

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Children and Young People Overview and Scrutiny Committee

**Date of Committee** 18<sup>th</sup> May 2006

**Report Title** Report of Task and Finish Group – Home to School Transport – Transport for non-entitled pupils

**Summary** Following consultation, the Committee is asked to consider the recommendation of the Task and Finish Group to introduce a Vacant Seats Policy from September 2007.

**For further information please contact:**

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**Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]** No

**Background papers**

- Cabinet report and minutes 24.6.04
- Learning Overview and Scrutiny Committee reports 23.9.04 and 10.3.05
- Consultation document
- Responses to the consultation document

**CONSULTATION ALREADY UNDERTAKEN:-** Details to be specified

Other Committees  .....

Local Member(s)  .....

Other Elected Members  Cllr Richard Grant – “the O&S Committee need to scrutinise this report and pass any comments to Cabinet”

Cllr Jill Dill-Russell – no comments to make  
 Cllr Helen McCarthy  
 Cllr John Whitehouse – comments incorporated

- Cabinet Member  Cllr John Burton
- Other Cabinet Members consulted  Cllr Izzi Seccombe  
 Cllr Peter Fowler
- Chief Executive  .....
- Legal  Richard Freeth – *“fine”*
- Finance  .....
- Other Strategic Directors  Marion Davis, Strategic Director for Children,  
 Young People and Families  
 David Carter, Strategic Director of Performance  
 and Development  
 John Deegan, Strategic Director of Environment  
 and Economy
- District Councils  .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  Headteachers and Chairs of Governors of all  
 Warwickshire schools, Diocesan Education  
 Authorities, Warwickshire Governors Forum, Area  
 Committees and neighbouring Local Authorities

**FINAL DECISION** **NO**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  June 2006
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

## Children and Young People Overview and Scrutiny Committee – 18<sup>th</sup> May 2006

### Transport for non-entitled pupils

#### Report of the Chair of the Home to School Transport Task and Finish Group

##### **Recommendation:**

That the Committee recommend that Cabinet agree the following 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.

#### **1. Background**

- 1.1 The Learning Overview and Scrutiny Committee agreed to review Home to School and College Transport following a request made by Cabinet on 24<sup>th</sup> June 2004.
- 1.2 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.
- 1.3 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.
- 1.4 On 15<sup>th</sup> 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.

- 1.5 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.

## **2. Provision for pupils not entitled to free transport**

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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.

### **2.5 Contributory Transport Scheme**

- 2.5.1 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.
- 2.5.2 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.

2.5.3 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.

2.5.4 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.

## 2.6 Concessionary Transport Scheme

2.6.1 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.

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

2.6.3 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.

## 2.7 Vacant Seats policy

2.7.1 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**.

2.7.2 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.

2.7.3 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.

2.7.4 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.

|  | <b>Cost per term</b> | <b>Cost per annum</b> |
|--|----------------------|-----------------------|
| 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.

2.7.5 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.

2.7.6 A copy of the consultation document and summary of responses are attached as **Appendices B and C**.

2.7.7 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.

2.7.8 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.

### **3. Recommendation**

That the Committee endorses the following 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.

County Councillor JOHN WELLS  
Chair of Home to School Transport Task and Finish Group  
Shire Hall  
Warwick

4<sup>th</sup> 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 29<sup>th</sup> July 2007, your pass will be sent to you by 1<sup>st</sup> 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.



## CONSULTATION PAPER

### PROVISION FOR PUPILS NOT ENTITLED TO FREE TRANSPORT

#### Proposals

The Children and Young People Overview and Scrutiny Committee have established a Task and Finish Group to review the policies relating to home to school transport. At their meetings in November and January Members considered the current policy regarding children not entitled to free transport and asked that the Authority carry out a consultation exercise seeking views on proposed new arrangements.

Members requested that officers investigate further the option of a Vacant Seats Policy which could be offered uniformly county wide. This policy is for pupils of school age from Reception to the end of Year 11. Students attending Sixth Forms and Colleges are subject to separate regulations.

#### Current Position

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.

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 exceptionally difficult to monitor numbers wishing to travel and has resulted in major overloading difficulties, highlighted in the press, particularly at the start of the school year. In such situations a means of regulating the number of those travelling is essential in avoiding these overloading difficulties.

To ensure compliance with seat belt legislation, additional vehicles have had to be introduced at considerable additional cost to the Authority.

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:

## **Contributory Transport**

The scheme has operated since 1970 and was introduced initially to assist in areas where communities were divided by the statutory walking distance. Because of the cost involved this scheme was reviewed almost immediately and no new Contributory Schemes have been introduced since.

There are currently 260 students in the County attending 8 schools under this scheme. The current charge is £50 per term/£130 per annum for primary age children and £60 per term/£165 per annum for secondary age children. There is a 50% reduction if a parent is in receipt of income support or is on an income support based job seekers programme

There is a clear issue of inequality across the county in contributory transport being available in some areas but not in others.

## **Concessionary Transport**

The County Council operates a very limited Concessionary Transport Scheme whereby non-entitled students can travel on contracted school services which do not offer fare paying facilities. Places can only be offered after entitled students have been accommodated and spare places still exist. Travel is subject to payment of the same termly/annual rate as for Contributory Transport.

The number of students travelling on a concessionary basis during the 2004/5 academic year was 210.

## **Fare-Paying Passengers**

In order to receive BSOG operators have been encouraged in the past to register the journeys as local bus services. Consequently this has enabled non-entitled fare-paying students to travel creating overloading difficulties. This is compounded by there being several hundred students using transport services who do not reside in Warwickshire.

## **Consultation Proposals**

It is recognised that any decision to remove or change current arrangements may be contentious. However, in view of increasing costs, the need for equality of access and to more robustly regulate the school transport network Members no longer regard the present policy as feasible. Members have therefore requested that the Authority consult on the following :

**From September 2007, to introduce a Vacant Seats Policy (VSP) on vehicles operated under contract to the Council which are not registered as local bus services. 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.

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 will continue to be able to pay a daily fare.

It is proposed that two levels of charge would operate 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.

Members consider that the appropriate 'market rate' would be as set out below:

|  | 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

Within the operation of a Vacant Seats Policy Members wish to consult on the following options regarding its introduction:

1. Existing Contributory and Concessionary passholders would be subject to the new, Vacant Seats Scheme, from September 2007.
2. 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.

## When would the Changes Take Effect

Any changes to the policies would take effect from September 2007.

## **What are your Views ?**

This consultation paper is being sent to all Headteachers and Chairs of Governors of all Warwickshire Schools, Diocesan Education Authorities, Warwickshire Governors Forum, Area Committees and neighbouring Local Authorities. Please send your comments to:

Kelly Templeton  
Education Department  
22 Northgate Street  
Warwick  
CV34 4SP

**By Friday 7<sup>th</sup> April 2006.**

**Members Task and Finish Group – Home to School Transport**

**TRANSPORT FOR PUPILS NOT ENTITLED TO FREE  
TRANSPORT**

Members will recall that a consultation exercise has been carried out in line with recommendations made at previous meetings regarding provision for pupils not entitled to free transport.

A consultation paper has been sent to all Elected Members, Denominational schools, Diocesan Education Authorities, Warwickshire Governors Forum and neighbouring Local Authorities.

There have been 3 responses to the consultation exercise and a summary is given below:

**Alcester Grammar School**

Object strongly to the proposals.

Some 5% of pupils at the school live in Worcestershire and this policy would place many of them in positions of difficulty and inconvenience.

Proposal flies in face of parental choice and is at odds with the national 'Every Child Matters' agenda.

**Round Oak School**

Increased cost could prove prohibitive for disadvantaged families.

Query regarding position of pupils with statements of SEN.

**County Councillor George Atkinson**

Cannot support the proposals.

Consultation paper gave insufficient financial information so difficult to know the impact of any changes.