

Cabinet Member for Highways and Transport

Review of the 3in1 Card Young Persons Travel Scheme

Report by Executive Director, Residents Services and Director of Highways & Transport

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| Ref No: HT11 16/17 |
| Key Decision: (Yes) |
| Part I |
| All |

Executive Summary

The 3in1 Card Young Persons Travel Scheme (the Scheme) has been reviewed in the light of changes to national legislation, local policy, Future West Sussex priorities and the County Council's financial situation.

Residents' opinions have been considered via a Young People's Travel Survey and a public consultation on potential options for the Scheme. The Scheme currently primarily helps with the financial burden of choosing education provision that is not covered by the School Transport Policy or statutory entitlement. The Scheme does not meet its original aims and is not a statutory duty. This, together with the County Council's need to deliver a balanced budget, means that it is proposed that the scheme should cease. Mitigation is proposed for specific pupils and students from low income families.

Recommendation(s)

That the Cabinet Member for Highways and Transport approve the following recommendations:

- (1) the West Sussex County Council 3in1 Scheme shall cease as of 31 December 2016 with an effective date 1 January 2017
- (2) Targeted financial support for 16-19s from families on low incomes will be provided. The mechanisms for making this available will be investigated and implemented before the Scheme ceases.
- (3) Transitional financial arrangements will be made available for pupils up to 16 years old (Year 11) from low income families who are: existing 3in1 Card holders; who currently attend their closest out of catchment school, and are not eligible for free travel under the School Transport Policy, including 'extended rights'.

1. **Background and Context**

- 1.1 The Scheme was introduced to foster bus use as a 'sustainable travel mode of choice', to reduce congestion and to contribute to the health and well-being of young people by encouraging sustainable travel and long-term use of bus services. It aimed to achieve these objectives by giving card holders cut price bus travel, together with other incentives. Since the Scheme was introduced in 2007 the landscape for entitlement to free home to school transport has changed and become more complicated.
- 1.2 The value and effectiveness of the Scheme has been reviewed in light of national legislative and local policy changes, Future West Sussex priorities and the County Council's financial position.
- 1.3 In order to achieve a balanced budget the County Council is delivering savings programmes that include reviewing funding for discretionary services. The Scheme is included in this review, as per the agreement of the 2014/15 budget by County Council on 7 February 2014.
- 1.4 The current cost of the Scheme is £1.13m. This comprises reimbursements to bus operators for fares foregone, additional bus capacity as a consequence of the Scheme, and administration costs.
- 1.5 The Scheme is used by approximately 5% of the eligible population. This figure illustrates that the original aims of the Scheme are not met across the county.
- 1.6 For students up to Year 11, the Scheme now primarily helps with the financial burden of choosing education provision that is not covered by statutory transport entitlement and where pupils live under the statutory walking distance to school. The Council's School Transport Policy and guidance can be found at www.westsussex.gov.uk/schooltransport.
- 1.7 For students between 16-19 years old, the Scheme helps with travel to further education. There is no statutory entitlement for 16-19's. Bursaries to help with travel are available from schools /colleges for those on a low income.

2. **Consultation**

- 2.1 The Scheme has been subject to various stages of consultation which included an 8 week travel survey during autumn 2015.
- 2.2 An 8 week public consultation beginning in late January 2016 asked for residents' views on the following options:
 1. Cease the Scheme.
 2. Cease with mitigation for 16-19s on low income.
 3. Keep the Scheme as is.
- 2.3 The consultation was widely advertised to all 3in1 users, non-card holders, schools/colleges and transport operators. Over 2,500 responses were

received representing 2% of the overall eligible population. 75% of the respondents are existing card holders or their parents.

- 2.4 People were asked to rank their preference for 3 options. The results are as follows:

| Option | Preferred 1st option |
|--------------------------|--|
| 1: Cease the Scheme | 1% |
| 2: Cease with mitigation | 3% |
| 3: Keep the Scheme as is | 96% |

- 2.5 A list of categorised additional comments received from respondents to the consultation is included in Appendix B.

- 2.6 Respondents' opposition to ceasing the Scheme decreases incrementally when more notice is given, from 90% (2016) to 80% (2018) strongly opposed.

- 2.7 The Environmental and Community Services Select Committee (the Committee) has considered, commented upon and fed in to the review and decision making processes leading to this Decision. The Committee has scrutinised:

- the plans to review the Scheme and launch what became the Young Persons Travel Survey, on 17 September 2015;
- the content of the public consultation at its meeting on 14 December 2015, and
- the proposal prior to this Key Decision at its meeting on 22 June 2016.

- 2.8 At its meeting on 22 June 2016 the Committee proposed the decision be deferred allowing officers to consider proposed mitigation in greater detail, more detail on the risk/benefit analysis of the impacts of ceasing the Scheme and provide more detail on schemes operated by Councils elsewhere. The Cabinet Member for Highways and Transport has responded to the Committee that the Decision can be taken based on the information he has been provided by Officers and available for scrutiny.

- 2.9 Bus Operators were consulted on the impacts of ceasing the Scheme throughout the process, leading up to this Decision. They have confirmed they are happy to work with the Council once the decision has been made.

- 2.10 Officers in the County Council's Education & Skills teams were consulted and kept up to date with internal discussions including the public consultation that included schools and colleges. They raised concerns about the impacts on 16-19s from low income families that shall be mitigated through ongoing support funding (see 3.1).

3. Proposal

3.1 Whilst there is a need to ensure a balanced budget is delivered in the future, it is recognised that ceasing the Scheme at any time will impact the circa 6,000 users. In addition, the impacts on some pupils and students from low income families who may have made a choice of school or college with the Scheme as a factor could be greater. Timing is important to allow the Council to inform all relevant stakeholders of a change and to ensure the opportunity to seek further mitigation is possible. Therefore it is proposed to:

- Cease the Scheme from the end of December 2016 with an effective date 1 January 2017.
- Continue with negotiations and dialogue with bus operators/schools/colleges to help them to consider how their offer to students could change in the absence of the Scheme.
- Continue working with the bus operators to assess the impact of the cessation of the Scheme on the bus network, and to reduce the ongoing financial support for additional capacity that is currently in place as part of the Scheme.

3.2 To prepare for cessation at the end of December 2016 card holders are being informed that if replacements or renewals are needed, they will be issued for a shorter period with a reduction in the charge, accordingly (except for those from low income families that remain free). Existing card holders whose cards run out after December will be given a partial refund of the charge (where applicable) in early 2017. Schools/Colleges and bus operators have been informed of the proposal to allow time to meet Officers and commence negotiations for alternative solutions.

3.3 The County Council will actively work with bus operators to seek commercial solutions that the County Council can support by targeted promotion.

3.4 The County Council will provide financial support for 16-19s on low incomes. The mechanism for making this available will be through working with schools/colleges to provide assistance via their bursary funds with support from the County Council.

3.5 Transitional funding will be made available for pupils from low income families who are: under 16 years of age (year 11); are existing 3in1 Card holders; who currently attend their closest out of catchment school, and are not eligible for free travel under the School Transport Policy, including 'extended rights' as defined in DfE statutory guidance on home to school transport.

4. Other Options considered

4.1 The potential to increase the existing £50 charge for the card (except for those on a low income) to £75 or £100 was considered. Based on evidence from the introduction of the £50 charge, it is expected that an

additional charge will lead to a drop in paying card holders when the card becomes no longer financially viable. Should this number fall significantly this may result in a considerable administrative burden to run a scheme for a very small number of people. The bus operators would not support such a reduced scheme.

4.2 The timing for ceasing the scheme was considered. Closing the Scheme at the end of August 2016 would not allow parents sufficient time to make provision for the increase in fares. Nor would it provide time for the exploration, by Officers, of alternative fare discounts with the commercial bus operators.

4.3 Retaining the Scheme, ceasing it at the end of August 2017 or deferring as suggested by the Committee were all considered. However, given the Council's financial position, neither of these options is affordable.

5. Resource Implications and Value for Money

5.1 The table below indicates predicted savings. The total potential saving of £800k is achieved by 2021/22 except for estimated ongoing support for post 16 students from low income families (£70k).

| Financial Year | 16/17 | 17/18 | 18/19 | 19/20 | 20/21 | 21/22 |
|--------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | £000s | £000s | £000s | £000s | £000s | £000s |
| Budget | 1,134 | 1,134 | 1,134 | 1,134 | 1,134 | 1,134 |
| Budgeted spend | -1,066 | -434 | -400 | -360 | -340 | -334 |
| Predicted Savings | 68 | 700 | 734 | 774 | 794 | 800 |
| Cost - P16 Low income | -25 | -70 | -70 | -70 | -70 | -70 |
| Cost - transitional | -5 | -15 | -12 | -8 | -4 | 0 |
| Total Net Saving (Cumulative) | 38 | 615 | 652 | 696 | 720 | 730 |
| Potential Saving (Cumulative) | -250 | -800 | -800 | -800 | -800 | -800 |
| Savings Gap | 212 | 185 | 148 | 104 | 80 | 70 |

figures rounded to nearest '000

5.2 The estimated 2016/17 expenditure assumes reimbursement costs at existing levels. In reality this may fall following the announcement of the cessation of the scheme. The impact of this is to be confirmed.

5.3 The annual savings gaps identified will require consideration and management as part of the corporate savings monitoring process.

6. **Impact of the proposal**

6.1 **Equality Duty.** An Equality Impact Report has been completed and is included as Appendix A.

6.2 **Human Rights.** The rights protected under the Human Rights Act include the right not to be denied access to education and the right of parents to ensure access to education in accordance with their convictions. This aspect of the proposal has been considered as part of the Equality Impact Assessment. It is not considered that other rights are directly engaged.

7. **Risk Management Implications**

7.1 Parents and students may have made decisions on which school/college they will attend based on 3in1 fare discounts being available until the end of their education. This may be mitigated by working with schools/colleges and bus operators to seek alternative commercial fare discounts for young people.

7.2 The consultation process has highlighted that pupils and students from low income families who are existing 3in1 Card holders may be impacted more than others. Therefore, the Decision includes investigating and putting in place the following mitigation:

- Targeted financial help for 16-19 year olds from low income families using bus travel to their full time further education in liaison with their schools/college.
- Transitional financial arrangements for pupils up to 16 years old (Year 11) from low income families who are: existing 3in1 card holders; currently attend their closest out of catchment school; are not eligible for free travel under the School Transport Policy, including extended rights legislation.

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Background Papers

Appendix A – Equality Impact Report
Appendix B - List of Categorized Comments

Equality Impact Report

| | |
|-------------------------------|---|
| Title of proposal | Cessation of the 3in1 Card Young Persons Travel Scheme |
| Date of implementation | January 2017 |
| EIR completed by: | Name: David Crockford 0330 222 5441 Tel: |

1. Decide whether this report is needed and, if so, describe how you have assessed the impact of the proposal.

This report is required to support a proposed decision regarding the future of the 3in1 Card Scheme (the Scheme). The Scheme is open to all school pupils who reside in West Sussex, as well as 16-19 year olds in full time education. Young people in these categories who have chosen to use the Scheme could have protected characteristics. It is, therefore, necessary for an EIR to accompany the decision making process for the future of the Scheme.

There has been a previous public engagement exercise, the Young Persons' Travel Survey (YPTS), and reports to the Environmental & Community Services Select Committee (ECSSC) and a subsequent decision by the Cabinet Member for Highways & Transport.

The YPTS (Young Persons' Travel Survey) provided substantial data on how, why and when young people use the Scheme (scrutinised by ECSSC in December 2015.) This data was used to inform the decision to consult upon options for the future of the Scheme. In turn, the Consultation results have fed in to the decision making process for this proposal.

2. Describe any negative impact for customers or residents.

The Scheme has three elements: discounts on public buses; discounts from shops or for activities; and accredited ID. All three of these are available to all pupils across the County. The YPTS showed that the Scheme is used mainly for discounted bus travel, with the other uses as incidental for most users. The effect of removing the Scheme is mostly financial. Having a low income, or financial difficulties, is not in itself a protected characteristic, and with the proposal in itself not affecting people differently other than through financial pressure, the effects would be felt universally across all users. Low income users will be financially impacted to a greater extent as they had the cards for free as opposed to paying a £50 charge. Therefore, they will have to find an additional £50 for up to three years (up to year 11) or annually (post 16).

It should be noted that the proposal seeks to cease the Scheme and not the buses themselves. This is not a proposal to reduce funding to routes that run under contract to the County Council. The Scheme has been introduced on the basis that the bus operators should be no better off and no worse off than if the Scheme did not exist. This means that commercial bus services (which form the majority) should also not be affected by the Scheme ending. Fewer people may in future choose to travel, due to higher fares, but the overall commercial viability of the route should not be affected.

Faith/Religion. Some groups, such as those attending a faith-based School due to their religion or belief, may have made more use of the card than others (because they have made a choice of school and are, therefore not entitled to assistance under the School Transport Policy). For instance, Bishop Luffa Church of England School in Chichester has the highest number of card holders at an individual school. The proposal does not, however, affect these people differently due to their religion or belief. For example, the financial impact is the same for a child travelling from Selsey to Chichester to attend the Church of England school, as it would be for another child to travel from Selsey to Chichester High School, which is not a faith-based school.

The data gathered in the Consultation included information on the respondents' religion or belief. The results do not indicate that any particular religion or belief (or those without a religion or belief) is impacted differently than the others.

Age. The Scheme gives different benefits for Year 11's and below than for 16-19 year olds. See report, previous papers and the Home to School Transport Policy for further description and what help is available. This means that the impact for 16-19's is likely to be larger in financial terms, partly because of the increase in fares, and partly because journeys tend to be longer for 16-19's due to choice of courses available.

3. Describe any positive effects which may offset any negative impact.

The ID element of the card is delivered in conjunction with CitizenCard. Young people can apply directly for a standalone CitizenCard, which is nationally recognised. The ID element of their 3in1 Card does not have an expiry date, and will be able to be used for ID even after the Scheme itself comes to an end.

Faith/Religion. Low income pupils who live between 2 and 15 miles away and attend their school for reasons of religion and belief (and as described in the Home to School Transport Policy) are entitled to assistance with transport. Low income pupils are, therefore, entitled to a greater level of assistance when attending for reasons of religion or belief than those who are making a choice based on other criteria.

Disability. Users of the Scheme with a disability may be able to make use of the English National Concessionary Travel Scheme ("the free bus-pass"). This allows unlimited use of buses by eligible people, part of the cost of which is borne directly by the County Council as this is beyond the Statutory minimum. Pupils with a

Statement of Special Education Needs, an Education, Health and Care Plan (EHCP) or who are assessed as unable to walk the statutory Home to School walking distance may also get transport assistance to school through the Council's School Transport Policy.

Low Income 16-19's Mitigation. The proposal seeks to invest some of the money saved through ceasing the Scheme. Up to £70,000 will be made available for targeted help for 16-19's in full time education who come from families on a low income. It is intended this will be delivered through working with schools and colleges who are best placed to support their students at a local level with the financial assistance.

Rural Mitigation. Whilst rurality or relative isolation aren't protected characteristics, pupils on a low income who live in rural areas may not have an alternative school to the one in their catchment area that they would be entitled to assistance to travel to. This is because those living more than 6 miles from their nearest non-catchment school are not entitled to assistance under the Extended Rights legislation. Up to £15,000 will be set aside to help the transition away from reduced bus fares for these low income families.

4. Describe whether and how the proposal helps to eliminate discrimination, harassment and victimisation.

The proposals are not intended to address the elimination of discrimination. No concerns have been identified in relation to any evidence of discrimination. A comprehensive circulation list was developed and used to publicise the Consultation. This included groups, organisations, bus operators, social media, schools and colleges. The high number of submissions to the consultation points towards a successful dissemination and publicity for the exercise. See Appendix A for the full list.

5. Describe whether and how the proposal helps to advance equality of opportunity between people who share a protected characteristic and those who do not.

A change to access to bus services themselves is not part of the proposal, as noted in section 1 of this report. Vehicles are covered by Legislation requiring them to comply with accessibility standards.

6. Describe whether and how the proposal helps to foster good relations between persons who share a protected characteristic and those who do not.

A change to access to bus services themselves is not part of the proposal, as noted in section 1 of this report. Vehicles are covered by Legislation requiring them to comply with accessibility standards.

7. What changes were made to the proposal as a result? If none, explain why.

The proposal has been informed by the YPTS (previous engagement exercise) and the Consultation itself, which had over 2,500 respondents. The mitigation proposed (for low income 16-19's and rural pupils) were also informed by previous work and analysis of the distribution of cardholders.

8. Explain how the impact will be monitored to make sure it continues to meet the equality duty owed to customers and say who will be responsible for this.

The effect of the proposal on bus patronage will be monitored in conjunction with bus operators, who analyse the figures on their buses.

A survey at least 12 months after the proposed implementation date will give enable information on the wider and personal impacts to be assessed.

To be signed by a Director or Head of Service to confirm that they have read and approved the content.

Name

Date

Your position

Categorised Consultation Comments

| Comment | No. of Mentions |
|--|------------------------|
| Bus travel too expensive if scheme removed | 685 |
| Penalises hard working families not entitled to benefits | 402 |
| Increased car travel & congestion if scheme removed | 330 |
| F.E. should have travel subsidy | 308 |
| 3in1 increases independence | 197 |
| Barrier to educational choice if scheme removed | 181 |
| Barrier to education access if scheme removed | 165 |
| Negative impact on rural communities if scheme removed | 137 |
| Negative impact on environment if scheme removed | 103 |
| Negative impact on low income families if scheme removed | 82 |
| Important for safe access to school | 76 |
| Impact on young people in Selsey | 42 |
| Increase scheme fee to keep it | 25 |
| Unfair that OAPs have free bus travel and not young | 22 |
| Council funds could be better used elsewhere | 13 |
| Impact on bus services if scheme removed | 1 |