

SHADOW EXECUTIVE

25 NOVEMBER 2008

SUBJECT	CONCESSIONARY BUS FARES SCHEME 2009-10 (To agree the arrangements for operating the Central Bedfordshire Concessionary Fares Scheme for the Elderly and People with Disabilities in 2009/10)
REPORT OF	Director of Sustainable Communities <i>(Contact Officer: Basil Jackson Tel: 01234 228477)</i>

IMPLICATIONS

SUSTAINABILITY	Free travel for senior citizens and people with disabilities is an effective way of encouraging a shift from the private car to a more sustainable mode of transport.
FINANCIAL	See Appendix A
LEGAL	Local authorities which are Travel Concession Authorities are legally bound under the Transport Act 2000, as amended by the Concessionary Bus Travel Act 2007, to facilitate the National Bus Concession in their area.
PERSONNEL/EQUAL OPPORTUNITIES	The National Bus Concession makes a positive contribution to ensuring that all sections of the community have equal access to services and opportunities
COMMUNITY DEV/SAFETY	The National Bus Concession promotes social inclusion. It helps to reduce motor vehicle movements, thereby reducing pollution and improving road safety.
TRADES UNION	None
HUMAN RIGHTS	None
KEY ISSUE	Yes
BUDGET/POLICY FRAMEWORK	Yes

OTHER DOCUMENTS RELEVANT TO REPORT

Transport Act 1985 Transport Act 2000 Travel Concessions (Eligibility) Act 2002 Concessionary Bus Travel Act 2007
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RECOMMENDATION(S):

- 1. That the Central Bedfordshire concessionary fare scheme for 2009/10 shall be, as far as practicable, the same as the Bedfordshire 2008/9 scheme.**
- 2. That the non-statutory elements of the Bedfordshire 2008/9 scheme (free travel before 09:30 and for companions of eligible concessionary travellers) be retained in 2009/10.**
- 3. That MCL Consultancy be engaged for a further year to manage the Central Bedfordshire concessionary fare scheme.**
- 4. That resolutions 1 to 3 be exempted from the call-in period, because of the legal requirement to publish the concession scheme by 1st December 2008.**

Reason for Recommendation: To ensure that a legally compliant concessionary fare scheme continues to operate in 2009/10 and that all legal requirements are met.

1.0 Background

- 1.1 Local authorities which are Travel Concession Authorities (TCAs) are legally bound to operate a concessionary fare scheme for the elderly and for people with disabilities which provides, at the very least, free off-peak travel for any holder of a valid permit travelling on any qualifying local bus service originating in the TCA area. The Government provides TCAs with funding for the statutory element of the scheme. TCAs may optionally provide further concessions (using Transport Act 1985 powers) which only apply within their administrative area, although reciprocal arrangements with neighbouring authorities can extend the scope of such concessions. Local enhancements are non-statutory and are not funded by Central Government.
- 1.2 Bedfordshire County Council currently works with South Beds and Mid Beds (which are the TCAs) to jointly administer a concessionary fare scheme in the area bounded by the two district councils. This will be referred to as the "Central Bedfordshire" scheme, although it is not yet known as such. Bedford Borough and Luton Borough both administer their own schemes which are quite separate. Mid Beds and South Beds have issued passes to some 32,000 eligible persons. Bedfordshire County Council, in partnership with MCL Consultancy, manages negotiations with operators and establishes reimbursement levels.

- 1.3 The Central Bedfordshire scheme contains two non-statutory elements – free travel before 09:30 on Mondays to Fridays, and free travel for companions of people with reduced mobility who cannot travel unaided. These enhancements to the National Bus Concession are the subject of a number of reciprocal agreements with neighbouring districts. The agreements reached in 2008/9 are with Aylesbury Vale District, Luton Borough, Hertfordshire County Council and Bedford Borough. These agreements do not all provide the same level of reciprocity.
- 1.4 After local government reorganisation in April 2009, South Beds and Mid Beds Districts will cease to exist and Central Bedfordshire will become the Travel Concession Authority. Central Bedfordshire will be obliged to publish and administer a new concession scheme, although a number of officers responsible for administering the current scheme will transfer from the three outgoing authorities.

2.0 Report

- 2.1 The existing Central Bedfordshire scheme will expire on 31st March 2009. The Transport Act 2000 requires TCAs to publish details of any new concession scheme four months in advance of the start of that scheme, because this marks the start of a statutory period of consultation guaranteed to participating bus operators (Transport Act 2000, section 150(1)). Given that the scheme will start on 1st April, details of the Central Bedfordshire scheme for 2009/10 have to be published by 1st December. Although it is not essential for every detail of the scheme to be completely finalised until the end of February, the details of the proposed arrangements must be published in the form the authority intends to implement, must be feasible, and must contain appropriate levels of detail.
- 2.2 As a minimum, Central Bedfordshire must publish by 1 December 2008 the method it proposes to adopt for calculating and apportioning reimbursement to operators for their participation in the statutory element of the scheme. In order for this level of detail to be published in the draft scheme, it is important at this stage to establish the scope of the scheme which will be offered and the rate at which bus operators will be reimbursed. Officers recommend that the Central Bedfordshire scheme should continue in its present form and that the existing reciprocal arrangements with neighbouring TCAs stay in force for a further year.

- 2.3 In order for the scheme to continue in its present form, Members must agree to continue providing the non-statutory elements of the existing scheme (free travel before 09:30 and free travel for companions). These parts of the scheme are well established and accepted locally. Allowing permit holders to travel in the morning peak helps to avoid capacity problems immediately after 09:30, and does not unduly interfere with normal peak-hour movements by paying passengers.
- 2.4 Appendix A contains financial information relating to the concessionary fare scheme. This information is commercially sensitive and it may be prejudicial to the interests of the council for this information to be made public. The Appendix is therefore exempt and not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 2.5 In 2008, MCL Consultancy, which specialises in concessionary fare issues, was engaged to help manage the Bedfordshire scheme, at a cost to the three authorities of approximately £45,000. This report recommends that MCL continue to be employed by Central Bedfordshire in 2009/10 at an estimated cost of £50,000.

<i>Background Papers:</i>	None
<i>Location of Papers:</i>	N/A
<i>File Reference:</i>	N/A
<i>Appendices:</i>	Appendix A: Financial Matters