

HAMPSHIRE COUNTY COUNCIL

Decision Report

Committee/Panel:	Regulatory Committee (Sub-Committee)
Date:	15 May 2018
Title:	School Transport Appeal: Pamber Heath to The Hurst Community College
Report From:	Director of Economy, Transport and Environment

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1. Recommendations

- 1.1 That the Sub Committee consider:
 - i) whether the nature of the route, or an alternative route, means that it is available for children if unaccompanied; and
 - ii) if the answer to (i) is no, whether the route is available if accompanied.
- 1.2. If the answer to (ii) is yes, separate consideration by the County Council's Children's Services Department would be given to any representations by parents or carers who are unable to accompany their children by virtue of individual circumstances.

2. Summary

- 2.1. Two parents, Appellant A and Appellant B have appealed, on safety of route grounds, against the decision to withdraw free school transport for their children, from Pamber Heath to The Hurst Community College.

3. Contextual information

- 3.1 Pamber Heath lies 2.9 miles East of The Hurst Community College. The walking route is within the statutory three miles distance beyond which free transport is provided for children over eight attending their catchment area school, or a nearer school.
- 3.2 During a review of walking routes and the distances from Pamber Heath to The Hurst Community College it was determined that households in the Pamber Heath area had been awarded school transport in error as they were within the three mile walking limit.

This affected a number of pupils in the Pamber Heath area, and to provide accurate measurements the routes were measured by the Passenger Transport Inspector using a calibrated 'Trumeter' wheel.

The distance from Appellant A's home to The Hurst is 4307.9 meters (2.677 miles).

The distance from Appellant B's home to The Hurst is 4146.5 meters (2.577 miles).

The distance measured is from where the parent/guardian's property meets the public highway to the nearest available entrance to the school.

The School Transport Manager and Passenger Transport Inspector walked the route to ensure that it was, in their opinion, safe to walk.

Parents/guardians of 30 students were issued with a letter in November 2017 explaining the situation, and advising them that transport would be withdrawn at the end of the term in April 2018, providing a terms notice as required by the Council's Home to School Transport Policy, which states that a full terms notice be given.

Any new applications received for transport to commence from November 2017 were rejected as being 'under distance'.

- 3.3. After the letters were sent to parents/guardians of the 23 families, a number of letters were received disputing the measurements taken and the safety of the route.

The Council's Road Safety Officer was commissioned to carry out a formal assessment of the route using the Road Safety GB Assessment of Walked Routes to School criteria, and his report stated that the route was safe.

Parents who had written in to challenge the decision to withdraw transport were supplied a copy of the Road Safety Officer's report along with a copy of the accident statistics for the length of the route, they were then invited to submit a Stage 1 Appeal as per the County Council's Home to School Transport policy.

Eight parents submitted a Stage 1 Appeal, and they were reviewed by a senior officer and the School Transport Manager. After consideration of the submissions the appeals were turned down and parents were offered the right to advance to a Stage 2 appeal.

The common points appellants raised during the Stage 1 appeals were as follows;

- Disputing the distance measured
- The crossing point on the A340
- The entrance point to the school that the measurement was taken to

- 3.4. There are no public bus services that could be used by students to travel to The Hurst Community College.

Some of the parents affected asked if there were any available 'Privilege' spaces on the reconfigured transport from Tadley, and so far 11 parents have purchased tickets from Pamber Heath to The Hurst Community College.

4. The Appeal

- 4.1. The route has to be considered against the national Road Safety GB criteria for the Assessment of Walked Routes to School (attached at Appendix 5).
- 4.2. An on-site inspection was undertaken on by a representative from Hampshire County Council's Road Safety Team. The salient points of the Road Safety Team's initial report are in Appendix 1 & 2 for Appellant A and 3 & 4 for Appellant B.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	no
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	yes

IMPACT ASSESSMENTS:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;

Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;

Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

Equalities Impact Assessment:

No impact has been identified in this decision.

2. Impact on Crime and Disorder:

2.1. Not applicable.

3. Climate Change:

How does what is being proposed impact on our carbon footprint / energy consumption? Not applicable.

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? Not applicable.