

# HAMPSHIRE COUNTY COUNCIL

## Report

<b>Committee/Panel:</b>	Regulatory Sub-Committee (School Transport Appeals)
<b>Date:</b>	21 November 2018
<b>Title:</b>	School Transport Appeal: Ancells Farm to Fleet Infants and Velmead Junior Schools
<b>Report From:</b>	Director of Childrens Services

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### 1. Recommendations

1.1 That the Sub Committee considers:

- 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 A parent, has appealed, on safety of route grounds, against the decision to withdraw free school transport for their non-eligible children, from Ancells Farm to Fleet Infant and Velmead Junior Schools.

### 3 Contextual information

3.1 Ancells farm lies approximately 2.5 miles North of Fleet Infant and Velmead Junior Schools.

3.2 As a result of the changes introduced to the Home to School Transport Entitlement Policy in May 2018, with effective from September 2018, elements of non-statutory home to school transport currently provided by the council were withdrawn from September 2019 including;

- Removal of free transport for Reception age children until they are of compulsory school age (term after fifth birthday)
- Removal of free transport where this applies to the increased walking distance from two to three miles with effect from a child's eighth birthday

- Transport from Ancells Farm to Fleet Infant and Velmead Junior School, which has been subject to an historical special arrangement, would become subject to the statutory distances and therefore from September 2019 eight year olds would not have transport provided to Velmead Junior School.

3.3 During the consultation and when the revised policy was published a number of parents and interested groups raised concerns over the safety of the walking route from Ancells Farm to Fleet Infant and Velmead Junior School.

3.4 The Council's Road Safety Officer was commissioned to carry out a formal assessment of the walking route using the Road Safety GB 'Assessment of Walked Routes to School' criteria.

As there are a considerable number of households in the Ancells farm area potentially affected by the outcome of this appeal, the walk was carried out starting at Cove Road to the East of Ancells Road, as one of the main concerns raised by parents and interested groups was the crossing point on Cove Road.

3.5 The outcome of the assessment declared that the route was 'safe'.

3.6 A parent of a child who is due to start at Fleet Infants in September 2019 applied for transport for their child and the application was rejected as the child would not be eligible for home to school transport under the Home to School Transport Entitlement Policy applicable in September 2019.

The parent then appealed the decision not to award transport under Stage One of the formal appeals process, review by a senior officer, on the grounds that the route was unsafe to walk which was consequently refused after the appeal process was carried out.

The parent then requested that the appeal be escalated to formal Stage Two on the grounds that she disagreed that the route from Ancells Farm to Fleet Infant and Velmead Junior Schools is unsafe to walk.

3.7 There are no public bus services that could be used to travel from Ancells Farm to Fleet Infants and Velmead Junior Schools, but for the school year 2019/20 the County Council there will be 'privilege' seats available on existing school transport for parents/carers to purchase at a current cost of £600 per annum.

## **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.

## **5. Conclusion**

5.1 Members will have had the opportunity to inspect the walking route. The County Council's position is that, under the criteria, the walking route is available.

5.2 It is for Members to consider, following the guidance of Appendix 1:

- (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.

5.3 If the answer to (ii) is yes, separate consideration by the 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.

**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:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	No
<b>OR</b>	
This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:	

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	<u>Date</u>

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. 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:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) 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.

### **2. Equalities Impact Assessment:**

See guidance at <http://intranet.hants.gov.uk/equality/equality-assessments.htm>

*Inset in full your **Equality Statement** which will either state*

*(a) why you consider that the project/proposal will have a low or no impact on groups with protected characteristics or*

*(b) will give details of the identified impacts and potential mitigating actions.*

### **3. Impact on Crime and Disorder:**

None