

CABINET
6 JUNE 2019**WORCESTERSHIRE PASSENGER TRANSPORT STRATEGY**

Relevant Cabinet Members

Mr A T Amos

Mr M J Hart

Relevant Officers

Director of Economy and Infrastructure

Director of Children, Families and Communities

Recommendation

- 1. The Cabinet Member with Responsibility for Highways and Cabinet Member with Responsibility for Education and Skills recommend that Cabinet:**
 - (a) endorses the request to undertake a public consultation with all stakeholders on the draft Passenger Transport Strategy commencing on 13 June 2019 for a period of 12 weeks, the results of which will inform the recommended Strategy and development of policies to be considered by Cabinet in November 2019, with key areas covered including:**
 - (i) Home to School Transport;**
 - (ii) Public Transport;**
 - (iii) Community Transport;**
 - (iv) Social Care Transport;**
 - (b) agrees that the Director of Economy and Infrastructure, in consultation with the Cabinet Member with Responsibility for Highways and the Cabinet Member with Responsibility for Education and Skills, be authorised to finalise the consultation papers;**
 - (c) agrees that the Director of Economy and Infrastructure be authorised to undertake the consultation process; and**
 - (d) receives a further report in November 2019 for formal approval of the Strategy having regard to the outcome of the consultation.**
 - (e) notes that a review of the operational policies in relation to the transport report will follow once the strategy is finalised.**

Background

2. The County Council spends £30 million gross per annum on a range of transport Services

	TOTAL GROSS EXPENDITURE	TOTAL INCOME	NET POSITION
Public Transport	£ 4,727,840.99	-£ 1,375,383.00	£ 3,352,457.99
Concessionary Fares	£ 6,162,389.00	-£ 6,530.00	£ 6,155,859.00
Community Transport	£ 171,009.00	£ -	£ 171,009.00
Home to School Transport (HTST)	£ 7,883,474.00	-£ 1,129,763.00	£ 6,753,711.00
HTST Looked After Children	£ 324,130.00	£ -	£ 324,130.00
HTST SEND	£ 7,814,555.00	-£ 13,023.00	£ 7,801,532.00
CFC Social Care and Fleet	£ 651,261.00	£ -	£ 651,261.00
DAS Social Care and Fleet	£ 1,857,002.00	£ -	£ 1,857,002.00
E&I Fleet (Non Transport Ops)	£ 328,529.00	£ -	£ 328,529.00
COACH Fleet	£ 13,037.00	£ -	£ 13,037.00
TOTAL	£29,933,226.99	-£ 2,524,699.00	£ 27,408,527.99

3. Nationally many areas have experienced changes in the commercial bus market, reflecting the difficulties that operators have in identifying and maintaining profitable services. Factors such as the rising car ownership and use, changing shopping and employment patterns, changing technology and engine design, and rising operating costs are also impacting on the sustainability of public transport.

4. As a result of these factors the Council is continually facing calls to consider subsidising those commercial routes that have been withdrawn. The Council thus needs to have a robust Passenger Transport Strategy that sets out a sustainable strategy for the next 10 to 20 years, in line with the Council's Corporate Plan and Local Transport Plan 4 2018-2030.

5. Key to the success of the Strategy will be gaining the views of key stakeholders and users. This paper sets out a draft strategy to inform debate and consultation. We will also be seeking Overview and Scrutiny Panel's input to assess practices elsewhere in the country to see if new models or community options could work in Worcestershire.

6. The findings from the Passenger Transport Consultation will inform the finalisation of the Council's Strategy. Additionally, these findings and strategy will inform a review of existing operational policies. The draft Strategy sets out aims and objectives for all areas of transport provision, against the national and local context and financial constraints as follows:

- Home to School Transport
- Public Transport (See Network Prioritisation)
- Social Care Transport
- Community Transport

7. Where necessary, further consultation and engagement will follow in due course although it is anticipated that just a single consultation is necessary on areas such as home to school transport

8. The Strategy will set out the general policies that will be delivered and will provide a methodology specifically on which to measure the requirement for passenger transport, the relative priority for delivering services and the threshold for funding services. In areas where conventional passenger transport cannot be provided, the Strategy will provide options for alternative types of provision.

Legal, Financial and HR Implications

9. The Council's statutory duties with respect to the provision of public transport are set out in Sections 63 and 92 Transport Act 1985. These state:

Section 63(1) - In each non-metropolitan county of England and Wales it shall be the duty of the county council—

(a) to secure the provision of such public passenger transport services as the council consider it appropriate to secure to meet any public transport requirements within the county which would not in their view be met apart from any action taken by them for that purpose; .

(5) For the purpose of securing the provision of any service under subsection (1)(a)...above [the] council shall have power to enter into an agreement providing for service subsidies; but their power to do so—

(a) In England and Wales, shall be exercisable only where the service in question would not be provided, or would not be provided to a particular standard, without subsidy;

Section 92(1) - An authority responsible for expenditure on public passenger transport services shall, in the exercise and performance of their functions in relation to agreements providing for service subsidies, [have regard to the interests of the public and of persons providing public passenger transport services in their area].

10. The Council has a number of specific statutory duties pursuant Sections 444,508A, 508B, 508C, 508D, 509AD and Schedule 35B of the Education Act 1996 (the Act), concerning the making of travel arrangements for eligible children of compulsory school age (5-16) that it considers is necessary, in order to secure suitable home to school travel arrangements to facilitate a child's attendance at school. The Secretary of State has also published Statutory Guidance on Home to School Travel and Transport for children of compulsory school age which the Council must also have regard to.

11. In order to comply with its home to school transport duties the Council must:

- Promote the use of sustainable travel and transport
- Make transport arrangements for all eligible children

12. The Council's duty to make travel arrangements applies from home to school and vice versa in order to facilitate a child's attendance at School pursuant Section 508B of the Act. The categories of "Eligible Children" are defined in Schedule 35B of the Act and relate to children of compulsory school age (5 – 16) who are entitled to school transport

free of charge if the distance from home to their nearest school is in excess of the statutory walking distance defined as follows: -

- beyond 2 miles (if below the age of 8); or
- beyond 3 miles (if aged between 8 and 16)

13. In addition, the Council has a duty to make travel arrangements free of charge for children with Special Education Needs, a disability or mobility problems in circumstances where the child cannot reasonably be expected to walk to school because of associated health and safety issues connected with their special educational needs, a disability or mobility problems. Eligibility for these children is assessed on an individual basis to identify their particular transport requirements.

14. If the route to school is deemed unsafe to walk the Council is under a duty to make suitable travel arrangement to facilitate the child's attendance at school.

15. The duty to provide free transport extends to children who are entitled to free school meals or their parents are in receipt of maximum Working Tax Credit if:

- the nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11);
- the school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools);
- the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).

16. The Council also has duties in developing its transport policy for young people of sixth form age and adults aged 19 and over (including those with an Education, Health and Care (EHC) plan) who are in education and training. Where the Council makes such arrangements, any transport provided must be free of charge. If it decides not to provide transport in any particular case, it has a discretion to pay all or part of the reasonable travelling expenses for the young person or adult.

17. Social Care Transport supports the wider provision of social care.

18. The Council should consider the transport needs of its residents and to provide financial support for local bus services where appropriate, to meet those needs. It must also have specific regard to the needs of elderly and disabled people.

19. Given these statutory requirements, it is important we develop an appropriate Passenger Transport strategy for Worcestershire.

20. The Council is continuing to explore all ways in which to bridge gaps in its medium term financial planning (MTFP), this includes efficiencies within our transport service and the Cabinet report planned for November 2019 will identify the potential costs and savings within all options and how these may impact on our MTFP.

21. Financial costs of implementing this Strategy can generally be divided into two areas: external and internal. Internal costs are already budgeted for as part of the transport team, but additional external costs are likely to be incurred to support the

internal team. This would include the appointment of specialist consultants, costs associated with the Public Consultation and media costs. An indicative amount of £70k has been identified from Council resources to fund these additional costs. These costs are estimates only at this stage and calculated on a percentage of the core project team, and may vary based on outcomes of the consultation and resources required.

Equality and Diversity Implications

22. The Council recognises that Public Transport is of particular relevance in the lives of individuals who share Protected Characteristics such as Age and Disability. A full Equality Impact Assessment will be conducted at the appropriate stage.

23. Analysis of the consultation results will be undertaken; any analysis will accord with data protection requirements. Additionally, any detriment to services that have potential to impact on Equality will also be assessed. As part of any Strategy development the findings will be taken into account in future planning and decision-making.

Risk Evaluation

24. A continuing comprehensive risk assessment is being carried out which identifies the short, medium and long-term risks and mitigation of these.

25. Whilst we accept that this is an emotive subject with high public feeling, it remains unclear what the level of response will be following the Public Consultation. This is likely to impact on resources.

26. Depending on the outcome of the initial consultation, we may need to carry out a short secondary consultation. This would impact on the project timeframe.

Public Health Impact Assessments

27. The consultation will influence the Strategy and how this will affect residents' health and wellbeing.

Supporting Information

- Appendix 1 Draft Passenger Transport Strategy
- Appendix 2 Glossary of Terms

Contact Points

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Specific Contact Points for this report

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