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| Subject: | Concessionary Travel, Fixed Deal Brighton & Hove Bus and Coach Company | | |
| Date of Meeting: | 13 February 2020 | | |
| Report of: | Executive Director Economy Environment & Culture | | |
| Contact Officer: | Name: | Yvonne Harvey | Tel: 29-6897 |
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| Ward(s) affected: | All | | |

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks committee approval for the proposed arrangement with Brighton & Hove Bus & Coach Company (BHBCC) over the next three years, for reimbursement of concessionary travel journeys with consideration of the extension of disabled pass holders travel time for residents of the city. Extended disabled pass holder travel cannot be implemented until details of reimbursement rates with BHBCC, who have the majority of concessionary travel journeys in the city has been decided which is detailed in part 2 of the report as it is commercially sensitive.

2. RECOMMENDATIONS:

That the Policy & Resources Committee:

- 2.1 approves a 3-year fixed deal with BHBCC for commencement from 1st April 2020 until 31st March 2023;
- 2.2 approves the extension of disabled pass holder travel time by 5 hours to include travel between 4am until 9am on weekdays for Brighton & Hove residents only, which would allow travel at any time (currently 9am-3.59am);
- 2.3 grants delegated authority to the Executive Director for Environment, Transport & Sustainability to negotiate and conclude a 3-year fixed contract with BHBCC for travel concession in line with option 1 referred to in paragraph 4.8 of the part two report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In 18/19 there were 9.8 million concessionary journeys. BHBCC account for 91.8% of the concessionary journeys within Brighton & Hove.

- 3.2 The current 3-year fixed deal with BHBCC ends on 31st March 2020. In negotiation with BHBCC there is a proposal for a further 3-year fixed deal. The Council uses specialist consultants (ITP Ltd) to support the negotiations.
- 3.3 The cost to the council of concessionary fares is funded from surplus income generated from civil parking enforcement governed by section 55 of the Road Traffic Regulation Act 1984.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The Council has a duty to reimburse bus operators for their loss of revenue and increased costs of carrying concessionaires so that the operators are no better or worse off as a result of the free travel scheme. The Department for Transport (DfT) have developed a reimbursement model and most authorities use this model as the basis for determining payments to their bus operators. Operators can appeal the level of their payment to the DfT who will use the model to determine the level of reimbursement due.
- 4.2 Rather than use the DfT model the Council has previously entered into fixed deals with both the major bus operators in the city; BHBCC and Stagecoach South alongside other bus companies who are reimbursed via the DfT model.
- 4.3 The key risk with entering into a fixed deal for the Council is that it ends up paying more for concessionary travel than would otherwise have been paid through the DfT model, but equally could have paid less. However, this has to be balanced against the benefits of budgetary certainty that a fixed deal provides over a three- year period.
- 4.4 We would also like to consider as part of the fixed deal an extension for disabled pass holders to travel at any time of day and older persons travel time remaining the same. (9am-3.59am). However, extended disabled pass holder travel cannot be implemented until details of reimbursement rates with the operator with majority of concessionary travel journeys in the city has been decided which is detailed in part 2.
- 4.5 Eligible older or disabled people are entitled to free off-peak travel on local buses throughout England with a Concessionary Travel Pass. Approximately 42,700 Brighton & Hove residents have concessionary travel passes, of which 7,000 are issued to qualifying disabled residents.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There is significant regular pressure from the public to extend the hours of disabled travel to allow pass holders to use them to get to work and school, including an active online petition.
- 5.2 As outlined in the equalities implications below, the benefits for our disabled pass holders outweigh the cost which is demonstrated by how it will support many of our Council strategies and vision for inclusivity. This proposal also supports the Council's equalities and inclusion Policy statement and strategy objective to achieve 'excellent' in the Equality Framework for Local Government by April 2020.

6. CONCLUSION

- 6.1 It is recommended to fix a deal with BHBCC for 3 years with the recommendation to extend disabled travel to 24hrs.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The cost to the council for the reimbursement of concessionary travel journeys is funded from an approved revenue budget within the Transport service. The recommended fixed deal has been assessed to provide good value compared to alternative models whilst minimising risks of cost increases. More detail about the budgetary implications of the proposed deal is provided at part 2 to this report.

Finance Officer Consulted: Steven Bedford

Date: 31/01/20

Legal Implications:

- 7.2 The Council operates its concessionary fares scheme in accordance with the Transport Acts 1985 and 2000, the Concessionary Bus Travel Act 2007 and the Mandatory Travel Concession (England) Regulations 2011. The provision of a concessionary travel scheme in accordance with the national minimum is a statutory duty. There is discretion for councils to provide a scheme that extends the entitlement of services over and above the national minimum. The statutory framework for travel concessions does not stipulate a minimum or maximum duration for an individual scheme. It is for the travel concession authority (i.e. the Council) to propose a start and end date, and to seek agreement with the bus operator over the length of this term.

Lawyer Consulted:

David Fairfield

Date: 31/01/2020

Equalities Implications:

The benefits for our disabled pass holders outweigh the additional cost, this is demonstrated by how it will support many strategies including:

- 1 The corporate vision; *A fairer city a sustainable future*
 - A stronger city 'we will improve access for disabled people'
 - A sustainable 'we will develop and active and sustainable travel network'
 - A healthy and caring city 'we will increase healthy life expectancy and reduce health inequalities'
- 2 Helps contribute towards achieving the objective in the Council's Equalities and Inclusion Policy Statement and Strategy to achieve 'excellent' by April 2020 in the Equality Framework for Local Government by - supporting 3.1.

'We will make more of the data we have. We will analyse it so it informs service planning and delivery; helps us identify who is and is not accessing our services; and to identify who could be getting more from them'.

This would also be a positive and proactive initiative to be included in the Directorate Plan and monitored as a measureable equalities action. This will support the Directorate and Council to make progress towards the aims of being a Fair and Inclusive Council underpinned by the Fair and Inclusive Action Plan.

- *Independent Travel Trainer (Access Project) – This proposal would also support helping disabled children achieve travel independence. The Council is also subsidising a small amount of children with concessionary travel passes with extra commercial bus passes to get them to school. We can see from our journey analysis that children and young adults use their bus passes heavily at 3pm, but not in the mornings.*
- *Some of our disabled customers have told us that they are working part time in low paid jobs due to their impairments/ conditions and paying the additional bus fare to get to work is a real barrier to them working.*
- *It supports disabled parents who are taking their children to school by bus as they are unable to walk.*