



Transport & Infrastructure Committee

18 September 2024

Title:	English National Concessionary Travel Scheme: Local Concession proposal for Pre: 09.30. bus travel
Report of:	Bess Sayers, Public Transport Manager
Lead Member:	Cllr Anna Smith, Chair of Transport and Infrastructure Committee
Public Report:	Yes
Key Decision:	Yes
Voting Arrangements:	A simple majority of voting Members

Recommendations:

A	To recommend that the Combined Authority Board uses its powers as a local Travel Concession Authority to introduce a local concession allowing pre 9:30 travel for all passholders within the Cambridgeshire & Peterborough Travel Concession Area from May 2025
B	To recommend that the Combined Authority Board delegate authority to the Assistant Director for Transport (Public Transport Services) to engage with local operators from the date of decision through to May 2025 to ensure the new local concession is implemented for that date, providing updates to this committee.

Strategic Objective(s):

The proposals within this report fit under the following strategic objective(s):

X	Achieving good growth
X	Increased connectivity
X	Enabling resilient communities

1. Purpose

1.1	The purpose of this report is to consider enabling eligible English National Concessionary Travel Scheme (ENCTS) passholders to travel any time of the day. This requires a local concession to agree pre-09:30 travel. The local concession would apply only to local residents who are passholders when travelling within the Combined Authority's area.
1.2	The local concession has been forecasted at an approximate £536,513 per annum. The local concession would be funded by the forecasted £1m underspend in the wider concessionary budget.

2. Proposal

2.1	<p>The ENCTS was initially introduced to provide free bus travel to older people (above retirement age) to access vital services such as medical appointments, to shop and to access leisure activities, avoiding social isolation and to have more autonomy. The scheme was subsequently extended to cover all people above the age of five years who have a qualifying disability. The scheme provides free travel 'off peak' after 0930 on weekdays.</p> <p>The Combined Authority has received multiple representations recently, requesting an extension of the local concessions to allow pre 9:30 travel on weekdays for all local passholders when travelling in the Cambridgeshire & Peterborough area.</p>
2.2	<p>Post pandemic, applications to the ENTSC scheme and patronage have not recovered to pre pandemic levels. That has resulted in a forecasted underspend for concessionary spending overall of approximately £1m.</p> <p>The Combined Authority has identified this forecasted underspend (due to changing demand) as the funding source to enable the extension of this local concession.</p> <p>It is envisaged that pre 0930 travel and other strategic initiatives (expansion of the bus network and improved services) will encourage increased use of the concessionary scheme and all the associated health and lifestyle benefits over subsequent years.</p> <p>An estimate related to the potential cost of this local concession is covered in more detail in the financial section of this report. Based on benchmarking with a neighbouring authority that does allow pre 0930 travel, this has more forecasted as £536,513 per annum.</p>
2.3	<p>Engagement with local bus operators is required as the local concession is not part of the statutory scheme. The intention to consider the local concession was communicated to local bus operators at the Bus Operator Forum in May 2024. Subject to the recommendations being made by this committee and approved by the Combined Authority Board, the Assistant Director for Transport (Public Transport Services) will be delegated authority to seek further engagement and negotiation with local bus operators. It is envisaged that this will take place from October 2024 to January 2025.</p> <p>There are mechanisms the authority can pursue if a local bus operator declines to take part in the local concession. The Transport Act permits a Participation Notice to be placed upon an operator who does not wish to participate voluntarily in a travel concession scheme made under that act.</p> <p>These would be considered, and committee made aware of the progress of the engagement with local bus operators.</p> <p>The proposed arrangements for discretionary concessionary travel schemes should be published by the Combined Authority as a Travel Concession Authority (TCA) at least 28 days before the scheme commences.</p>

3. Background

3.1	<p>ENCTS has been in place in various forms since 2001. The scheme has gradually been extended and since April 2008 has provided free off-peak local bus travel to eligible older and disabled people anywhere in England.</p> <p>The scheme is enshrined in primary legislation through the 'Greater London Authority Act 1999' and the 'Transport act 2000 (as modified by the 'Concessionary bus travel act 2007).</p> <p>Travel Concession Authorities (TCAs) locally administer concessionary travel. Cambridgeshire & Peterborough Combined Authority is a local TCA with responsibility for administering the statutory English National Concessionary Travel Scheme (ENCTS) or 'Bus Pass' scheme for eligible residents.</p> <p>The basic travel rights of the ENCTS enable all eligible passholders to access free off-peak travel (that is weekdays after 9:30 a.m. to 11:00 p.m. on weekdays and all-day weekends and Bank Holidays) on any scheduled, non-bookable bus service in England.</p>
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	<p>In addition to the mandatory bus concession TCAs are also able to make use of powers provided by the 'Greater London Authority Act 1999' and the 'Transport Act 1985' to offer discretionary concessionary travel schemes.</p> <p>Bus operators are required by law to participate in the statutory scheme but are not obliged to agree to provide local concessions. As noted earlier, there are mechanisms the authority can pursue if a local bus operator declines to take part in the local concession. The Transport Act permits a Participation Notice to be placed upon an operator who does not wish to participate voluntarily in a travel concession scheme made under that act.</p>
3.2	<p>Prior to April 2021, Cambridgeshire County Council and Peterborough City Council were each designated as separate TCAs when the scheme was set up in its current form in 2011.</p> <p>Decisions on local concessions were made by each authority's members at the appropriate Transport committee. After the creation of the Combined Authority the ENCTS scheme remained devolved to the two local authorities until the TUPE of the services to the Combined Authority in 2021.</p> <p>The Combined Authority already enables the following local concessions for passholders: a 50% fare reduction for Dial-a-Ride passengers; travel to the last bus on weekdays, pre 9:30 travel for sight-impaired people and pre 9:30 travel for all passholders where the only service leaving a settlement on that day is scheduled to depart before 9:30 a.m.</p> <p>The local concession to allow sight impaired people to travel was agreed by members at Peterborough City Council and Cambridgeshire County Council in 2011 when the national scheme was changed from half fare travel to full fare travel. Prior to 2011 sight impaired people were allowed to travel with a companion who also received a half fare concession. After 2011 the companion pass was removed.</p> <p>Post 1st April 2021, when the ENCTS scheme was taken into the Combined Authority, work commenced to combine the two schemes into one. This was achieved in February 2023.</p>
3.3	<p>The introduction of the Tiger Pass allowing people under 25 to travel for £1 fare has been promoted alongside the ENCTS pass since introduction as young people eligible for an ENCTS pass can apply for both and this means that young passholders with disabilities can currently travel pre 9:30 for £1 per day.</p>
3.4	<p>The alternative to offering pre 9:30 travel to all passholders is to leave the local concessions arrangements as they are and to await the outcome of the DfT recommendations and any changes to national scheme legislation. There is no guarantee that these changes will happen in the short to medium term.</p>
3.5	<p>Engagement with passholders would be required to publicise the scheme and to ensure that the new travel rights were understood. There are established routes of communication for the scheme using email, website, letters and a rolling communications programme on social media.</p> <p>The Public Transport team will also work with bus operators to put posters on buses and with libraries and parish councils to display posters and provide news articles for parish magazines.</p>

4. Implications

Financial Implications

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| 5.1 | <p>The local concession has been forecasted at an approximate £536,513 per annum. The local concession would be funded by the forecasted underspend in the wider concessionary budget that forms part of the MTFP.</p> <p>It is difficult to predict the exact impacts of offering a local pre 9:30 concession for all passholders due to the number of variables. Undoubtedly, some journeys that would have been taken anyway later in the day may be taken earlier and it is also likely that some passholders who for example work or travel to college by bus, will access free travel instead of paying for a pre 9:30 journey. However, there is also the possibility that some passholders who use other modes of transport for pre 9:30 journeys may decide instead to use the bus were those journeys to be free.</p> |
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The assumptions of the number of journeys that would be taken pre 9:30 were free journeys allowed has been based on data from a neighbouring authority who already allows this as a local concession. This percentage of pre 9:30 take up has been applied to actual journeys taken using a Combined Authority issued product (pass) over the last 12 months and an average local concessionary reimbursement rate.

The neighbouring authority reviewed the proportion of concessionary journeys in the peak period. This gave the following results from two sample weeks of 2023/2024 data.

Journeys	AM Peak
Age	8.6% to 9.8%
Disabled	13.3% to 14.1%
Age + Disabled	10.2% to 10.8%

Due to legacy issues with the way in which Peterborough City Council recorded passes issued under disability categories it is not currently possible to accurately split the Combined Authorities data between age related and disability passes so for the purposes of calculation an average higher figure has been used. The estimated cost of allowing pre 9:30 travel by applying 10.5% of actual journeys from the Combined Authority's own data is £536,513 per annum.

There are robust processes in place that comply with Department for Transport legislation for the scheme. These can be extended to cover any additional local concessions agreed.

Legal Implications

- 6.1 Under sections 145 to 150 of the Transport Act 2000, as amended, in England (outside London) the statutory concession currently consists of guaranteed free travel for people over state pension age and people with an eligible disability on all eligible local bus services anywhere in England from 0930 until 2300 on weekdays and all day at weekends and on Bank Holidays.
- The Combined Authority is a TCA. TCAs are also able to make use of powers provided by the 'Greater London Authority Act 1999' and the 'Transport Act 1985' to offer discretionary concessionary travel schemes.
- In particular, under section 93 of the Transport Act 1985, as amended, the Combined Authority can provide, at their discretion, concessionary travel for several specified groups of people (for example those that are blind, deaf or in different age groups, etc). This legislation permits the service of a Participation Notice upon an operator who does not wish to participate voluntarily in a travel concession scheme made under that Act (a "section 93 scheme").
- The documents used by the CPCA for the bus operators to sign up to the concession schemes will be reviewed and updated to ensure the documents are reflective of this additional scheme

Public Health Implications

- 7.1 The purpose of the ENCTS scheme is to provide eligible people with the means to access vital services such as shopping, health care and leisure activities, thus giving them greater autonomy and leading to improved economic and social wellbeing and more resilient and self-reliant communities. The majority of passholders do not qualify for NHS/hospital transport.

Environmental & Climate Change Implications

- 8.1 The ENCTS forms part of the Bus Strategy aimed at encouraging modal shift. Pre 9:30 travel encourages passholders to travel by bus to work and education rather than utilising other modes such as private car.

Other Significant Implications

- 9.1 Once a local concession has been agreed and enacted it can prove difficult to remove without significant user consultation. Therefore, it is extremely important for the Combined Authority to recognise this, including the financial impact and take this into account before agreeing to implement the local concession.

Background Papers

- 10.1 N/A