school transport policy.

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 who are unable to transport or escort 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.

A summary transport policy is made available to all, which parents and carers are advised to check 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 schools open evenings to give advice on transport eligibility and admission queries.

The committee were reminded that all transport appeals are evidence based and that it is the sole responsibility of the appellant to supply any information they wish in order for the appellant to support their claim.

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 4749 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 2019/20.

Appeal 4749

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 2.12 miles from the home address and under the statutory walking distance and instead attended a further school which was located 5.21 miles from the home address and over the statutory walking distance.

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

The committee noted that the school allocated was the 1st preference on admissions for a place in year 7 for September 2019.

In considering the appeal further the Committee noted that the appellant was not appealing on financial, medical or educational continuity grounds and instead was appealing under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that the appellant was appealing because the appellant thought that the school attended was more suited to the pupils needs.

The committee noted that the pupil was offered 1st preference of school on admissions application.

The committee note that the appellant states that the family had been advised that the school attended would better support the pupil's issues. The committee were reminded that the appellant had supplied no evidence in the form of correspondence or reports to substantiate advice given to the family relating to suitability of schools.

The committee were reminded that all appeals are evidence based and that it is the responsibly of the appellant to provide all information that they wish to make available to the committee in order for the appeal to be considered. The committee were reminded that the appellant has not supplied any medical information to substantiate their medical issues as claimed on the appeal form.

The committee note that the family are not classed as on a low income and that the pupil is not entitled to free school meals. The committee note that extended provision awarded to families from a low income only allows transport to be awarded to Low income families who attend one of their 3 nearest schools.

The committee were reminded that the Department for Education states that by law the Council only had to provide transport assistance to the nearest qualifying 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 and that when undertaking the assessment the authority does not discount any school based on the school OFSTED category. This includes schools of faith and academies.

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 who are unable to transport or escort 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 were reminded that all transport appeals are evidence based and that it is the sole responsibility of the appellant to supply any information they wish in order for the appellant to support their claim.

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 4749 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 2019/20.

Appeal 4750

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 0.58 miles from their home address and under the statutory walking distance , and instead would attend a school which was 3.93 miles away and over the statutory walking distance .

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 was requesting transport assistance and appealing on Financial, educational continuity grounds under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was that the pupil had moved in with the appellant and that the pupil had previously lived between their parent and grandparent and that the pupil would now reside permanently with the appellant.

The committee considered the appeal and concluded that the appellant did have 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 have awarded temporary transport up to the end of July 2020. The committee would remind the appellant that if further assistance is required then the appellant would need to re submit an appeal to the committee to be considered again.

Resolved: That, having considered all of the circumstances and the information as set out in the report presented, appeal 4750 be temporary granted 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 transport

assistance that is not in accordance with the Home to Mainstream School Transport Policy for 2019/20.

Appeal 4751

The Committee were informed that the pupil would not be attending their nearest suitable school. 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 5.38 miles from the home address and over the statutory walking distance and instead attended a further school which was located 5.81 miles from the home address and also over the statutory walking distance.

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

The committee noted that the school allocated was the 1st preference on admissions for a place in year 7, 2019.

In considering the appeal further the Committee noted that the appellant was appealing on financial grounds and under section D "Other Exceptional Reasons". The committee noted that the exceptional reasons stated by the appellant was the appellant fears for the pupil's mental health and wellbeing if the pupil has to change schools, that there is an extensive farming programme at the school attended but no programme at the closest school to the home address.

The committee note that there is no medical evidence to substantiate any medical vulnerability of the pupil. The committee note that the details from the website supplied by the appellant is a screen shot stating that places are available, it does not state what vocational award if any would be available for the pupil to take once they commence year 10 or that another school cannot offer places to undertake a similar educational programme. The committee also note that the appellant has submitted as part of their evidence details of a Farming Club in operation at the school, however they note that the evidence only supplies details of the club in 2018 -19. The committee note that there is no further information supplied from the appellant to state that the club will be running again in 2019/20 academic year. The committee note that he appellant considers this element as an important part of the pupil's education.

The committee note that the appellant has supplied a tax credit award for the period of April 2019 to April 2020, however the document only contains 2 pages of the 6 page award and this only gives a partial overview of the families' financial situation. The appellant states on their appeal application from that they do work but do not earn any income, the tax award indicates that the family are not entitled to extended transport assistance as the family do not qualify for free school meals or the higher award of working family's tax credit.

The committee note that as stated by the appellant that there is a taxi service currently in place to the bus top to catch the school bus attended by the pupil but that if the pupil were to change schools to the nearer school then the pupil may have to travel a considerable distance alone in the taxi to catch the school bus. The committee note that if the pupil were to attend the nearer school then transport provision would have to be put in place for the pupil to attend the nearer school. The committee were reminded that the authority is not stating to the pupil that they have to move the pupil to any school just that the authority does not have to supply transport provision to pupils who do not attend their nearest school.

The committee note that the appellant does have the use of a car but the appellant has to take another pupil to school.

The committee were advised 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 accompany or 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.

It was noted by the Committee that that the appellant is claiming on financial grounds. In considering the family's financial circumstances the Committee noted that the family are not 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 or in receipt of the Maximum amount of working tax credits based on the appellant's submitted evidence.

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", and offered a further opportunity to supply additional evidence to the committee.

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 4751 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 2019/20.

Appeal 4753

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 1.97 miles from their home address and under the statutory walking distance and instead would attend a school which was 3.38 miles away and was over the statutory walking distance.

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.

The Committee noted the appellant's summary which stated the basis of the family's appeal was financial grounds, and medical grounds relating to the pupils medical conditions and that the appellant is not appealing on Educational continuity grounds or under Section D – Other Exceptional Reasons.

The committee noted that the appellant had been awarded their 1st preference of school on admissions for a place in year 7 starting September 2019.

In considering the family's financial circumstances the Committee noted that the family are not 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 or in receipt of the Maximum amount of working tax credits and that extended transport provision offered to families on a low income do not apply to the appellant.

The Committee were reminded that it is parental preferences for a school and academies and the application of admission arrangements linked to those which informs and drives the subsequent application of the Local Authority 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 committee also noted that the appellant was appealing on medical ground of the pupil, the committee noted all the medical evidence provided by the appellant and that the appellant states that the pupil cannot walk far, has one leg shorter than the other due to pains in the legs and suffers from Asthma attacks. The committee note that the appellant has submitted that the pupil has already been awarded DLA, the committee were reminded that any award made by the DLA was to cover any additional costs incurred for day to day living expenses and that the cost of additional costs relating to the pupil transport has already been met by the award allocated under DLA and that this would cover normal daily activities such as travelling to and from school.

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 who are unable to transport or escort 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.

It was also noted by the Committee the statutory guidance from the Department for Education states that schools can be considered when undertaking assessments to receive transport assistance if they have places available and "provide education appropriate to the age, ability and aptitude of the child, and any SEN that child may have". The County Council delegates a significant amount of funding to all mainstream high schools to provide the learning support for pupils with additional needs. All schools are expected to provide the necessary support to enable a pupil to fully access the curriculum.

The appellant states as noted by the committee that the appellant does not regard the nearer school identified by the authority as a suitable school as the child does not follow the faith of the school. The committee were reminded that the Department for Education states that by law the Council only had to provide transport assistance to the nearest qualifying 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 and that when undertaking the assessment the authority does not discount any school based on the school OFSTED report or the faith of a schools or academy.

The Committee were advised, 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 school application. Additionally, members of the Pupil Access Team are in attendance at nearly all of the school open evenings to give advice about admissions and transport entitlement.

The committee were advised that the home to school transport policy has a discretionally element for pupils with long term medical needs where the pupil cannot physically walk to school, however this element only applies to pupils who attend their nearest school, the pupil does not qualify as the pupil does not attend their nearest school, no evidence had been submitted either by the appellant that states that medically the pupil is unable to walk or is restricted in any way in relation to the distance that the pupil is required to walk.

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", and offered a further opportunity to supply additional evidence to the committee.

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 4753 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 2019/20.

Appeal 4763

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 5.16 miles from their home address and over the statutory walking distance and instead would attend a school which was 21.1 miles away and was also over the statutory walking distance.

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.

The Committee noted the appellant's is appealing on Financial, medical (that of appellant), Educational Continuity of the pupil and under Section D – Other Exceptional Reasons. The family state that they were evicted from the previous home address and were not entitled to council housing, the property now residing in has been adapted for the appellants needs and was awarded to the appellant from a housing association. The committee note that no details were given to the reason for the eviction or why a property was accepted such a distance from the address and school.

The committee note that the family moved to the current address early spring 2017 and that at the time of the move the pupil would have been in year 8.

In considering the family's financial circumstances the Committee noted that the family are on a low income as defined in law. The appellant states that due to financial circumstances they cannot afford the cost of the travel for the pupil to attend school. The Committee were advised that the family did qualify for extended transport provision and the pupil was entitled to free school meals. 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 address.

The committee noted that the school the pupil attended was 21.1 miles away and therefore the appellant does not qualify for extended transport assistance awarded to families on a low income. The committee were also advised that there is also extended provision offered to family who may have to move address when the pupil is due to start year 10 or 11. The committee were advised that extended provision within the policy also did not apply to the appellant as the pupil as in year 7 at the time of the house move.

The committee noted that the appellant states that they are in receipt of full PIP, however the appellant states on the form that the family are in receipt of child tax credit and ESA only and that no other amounts are listed. The committee note that the appellant has not provided any financial information or benefit statements to substantiate the amount awarded to the family. The committee also note that the appellant states that they can't have a mobility car because the family are not allowed to use it to take pupils to and from school. The committee note also that the appellant then states that the appellant's partner does drive the pupil into town to enable the pupil to catch the school bus service and that the partner has to leave the appellant while they are driving the pupil.

The committee note that the appellant has not made it clear if the car they are using is a mobility car or their own car. The appellant states that the family can no longer afford to so this, the committee note that this arrangement has presumably been in place since spring 2017 for over 2 and a half years.

The appellant states that they have medical conditions and states that they are unable to walk, has a wheelchair and some days is unable to get out of bed. The committee noted that the appellant has not supplied any medical information relating to their medical condition. As there is also no benefit information the committee cannot determine if any PIP or carers allowance is in place to substantiate the claims made by the appellant. The committee were reminded that transport assistance claims are evidence based.

The committee also note that the appellant states that they are being supported by agencies, however again the committee noted that the appellant had not supplied any evidence to support how the family were being supported by these agencies. The committee were again reminded that transport appeals are evidence based.

The appellant has submitted some medical information relating to the pupil in the form of Psychologist assessments dated March 2018 and April 2019. The committee noted that the appellant states that the school attended by the pupil meets all the needs of the pupil. The committee were reminded that the County Council delegates a significant amount of funding to all mainstream high schools to provide the learning support for all pupils. All schools are expected to provide the necessary support to enable a pupil to fully access the curriculum. We would expect any secondary school in the area to be able to meet the needs of a child.

No specific evidence had been provided to indicate that the pupil's needs could not be met at another school, the committee also note that the professional assessment reports submitted by the appellant does not state in either report that the school attended by the pupil is the only school that can meet the pupils needs. The committee also note that the pupil does not have an EHC Plan.

The appellant is also claiming on educational continuity grounds, the policy states that if a pupil has to move home and previously attended their nearest school and are in year 10 or 11 at the time of the move then extended transport provision could be offered. However the committee noted that the pupil is not in year 10 or 11, did not previously attend the nearer school to the home address from the previous address and as such does not qualify for transport assistance under this element of the transport policy. The committee were reminded also that the appellant refers to continuity of education grounds but actually refers to the SEN support offered to the pupil at the school attended and that this has previously been address as above in that all schools are able to offer necessary support to all pupils and that no evidence had been submitted to state that the school attends was the only school that could meet the pupils needs. The committee note that the appellant states that they had tried to move the pupil but that the other school was unable to supply the support in the opinion of the appellant that the pupil needed. The committee were reminded again that transport appeals were evidence based and that the appellant had not submitted any evidence to substantiate their claims.

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", and offered a further opportunity to supply additional evidence to the committee.

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 4763 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 2019/20.

AOB - 4747

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 5.65 miles from their home address and over the statutory walking distance and

instead would attend a school which was 6.45 miles away and was also over the statutory walking distance.

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.

The committee noted that the appellant had selected and been awarded 1st preference of secondary school and that no other school was selected as an option on the admissions form for a place for the pupil to start in September 2019 in year 7.

The Committee noted the appellant's was appealing on financial grounds only. The committee note that the appellant has submitted financial information in relation to benefit statement awarded for the period April 2019 to April 2020. The committee noted that the family are in receipt of the maximum amount of working tax credit and therefore entitled to extended transport awarded to families from a low income, however this only applied to families who attend one of their three nearest schools and the school is between 2 and 6 miles from the home address. The school attended was noted as being over 6 miles from the home address.

A summary transport policy is made available to all, which parents and carers are advised to check 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 schools open evenings to give advice on transport eligibility and admission queries.

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 who are unable to transport or escort 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 were reminded that the family had previously applied for transport assistance for a sibling to attend the same school from the same address and that the transport appeal was unsuccessful, the letter outlining the decision was dated January 2019. The committee were of the opinion that the family were fully aware of the transport policy and how it applied to the family's circumstances as this was fully detailed in the letter to the appellant's partner outlining all the reasons why the previous appeal was unsuccessful and the decision of the committee.

The committee note that the appellant had submitted additional information in the form of a letter for the pupil to attend the chosen school and the reasons why the appellants thought an award should be made as detailed below:-

Original Decision -

The appellant states that they were told that they would qualify for travel assistance and that the information was given by a member of the pupil access team at Accrington area office but that once they had formally applied that the claim for travel assistance for the pupil was unsuccessful as there is a nearer school to the home address and that the school attending was over the 6 mile limit awarded to families from a low income.

The committee noted that the family state they live in at the wrong end of the village feel discriminated against. They also believed they attend the school within their GPA.

The committee were reminded that in 2015 the authority removed its discretionary element of entitlement to a bus pass from the Transport Policy. All students from 2015 now only receive transport assistance if they are attending their nearest school and live more than the statutory 3 mile walking distance. The committee were reminded that when assessing the closest school to the home address the policy included schools in other Local Authority's and no longer took into account any GPA's previously relating to schools. The appellant also states that if the pupil did attend the nearer school then transport provision would have to be put in place for the pupil, the authority agreed that if the pupil did attend the closer school then transport assistance would be assessed as to entitlement to the nearer school.

The appellant states that there is a bus service to the school of choice but not to the nearer school. The committee were reminded that when assessing home to school transport entitlement, it is not possible for there to be consideration of how the pupil might undertake the journey to school. The availability and capacity of bus services can change depending on demand and revenue from bus fares. Many public bus services and school bus services are under review. It is not part of the remit of the committee to compare the costs of a bus ticket against that of the cost of a taxi, the committee are placed to assess the appeal and determine if the appellant has overriding exceptional circumstances to allow the committee to make an exception and award transport outside the policy.

Financial Grounds -

The appellant states that they would find it impossible to fund the cost of a daily ticket for the child to attend school using the bus service and that even the annual cost with a 20% reduction would still be financially challenging for the family. The appellant goes on to state that they would find it difficult if they had to take the pupil to and from school and would also like it noted that this is the busiest time of the day for a working farmer and that the option of taking the pupil to and from school would also cause the family financial difficulty. The committee note that

the appellant does not state what arrangements were in place for the elder sibling to attend the same school and why this arrangement cannot continue for the younger sibling. The committee note that the appellant would have been more than aware of the families' entitlement to transport based on the previous refusal for the sibling and that the option to apply for a place at the nearer school was not even listed as an option on the admissions form for the pupil by the appellant. The committee therefore were satisfied that the appellant was fully informed of the transport policy and entitlement to transport and what affect this financially would have on the family for the pupil to attend the only school of choice indicated on the admissions form.

Route -

The appellant states that the pupil and sibling were awarded a free bus pass to attend primary school. The committee were advised that this is correct and in line with the transport policy as the pupils were attending their nearest primary school.

The appellant refers to a former pupil who they state has been awarded a taxi to CRGS, the committee presume that the appellant means Clitheroe Royal Grammar School. The committee noted that the appellant had not shared any further information in relation to this award. The committee were advised that the authority will look at claims made relating to unfairness in allocation of awards and will investigate all circumstances, however the outcome or investigation finding would not be shared appellant. The committee were reminded that appeals are evidence based and that the appellant had made this statement without giving any further details or evidence to be submitted to allow any such investigation.

The committee noted all the statements put forward by the appellant and did have sympathy with the family's financial predicament. The committee would like to recognize the frustration felt by the appellant that the policy is not flexible and the added difficulties that the appellant is subjected to by living in a rural area.

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 4747 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 2019/20.

AOB 565447

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 mile from their home address and under the statutory walking distance and instead would attend a school which was 18 miles away and was over the statutory walking distance.

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.

The Committee noted the appellant's is not appealing on Financial but are appealing on medical grounds relating to the pupil.

The committee noted all of the appellant's statements and the officer's responses and noted all evidence supplied by the way of an EHC Plan and all the additional evidence that the appellant supplied to the committee to support their appeal.

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 was persuaded that there was sufficient reason to uphold the appeal and travel assistance in the form of a taxi, (Shared, Personal or if suitable Bus Provision).

Resolved: That;

- i. Having considered all of the circumstances and the information as set out in the report presented, appeal 565447 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 travel assistance which was not in accordance with the Home to Mainstream School Transport Policy for 2019/20. ;

L Sales
Director of Corporate Services

County Hall
Preston