



CABINET – 9th JULY 2013

**RESULTS OF CONSULTATION ON WITHDRAWAL OF DISCRETIONARY
ELEMENTS OF THE CONCESSIONARY TRAVEL SCHEME**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of Report

1. The purpose of this report is to advise the Cabinet of the results of the public consultation into proposals for the withdrawal of discretionary elements of the Concessionary Travel Scheme. The Cabinet is invited to consider its responses to the consultation process in light of the findings of an Equality Impact Assessment.

Recommendations

2. The Cabinet is recommended to -
 - (a) note and consider the Equality Impact Assessment (EqIA) and the responses to the consultation on the removal of the discretionary elements of concessionary travel (attached as Appendices A-E to this report).
 - (b) agree that the discretionary elements of concessionary travel are removed from 1st September 2013, namely: half fare on community transport, £33 of vouchers as an alternative to a bus pass, free travel before 9.30am Monday to Friday for disabled pass holders and free travel for all concessionary pass holders after 11.00pm Monday to Friday.

Reasons for Recommendations

3. To enable the Cabinet to take into account the results of the consultation and the EqIA before making a decision on the provision of discretionary concessionary travel arrangements offered in Leicestershire.

Timetable for decisions (including Scrutiny)

4. Subject to Cabinet's agreement, any changes to the elements of discretionary concessionary travel should be introduced from September 2013 in order to achieve the savings targets agreed in the MTFS for 2014/15.
5. This report will be considered by the Scrutiny Commission on 5th July 2013 and its comments will be reported to the Cabinet.

Policy Framework and Previous Decisions

6. The English National Concessionary Travel Scheme (ENCTS) applies equally to qualifying elderly and disabled concessionary pass users in providing free travel on any local bus service between 9.30am and 11.00pm Monday to Friday and at any time on Saturday, Sunday and Bank Holidays.
7. There are 4 discretionary elements provided by the County Council in addition to the statutory English National Concessionary Travel Scheme (ENCTS):
 - a) Free travel for disabled concessionary pass holders before 9.30am Monday to Friday.
 - b) Free travel after 11.00pm Monday to Friday for disabled and older concessionary pass holders.
 - c) £33 of vouchers for use on local taxi and bus services as an alternative to the statutory concession scheme if the application is disabled or lives over 800 metres from a frequent bus service.
 - d) Half fare on community transport services.
8. The Cabinet considered the provisional Medium Term Financial Strategy (MTFS) at its meeting on 17th January 2012 and authorised the Director of Environment and Transport to undertake consultation on proposals for changes to the discretionary elements of home to school transport and discretionary elements of concessionary travel with a view to achieving the proposed savings as indicated in paragraph 46 of that report. The Full County Council on 22nd February 2012 approved the MTFS for 2012/13 through to 2015/16.
9. The Cabinet, on 8 May 2012 deferred consideration of the outcome of the consultation.
10. The Cabinet considered a refreshed MTFS on 16th January 2013 and the Full County Council on 20th February 2013 approved the Medium Term Financial Strategy 2013/14 to 2016/17 including saving S40 in appendix D to that report.
11. The Director of Environment and Transport then undertook a further consultation from 20 May to 30 June designed to examine the potential impact of savings agreed in the Medium Term Financial Strategy (MTFS) in February 2013.

Resource Implications

12. A saving of £135,000 was originally built in against concessionary travel for 2012/13 rising to £270,000 from 2013/14 onwards, although the decision to take this forward was subsequently delayed.
13. The recommendations as laid out in paragraph 2 (b) of this report will allow the £270,000 savings to be mainly achieved in 2013/14 and fully realised from 2014/15 onwards.
14. The Director of Corporate Resources has been consulted on the financial implications of this report.

Legal Issues

Comments of the County Solicitor

15. The Transport Act 1985 enables the County Council to establish a discretionary concessionary scheme. Any change in the eligibility criteria or entitlement is subject to general public law principles requiring consultation with individuals and groups likely to be affected by any decision. Although the provision is discretionary this does not remove the requirement to consider the impact of the decision on protected groups and the public sector equality duty referred to in paragraphs 25 to 30.

Circulation under the Local Issues Alert Procedure

16. A copy of this report is being circulated to all Members under cover of the Members' News in Brief.

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PART B

17. The results of an Equality Impact Assessment (EqIA) are attached as Appendix E to this report. A consultation was undertaken between 20 May and 30 June 2013 designed to examine the potential impact of savings agreed in the Medium Term Financial Strategy (MTFS) in February 2013. The results of this consultation will inform the proposed composition of the concessionary travel scheme in Leicestershire, to run from 1st September 2013.

Results of the Consultation on Concessionary Travel

18. The main results of the consultation, up to and including 25th June 2013, are attached in Appendix A to this report. The consultation responses suggest that retention of the discretionary elements of concessionary travel is strongly supported. 357 responses were made to this consultation to 25th June. 85% of respondents had some form of concession.
19. A number of comments to 25th June 2013 were made on this part of the consultation and a summary of these is attached at Appendix B to this report.
20. The consultation closed on 30th June and an update to the consultation responses contained in appendices A and B received beyond 25th June will be reported to Cabinet.

Proposed changes to Concessionary Travel

21. The removal of free travel for disabled concessionary pass holders before 9.30am Monday to Friday would mean that pass holders will have to pay full adult fare to travel before 9.30am on Mondays to Fridays. This would affect pass holders in employment wishing to travel to work and those traveling to early medical appointments.
22. The removal of free travel after 11.00pm Monday to Friday for disabled and older concessionary pass holders would be of limited impact as there are few bus service departures after this time and generally travel would be for discretionary leisure purposes.
23. The removal of £33 of vouchers for use on local taxi and bus services as an alternative to the statutory concession scheme would mean that this value will be lost and generally recipients of this alternative discretion will either opt to apply for an ENCTS concessionary pass or pay the taxi fares. Where Demand Responsive Transport (DRT) services are provided in rural areas free travel would be available for concessionary pass holders.
24. The removal of half fare on community transport services would affect regular users but research has shown that users value the service offered by such services and consider that they offer good value for money.

Equalities

25. The County Council has responsibilities under the Public Sector Equality Duty which came into force across Great Britain on 5 April 2011. It means that public bodies have to consider protected groups when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. It also requires that public bodies:

- have due regard to the need to eliminate discrimination
- advance equality of opportunity
- foster good relations between different people when carrying out their activities

26. The duties under this act are considered in the Equality Impact Assessment (EqIA).

Equality Impact Assessment (EqIA)

27. An EqIA, attached at Appendix E to this report, has been completed for the proposals in the consultation on the discretionary elements of concessionary travel.
28. The assessment concludes that there could be a low level negative impact on service users in regard of their age or disability. For some segments of the disabled population there may be a high adverse impact e.g. those pass holders with visual impairments.
29. There may also be an adverse effect on low income service users who may have to pay full fare at certain times if discretionary elements are withdrawn.
30. However, it should be noted the ENCTS will still result in a positive impact for elderly and disabled residents of the County even in its minimum statutory form.

Background Papers

Report to County Council - Medium Term Financial Strategy 2013/14 – 2016/17 – 22 February 2013 (minute 136 refers)

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=3295&Ver=4>

Report to the Cabinet – Provisional MTFS 2012/13 – 2015/16 – 17 January 2012 (minute 443 refers)

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=3491&Ver=4>

English National Concessionary Travel Scheme (ENCTS)

<http://assets.dft.gov.uk/publications/guidance-for-travel-concession-authorities-on-the-england-national-concessionary-travel-scheme/travelconcession.pdf>

Appendices

Appendix A - details of consultation responses on concessionary travel

Appendix B - summary of written responses

Appendix C - copy of consultation

Appendix D - copy of consultation response form

Appendix E - Equalities Impact Assessment

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