

AT A MEETING of the Regulatory Sub-Committee (School Transport Appeal) of  
HAMPSHIRE COUNTY COUNCIL held at the castle, Winchester on Tuesday  
24th September, 2019

Chairman:  
p Councillor Gary Hughes

p Councillor Keith House

p Councillor Stephen Philpott

**7. APPOINTMENT OF CHAIRMAN**

The Panel agreed to appoint Cllr Hughes as the Chairman for the Sub-Committee.

**8. DECLARATIONS OF INTEREST**

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore all Members with a Personal Interest in a matter being considered at the meeting should consider, having regard to Part 5, Paragraph 4 of the Code, whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

No interests were disclosed.

**9. DEPUTATIONS**

No deputations had been received.

**10. SCHOOL TRANSPORT APPEAL: QUETTA PARK TO CALTHORPE PARK SCHOOL**

The Committee received a report from the Director of Children's Services providing the contextual information behind the County Council's rolling review of School Transport arrangements in light of infrastructure improvements which have been made in recent years.

The Committee noted that the appellants child had been refused School Transport and the appellant was appealing on Safety grounds rather than distance which had been measured as 2.92 miles.

A Stage 1 appeal has been held and the case was reviewed by a Road Safety Officer against the Road Safety GB criteria. The appeal was denied which led to the appellants request for a Stage 2 appeal. It was noted that there were five children in the area who had been awarded transport in error who had all been

issued a terms notice for withdrawal of transport in line with the policy, pending the Sub-Committee's decision.

Officers explained that the appellant had two main areas of concern on the route; a footpath which could be impacted by a new development and a stretch of unlit road. However the position of Hampshire County Council was that, under the criteria, the route was available. This was due to the guidance noting that lack of street lighting on its own was not enough to make a route unsafe and a duty on the developer's part to keep the footpath open.

In response to questions members heard that;

- The route assessment needs to be completed in term time.
- The speed limits were considered but it was found that there was a fully established footway for the duration of the faster roads.
- There was some confusion in relation to speed indicator signs but this had been reported to the relevant team to address.

### **Exclusion of the Press and Public**

**RESOLVED:** That the public be excluded from the meeting during the following item of business, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

#### **11. EVIDENCE FROM APPELLANT**

The Panel noted the written evidence that had been provided by the appellant.

#### **12. SCHOOL TRANSPORT APPEAL OUTCOME**

Following deliberations the panel noted that the roads all had wide footpaths, except for one quiet, wider road. Where there was a need to cross the road there was clear sightlines and crossing points, and the unlit area had been described as uncomfortable rather than unsafe.

The panel noted that there was no issue over the distance and concluded unanimously that the route was available and not unsafe.

**Resolved:** That the Regulatory Sub-Committee (School Transport Appeal) find the route between Quetta Park and School to be available and not unsafe.

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Chairman, Regulatory Sub-Committee  
(School Transport Appeal)