

AGENDA MANAGEMENT SHEET

Name of Committee

Cabinet

Date of Committee

15 June 2006

Report Title

Transport for non-entitled pupils

Summary

A Home to School Task and Finish Group was set up by the Children, Young People & Families Overview and Scrutiny Committee to review home to school transport for non-entitled pupils and pupils attending denominational schools. This report follows a consultation exercise and was considered by the Children, Young People & Families Overview and Scrutiny Committee at their meeting on 18 May 2006.

For further information please contact:

Ann Mawdsley
Senior Committee
Administrator
Tel: 01926 418079
annmawdsley@warwickshire.gov.uk

Nick Williams
Assistant Head of
Service – Pupil and
Student Services
Tel: 01926 412956
nickwilliams@warwickshire.gov.uk

Would the recommended decision be contrary to the Budget and Policy Framework?

No

Background papers

- Cabinet report and minutes 24.06.04
- Learning Overview and Scrutiny Committee reports 23.09.04 and 10.03.05
- Consultation document
- Responses to consultation document

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

Other Committees

Children, Young People & Families O&S 18.5.06

Local Member(s)

.....

Other Elected Members

Cllr Helen McCarthy – *“I commend the work of the Panel and the sensible and fair recommendation that has been made”*
Cllr Jill Dill Russell
Cllr John Wells
Cllr John Whitehouse – *“I support the recommendation”*
Cllr Heather Timms

- Cabinet Member Cllr John Burton
- Other Cabinet Members consulted Cllr Izzi Seccombe
- Chief Executive
- Legal Richard Freeth – “fine”
- Finance David Clarke, Strategic Director of Resources – no comments to make
- Other Strategic Directors – Marion Davis, Strategic Director for Children, Young People and Families
 – David Carter, Strategic Director for Performance and Development
 – John Deegan, Strategic Director of Environment and Economy
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals Chris Smart

FINAL DECISION

YES

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Cabinet – 15 June 2006

Transport for non-entitled pupils

**Report of the Chair – Children, Young People & Families
Overview and Scrutiny Committee**

**Recommendation of the Children, Young People & Families Overview
and Scrutiny Committee:**

That the Cabinet agree to introduce a Vacant Seats Policy on vehicles operated under contract to the Council which are not registered as local bus services from September 2007, taking into account the comments of the Children, Young People & Families Overview & Scrutiny Committee on the introduction of instalments (see paragraph 1.4(1) below).

**1. Views of the Children, Young People & Families Overview and
Scrutiny Committee**

- 1.1 The Children, Young People & Families Overview and Scrutiny Committee considered the report of the Chair of the Task and Finish Group – Home to School Transport outlining the Group's recommendations for transport for non-entitled pupils.
- 1.2 Councillor John Wells, Chair, thanked the Group for their commitment and work done and thanked officers for their work in support of the Group. He added that the overriding principle for the Group in carrying out their brief to look at transport for pupils not entitled to free transport, transport to denominational schools and costs to the County Council, had been fairness. They had built on the work that had already been done on this issue and noted the following:
 - i. the interests of children covered by the current policy were protected
 - ii. the new policy was restricted to Warwickshire residents
 - iii. there were currently a number of different policies operating across the County and the new policy would be consistent for all Warwickshire pupils.
- 1.3 Councillor John Whitehouse thanked Councillor John Wells for his work chairing the Group.
- 1.4 During the ensuing discussion the following points were highlighted:

- (1) The Committee noted their concerns that low income families may not be in a position to pay termly instalments and there was some discussion around which would be the best method of instalments, taking into account the practical implications and costs to the Council.
- (2) It was noted that the actual current cost of £95,000 per annum applied to the 257 pupils currently in the contributory scheme and highlighted the massive discrepancy between the income generated and the actual costs of providing the transport.
- (3) The Local Authority based their assessment of entitlement to free transport on the basis of those in receipt of income support and income based job seekers allowance, and this would also apply to the new policy.

1.5 The Committee agreed to recommend to the Cabinet that:

- (1) They agree the recommendation of the Home to School Transport Task and Finish Group to introduce a Vacant Seats Policy on vehicles operated under contract to the Council which are not registered as local bus services from September 2007.
- (2) Officers to look into the best way of breaking up costs into instalments, balancing the needs of people on low income and the cost of administration for the Council.

2. Background

2.1 The Learning Overview and Scrutiny Committee agreed to review Home to School and College Transport following a request made by Cabinet on 24 June 2004.

2.2 Following the elections in May 2005 a revised Task and Finish Group, with new membership, was set up by the Children and Young People Overview and Scrutiny Committee to take forward the work on Home to School Transport, concentrating specifically on:

- The policy on providing school transport for children attending denominational schools
- The policy on transport for non-entitled pupils including those using contributory and concessionary school transport.

NB It was also agreed that the Terms of Reference for the group did not extend to consideration of the policy on SEN school transport.

2.3 The Group's membership comprised: Cllr Wells (Chair), Cllr Whitehouse, Cllr Timms and School Governor, Chris Smart. Officer support was provided by Nick Williams and Kevin McGovern throughout the exercise.

2.4 On 15 December 2005 the results of the consultation and the subsequent recommendations for policy revision made by the Task and Finish Group set up to concentrate on Home to College Transport were presented to the Children

and Young People Overview and Scrutiny Committee and subsequently forwarded to Cabinet for approval.

- 2.5 This report brings together the second element of the original review and presents the recommendations of the Task and Finish Group relating to Home to School Transport and more specifically the provision of transport for non-entitled pupils.

3. Provision for pupils not entitled to free transport

- 3.1 The majority of school transport services in Warwickshire are available to non-entitled scholars on payment of a commercial fare. This enables operators to claim generous rebates on fuel duty, known as Bus Subsidy Operators Grant (BSOG), from the government which is reflected in the tender prices paid by the County Council.

- 3.2 Demand has escalated over recent years, due to parents' exercising their increased right to state a preference of school. The introduction of seatbelt legislation on coaches, which means that all passengers must be allocated a seat, has made it almost impossible to monitor numbers wishing to travel and has resulted in major overloading difficulties, particularly at the start of the school year. Some Members may be aware of several adverse media reports which have reflected badly on the County Council. A means of regulating the number of those travelling is essential in avoiding these overloading difficulties.

- 3.3 To ensure compliance with the law, additional vehicles have had to be introduced at considerably more cost than the additional fare revenue generated. Over the last ten years it has been necessary to add eight vehicles to the network at an average cost of £25,000 per vehicle.

- 3.4 The County Council does make some transport provision in certain cases where children are not entitled to free transport and these are set out below.

3.5 Contributory Transport Scheme

- 3.5.1 The Contributory Transport Scheme has operated since 1970 and was introduced initially to assist in areas where communities were divided by the statutory walking distance. The scheme was introduced following representations made by the parents of children living in Hurley, one village divided by the three-mile limit. Investigations into other such split communities took place and a report produced for consideration by the Sub-Committee.

- 3.5.2 After one year it was felt that the scheme was too expensive and very few new 'Contributory Transport' routes were agreed. 257 pupils in the county attending eight schools benefit from this scheme. Current charges are £50 per term for primary-age children and £60 for secondary-age children. Alternatively parents can choose to make one payment of £135 or £165 if they prefer. There is a 50% reduction if a parent is in receipt of Income Support or is on an Income-based Job Seekers Programme.

3.5.3 There is a clear issue of inequality across the county in contributory transport being available in some areas but not in others and this has not been addressed. The cost involved would appear to make it impossible to increase the number of contributory schemes available to cover the whole of the county.

3.5.4 A significant issue is that while the Contributory Scheme does raise income for the Authority it falls well short of the actual cost of providing the transport needed, currently c.£95,000.

3.6 Concessionary Transport Scheme

3.6.1 The County Council operates a very limited Concessionary Transport Scheme whereby non-entitled pupils can travel on a 'closed door' contract vehicle if, after entitled travellers have been accommodated, spare places still exist. Travel is subject to payment of the same termly/annual rate as for Contributory Transport.

3.6.2 The number of children travelling on a concessionary basis is around 200.

3.6.3 Under the Concessionary Scheme there is no guarantee that a place will be available indefinitely. Places are allocated on a termly basis with refunds being made available to the parents should a pass have to be withdrawn. The scheme is not available on the many services conveying fare-paying passengers.

3.7 Vacant Seats policy

3.7.1 A consultation exercise was carried out in February 2006 proposing to introduce a Vacant Seats Policy (VSP) on vehicles operated under contract to the Council, which are not registered as local bus services, from September 2007. Any seats not required by students entitled to free transport could be purchased from the Authority at a set 'market' rate. The existing Contributory and Concessionary Transport schemes would be replaced either by a VSP or a fare-paying service. Students living outside Warwickshire will no longer be permitted to travel on bus services subsidised by the County Council. A copy of the proposed Vacant Seat Scheme is enclosed at **Appendix A**.

3.7.2 It should be noted that in the County Council's wider interest of delivering an efficient and cost-effective transport network it will be necessary for many services to remain as local bus services where genuine public transport demand exists. In these cases students within Warwickshire will continue to be able to pay a daily fare.

3.7.3 The proposal suggested two levels of charge with a lower rate for those living less than the statutory walking distance from school/college (often attending their 'nearest appropriate' establishment) and a higher charge for those travelling longer distances who are actually not attending their nearest appropriate school. The scheme makes provision for low income families by reducing the charges by 50% if a parent is in receipt of Income Support or Income-based Job Seekers Allowance.

3.7.4 Having investigated current commercial rates and considered the charges set by other authorities, Members decided that the appropriate 'market rate' should be as set out below. It is felt that this offers good value particularly when compared to commercial fares being charged.

	Cost per term	Cost per annum
Journey over statutory walking distance *	£175	£475
Journey below statutory walking distance *	£95	£250

* Statutory walking distance:
Two miles for children under the age of 8 years
Three miles for children aged 8 and over.

3.7.5 Within the operation of a Vacant Seats Policy Members confirmed that

- Existing Contributory and Concessionary passholders would continue to be able to purchase a pass for the remainder of their education at that school but this would be under the Vacant Seats pricing structure from September 2007.
- Existing travellers would be guaranteed a seat for the remainder of their education at their current school (up to the end of Year 11) to avoid disrupting their education.

3.7.6 Members have considered the response to the consultation exercise and noted the comments. Concerns raised by Alcester Grammar School about a reduction in transport provision for pupils living outside Warwickshire were acknowledged but Members noted that other selective schools who attracted non-Warwickshire residents provided transport themselves.

3.7.7 Members of the Group determined that following the consultation exercise it should be recommended that a Vacant Seats Policy be introduced from 2007 and that this would replace existing provision currently covered by the Contributory and Concessionary Transport Schemes.

CLLR RICHARD GRANT
Chair – Children, Young People &
Families Overview and Scrutiny
Committee

Shire Hall
Warwick

25 May 2006



Children, Young People and Families Directorate

VACANT SEATS POLICY

LA HOME TO SCHOOL TRANSPORT POLICY

Free transport to school is provided for pupils age 8 or over who live 3 miles or more from the nearest appropriate school, or in the case of a child under the age of 8, 2 miles or more from the nearest appropriate school.

Free transport entitlement ceases at the end of Year 11 when students are covered by the Post-16 Transport Policy should they continue their education.

Vacant Seats Policy

If, after entitled travellers have been accommodated, spare places still exist on contract vehicles, these may be offered to pupils not entitled to free transport. This will be subject to the following conditions:

- (a) Should the place be required for a pupil entitled to receive free transport, the place will be withdrawn. One term's notice will be given.
- (b) Should the bus service be withdrawn or the route altered, the pass will be withdrawn.
- (c) Where a pass is withdrawn after payment has been made, a refund will be made based on the number of days travelled.
- (d) Vacant Seat passes are not available on public transport services.

PARENTAL CONTRIBUTION

The rate of parental contribution is as follows:

All Pupils living over statutory walking distance - £175 per term
or £475 per annum

Pupils living less than statutory walking distance - £95 per term
or £250 per annum

The pass you are applying for should be indicated clearly on the application form, with full payment enclosed, and sent directly to the Transport Office at the Children, Young People and Families Directorate. Cheques or Postal Orders should be made payable to **WARWICKSHIRE COUNTY COUNCIL**. Payment can also be made on-line through the Council's website.

If a parent is in receipt of Income Support or Income-Based Job Seekers Allowance, 50% of these charges will be deducted.

If you complete the application form and return it to the Children, Young People and Families Directorate with your payment prior to Friday 29th July 2007, your pass will be sent to you by 1st OCTOBER. It will be necessary for you to arrange your child's transport prior to this date. Any late applications received will be dealt with as soon as possible in the order they are received.

If receiving Income Support or Income-Based Job Seekers Allowance either send a copy of your income support / income-based job seekers allowance award notice, ask the Benefits Agency to stamp the application form, or bring your current Benefit book to the Transport Office at the Children, Young People and Families Directorate. You will only be issued a termly pass, and must re-affirm entitlement every term.