

<b>Subject:</b>	<b>Review of Home to School Transport 2013</b>		
<b>Date of Meeting:</b>	<b>21<sup>st</sup> March 2012</b>		
<b>Report of:</b>	Joint Report of the Interim Director of Children's Services and the Strategic Director; Place.		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gil Sweetenham</b>	<b>Tel:</b> <b>293433</b>
	<b>E-mail:</b>	gil.sweetenham@brighton-hove.gov.uk	
<b>Wards Affected:</b>	All		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Review of Home To School Transport was proposed, discussed and agreed by Policy & Resources Committee and agreed at the full Council Meeting held on 19<sup>th</sup> July 2012. It is for this reason that this report is being presented to Policy and Resources Committee rather than the Children and Young People's Committee.
- 1.2 At that meeting it was agreed to temporarily reinstate two Council supported bus services, the 96 and the 74, that had been proposed for withdrawal as part of the 2012 supported services review and tendering exercise.
- 1.4 The project brief for the review of Home to School Transport was to identify how well the existing service met pupil transport needs, and detail options to better provide school bus services recognising the existing Secondary School Catchment areas.
- 1.5 The review was also required to identify whether existing routes provided value for money and ensure that bus routes provided a good standard of service within financial limits for the identified needs of each school.
- 1.5 The Review was conducted jointly by Schools and Transport Teams where they looked at all School Buses, Commercial and Supported Services together to check for further inter-relatedness and possible synergies to come up with better solutions.
- 1.6 Continuing work on the review includes a similar assessment of SEN transport, the coordination of client transport services in the Council, and the possibility of streamlining client transport service structures.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee agrees to the extension of the 91 bus service to Cardinal Newman School so that it runs from Ovingdean to Cardinal Newman School from September 2013 using funding from changes to denominational transport.

- 2.2 That the Committee agrees to officers consulting on the possible withdrawal of the 96 bus service with the parents/carers and schools of current users and should this be agreed to seek and fund alternative transport solutions.
- 2.3 That the Committee agrees to the retention of the 74 and 75 bus services to Patcham High School funded from changes to denominational transport.
- 2.4 That the Committee agrees to asking Brighton & Hove Bus and Coach Company to adapt the afternoon commercial 94/94A bus service running to Queen's Park and East Brighton so that one picks up pupils from Dorothy Stringer and one from Varndean on the school side of Ditchling Road with effect from September 2013.
- 2.5 That the remaining Council supported school bus services should continue to operate as contracted with bus operators in 2012 but members will continue to keep school bus services under review.
- 2.6 That the Council will continue to negotiate with Brighton & Hove Bus and Coach Company with regard to the terms and conditions of scholar passes which are purchased by the Council for eligible students.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Council has a responsibility to provide a bus pass to eligible pupils. Eligibility is conferred where the pupil lives 2 miles (under age 8) or 3 miles (over age 8) from the nearest school that can meet their educational needs. This is extended for pupils who receive free school meals to just 2 miles for all pupils to any of their nearest 3 schools. This responsibility is met through the provision of scholar bus passes purchased from the Brighton & Hove Bus and Coach Company. The estimated annual cost of providing bus passes to eligible pupils in the academic year 2012/13 will be ££273,522 with 960 pupils entitled to a bus pass. This cost will fall in 2013/14 because of changes to entitlement for pupils travelling to church aided schools, mainly Cardinal Newman School, The saving is estimated at £46,800 in the first year rising to £71,000 in the third year when the changes will have worked through all year groups,
- 3.2 The transport needs of pupils with special educational needs or a disability are assessed individually, and provided for through the hire of specialist vehicles, taxis or minibuses. In some cases pupils with special educational needs are able to travel by bus and are provided with a bus pass. Proposals for SEN transport will be included in a future report on school transport arising from the current review.
- 3.3 The Council also supports a wider group of both eligible and non-eligible pupils on the home to school journey by subsidising the operation of a number of school bus routes that would not otherwise be financially viable for bus operators. In determining which routes are supported it has regard to the existing scheduled bus network, and the demand for journeys that are not supported by that network. These routes are tendered under the Council's supported service contracting process and are generally 4 year contracts. The contracts awarded in 2012 for the supported services 74 and 96 were for one year only.

- 3.4 It should be noted that beyond the legal requirement to make provision for pupils on the basis of home school distance, low income and SEN, the Council's other responsibilities simply require it to provide transport where it is considered necessary or appropriate.
- 3.5 Of the 30 supported service contracts currently let by this Council, 8 are school specific services. These 8 are let as revenue guarantee contracts, whereby the Council pays a set contract amount less any fare income generated by the route, giving a net cost. The estimated net costs for 2012/13 are £228,359.
- 3.6 In addition to supported services the Council currently pays for two buses running on service 72 to Longhill School at a fixed price. The funding is provided from education rather than the Public Transport Team supported services budget. These routes were purchased when it became apparent that the shape of the Longhill School catchment area meant that increasing numbers of pupils would be travelling to the school from Whitehawk. One service 72 had already been running commercially before the additional hire vehicles were added. The hire has increased from one bus to two as numbers have grown, in addition to the original service, giving three buses in total. The contract will change to revenue guarantee from April 2013. The estimated annual cost of the two hired buses for 2012/13 academic year is £67,884.
- 3.7 There are also commercially viable services run solely for the purpose of conveying pupils to school, which do not run other than at school times. There are currently 5 such services, and an additional 17 commercial scheduled bus services which change their routes to accommodate school travel, either morning, afternoon or both. The council does not subsidise these commercial services.
- 3.8 The Service 96, which runs from Westdene to Hove Park and Blatchington Mill Schools, was established when Westdene pupils generally attended Hove schools, and was retained when Westdene was part of the newly established catchment area for the Hove schools. Subsequently the catchment was changed moving Westdene into the Patcham High School catchment. Numbers using this service have therefore been falling as the number of pupils entitled to attend Hove schools has fallen, and currently stand at 36 a day, about half the number travelling on other supported routes. In September this will fall by a further 11 pupils following the departure of the current year 11. Within the next few years there will no pupils travelling from Westdene. Given the small number of pupils using this route, it no longer represents good value for money, and that value continues to diminish.. Rather than continue with the route until all the current users have left post-compulsory education, it is proposed that the service be withdrawn at the end of the 2012-13 academic year, and that parents and schools are consulted to seek an alternative solution. Whilst the Council understands that the withdrawal of the route will make travel more difficult for those pupils currently using the service, the net cost of £30,000 cannot be sustained for such a low level of use. It is, however, recognised that some limited resource may be required to support an alternative option. This cannot be identified at the current time pending consultation with parents and schools.
- 3.9 The supported school service 91 currently runs through the Coombe Road area to Cardinal Newman School via Hollingdean. It is a morning only service ,and

currently carries an average of just 26 pupils per journey. This clearly does not represent good value for money. However, rather than withdraw the service, it is proposed that it changes to start in Ovingdean, then running through Woodingdean, down Coombe Road and on through Hollingdean. Whilst discussions with the operator suggest that the price might increase slightly as a result, more than 30 pupils living in Woodingdean and Ovingdean attending Cardinal Newman School would have access to the service, and pupils attending other schools in the City living in those areas would also be able to make use of the service. It is therefore recommended that the service is extended as proposed.

3.10 The service 74, which runs from Elm Grove to Patcham High School via Coldean, provides a service for pupils living in the Lewes Road corridor, Bevendean and Moulsecoomb, who wish to attend Patcham High School. It is one of two such services, the other being the 75 which runs the same route except that it starts at The Avenue, Moulsecoomb. The 74 was due to be withdrawn on the expectation that numbers travelling from Lewes Road to Patcham High would fall now that the catchment area system was well bedded in. This has not however proved to be the case, and both vehicles are well used. Projected pupil numbers living in the Patcham High catchment area suggest that places will continue to be available for pupils from Coombe Road, Lewes Road, Bevendean and Moulsecoomb. However, this can be seen as to the detriment of the Brighton Aldridge Community Academy, from whose catchment these pupils are travelling. In recognition of this dichotomy, two options are proposed.

- The first is that in recognition of the continuing demand, the service is retained as at present.
- The second is that the 74 starts at Coldean, which is in the Patcham catchment, and the 75 continues as at present. There would not be a cost saving if the service starts at Coldean, but it would to some extent answer concerns about children moving out of catchment. Any pupils unable to travel on the 75 would need to use scheduled services to get to school.

3.11 The services 94 and 94A are commercially operated school routes serving the Varndean and Dorothy Stringer schools campus, the 94 starting at Southover Street and the 94A at Arundel Road. In the morning there are two 94 buses and one 94A. In the afternoon just one 94 and one 94A. The morning services all drop off at Varndean in Ditchling Road and carry on to Dorothy Stringer. Both of the afternoon services start on Dorothy Stringer School grounds, and do not pass Varndean. Concern has been noted by the Road Safety Team that in the afternoon Varndean pupils cross the Ditchling Road from the school side in numbers, and sometimes put themselves at risk in doing so. If either the afternoon 94 or 94A were to pick up on the Varndean side of Ditchling Road, then carry on to Surrenden Road using the morning route, a proportion of Varndean pupils might no longer need to cross the Ditchling Road. This would also address the issue of Varndean students being reluctant to go onto Dorothy Stringer grounds for the afternoon service. It is therefore proposed that the operator is asked to change the afternoon service as set out above.

3.12 The remaining supported school bus services (see Appendix 1) operate near to capacity and meet the needs of pupils on the home to school journey where otherwise the absence of services or limited network capacity would make their journey more difficult. It is therefore proposed that these and the service 72

should continue as currently contracted, but that the Public Transport Team and the School Transport Teams should monitor traveller numbers on an annual basis. Those teams should also exchange information on projected pupil numbers, any changes in attendance patterns, the expansion of school numbers or the opening of new schools. They should also share this information with bus operators as a means of jointly planning school travel needs for the future.

- 3.13 The cost of scholar passes has increased substantially in recent years, and was subject to a 19% increase in the 2012/13 academic year. The Council should seek to negotiate increased travel benefits for eligible pupils given the rate of price increase. These matters are currently under discussion, and will be reported upon in a future report on school and client travel.
- 3.14 It should be noted that Brighton & Hove Bus and Coach Company provides a large number of commercially operated routes and adapts many more scheduled services to serve schools at no cost to the Council. (See Appendix 1)

#### **4. CONSULTATION**

- 4.1 A consultation process regarding the proposed withdrawal of the 96 bus service from September 2013 has already begun through member meetings with parents and will continue with affected Schools, Governing Bodies and parents. This will take place in writing with a detailed explanation of the proposed changes and the reasons that the Council is seeking to implement them, with a return form so that schools, governors and parents can express their views. Where schools or parents request them there should also be the opportunity for a face to face meeting with officers.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The estimated annual cost of providing bus passes to eligible pupils in the academic year 2012/13 will be £273,522 with 960 pupils entitled to a bus pass. This cost will fall in 2013/14 because of changes to entitlement for pupils travelling to church aided schools, mainly Cardinal Newman School. The saving is estimated at £46,800 in the first year rising to £71,000 in the third year when the changes will have worked through all year groups. The estimated net costs of subsidised (supported) school bus services for 2012/13 are £228,359. The estimated annual cost of the two hired buses (service 72) for 2012/13 academic year is £67,884. The costs of continuing the service 74 and any minor additional costs on the service 91 could be met from savings in denominational school travel eligibility from 2014 and beyond **but for the first year will have to be met from existing CYP transport budgets**. There is no current financial provision in place for the continuation of the service 96, so its withdrawal does not result in a saving.

*Finance Officer Consulted: Louise Hoten*

*date:22/01/2013*

##### Legal Implications.

- 5.2 Section 508B of the Education Act 1996 as amended has the effect, through its schedules defining eligibility, of making arrangements for travel

(where a primary child attends a school more than 2 miles from home or a secondary child attends education more than 3 miles from home) mandatory unless the Local Authority has a school it can offer that is nearer to home. The arrangements would usually be a bus pass. Eligibility for pupils on a low income (who receive free school meals) is extended through reducing the statutory walking distance to 2 miles for secondary age students. Pupils unable to walk through a special need or disability are also entitled to transport provided by the Council.

Section 509 of the Education Act 1996, as amended by the Education and Inspections Act 2006, provides that a Local Authority shall make arrangements for the provision of transport as they consider necessary for the purpose of facilitating the attendance of compulsory school age pupils at schools or at an institution maintained or assisted by the authority providing further or higher education or any institution within the further education sector. Local Authorities have wide discretion in deciding whether transport is necessary under this section of the Act.

Where Local Authorities make arrangements using their discretionary powers statutory guidance issued by the DfE in May 2007 states that Authorities should consult widely on any proposed changes to school travel arrangements, with all interested parties included in the consultations. Consultations should last for at least 28 days during term time

Under section 63 of the Transport Act 1985, the Council has a duty to provide subsidised bus services in part or parts of its areas where there are no commercial services and where it thinks it appropriate for such services to be provided. Services are tendered and let to commercial operators in return for payment from the council. The powers of local authorities to subsidise public passenger transport services are subject to detailed tendering provisions laid down in the 1985 Act and Regulations made under the 1985 Act. In addition, where contracts exceed specified thresholds (as in this case) the EU procurement rules must be followed.

*Lawyer Consulted: Serena Kynaston*

*Date: 27 /02/2013*

#### Equalities Implications:

- 5.3 School transport arrangements and contracting are conducted in such a way as to avoid potentially discriminatory outcomes or service priorities.

#### Sustainability Implications:

- 5.4 School admission arrangements are intended so far as it is possible to provide pupils with local places where they have asked for them, reducing the need for transport and reducing the Council's carbon footprint. The planning of school transport for the City takes into account the changing population pattern and resultant demand for places. The Council should seek to promote local school attendance, but must have regard for the wishes of parents and the legislation that allows them to give preferences for more distant schools. Where pupils must travel longer distances to attend school then the Council should encourage them to use modes of transport,

such as buses and cycling, which are less harmful to the environment than car use.

Crime & Disorder Implications:

- 5.5 Shorter home to school journeys and effective transport arrangements will minimise the opportunity for crime and disorder when pupils are travelling to and from school.

Risk and Opportunity Management Implications:

- 5.6 Any change to school travel arrangements will impact to some degree on Council use of resources, and may affect school numbers, which have a direct effect on school funding. In balancing the demand for transport, the encouragement of local school attendance and the parental right to school preferences for other schools, the Council should seek to deploy available resources to the most beneficial effect for pupils and families as a whole..

Corporate / Citywide Implications:

- 5.7 The availability of school transport may influence parental school preferences and the make up of school populations. It may also influence where people choose to live. The absence or withdrawal of transport to school can create a strong sense of grievance. The process of school transport planning is undertaken in such a way as to be mindful of supporting the needs of schools and communities.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 Service 96 to Blatchington Mill and Hove Park Lower schools. This could continue to operate from 2013/14, but funding for the balance of the revenue guarantee contract from academic year would have to be found from elsewhere within Council resources, with the service running much less than half full.
- 6.2 Service 91 to Cardinal Newman school. This could be discontinued on the grounds of low take on the current route up at a net saving of approximately £23,000 pa. If this was the agreed action then a consultation process on its withdrawal rather than extension would be necessary.
- 6.3 Service 74 to Patcham High School  
The service could be withdrawn entirely at a net saving of approximately £24,500 pa. This would present a problem for Coldean pupils (who are in the Patcham High catchment area) who could not then the board the service 75 which would almost certainly fill before reaching Coldean. Their alternative would be to travel into the City and out again on scheduled services, or use the scheduled service 26 over Coldean lane to Patcham and walk from Carden Hill.
- 6.4 With regard to the service 94, the Council could pay for an additional vehicle to run from Varndean School in the afternoon, assuming that the operator could provide one. This would be at a revenue guarantee contract rate of approximately £30,000 less fare income, and would have to be found from elsewhere within Council resources.

- 6.5 Other school supported services could be withdrawn making savings on the individual contract costs. However, these services are running at or close to capacity, and their withdrawal would place great pressure on scheduled services. It is also the case that most of those routes are not covered by alternative scheduled service alternatives. This could lead to difficulty for many bus users in the morning and afternoon, and not just school pupils. The council could also be criticised for not meeting its responsibilities under section 63 of the Transport Act 1985 by failing to take into account demand for school services.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The Council seeks to reach a balance between available transport resources, demand for school bus services, parental school preferences and encouraging local attendance. The recommendations are seen as the optimum balance of those factors on the basis of school attendance patterns and expectations of future pupil travel needs.



## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Subsidised school buses, hired school buses and commercially operated school buses. .

#### **Adapted commercial routes**

1A – One adapted service to Hove Park Lower School morning picking up in East Brighton, Brighton and Hove.

2A – One adapted service am serving Race Hill and Woodingdean, calling at Longhill School grounds.

2 – One afternoon service starts at Longhill school grounds, serving Woodingdean and Race Hill.

5 – One afternoon service starts from Patcham High School serving central Brighton and Hove.

5B – One afternoon service runs from Varndean College serving central Brighton and Hove.

5B – One afternoon service runs from Blatchington Mill School serving Hove and Brighton, terminating at Asda Hollingbury.

14 – One afternoon service starts at Hove Park Lower School serving Hangleton, Dyke Road, central Brighton and east Brighton, running on to Saltdean and Peacehaven.

22A – Two morning services run to Longhill School grounds, one from Woodingdean, one from Churchill Square via Woodingdean.

22 – one afternoon journey from Longhill School grounds to Old Steine via Woodingdean.

25 – One afternoon journey departs from BACA, serving Lewes Road corridor through to Hove. This ensures that a service that is not already full with University students is available to school pupils on the homeward journey.

27B – Two morning services call at Blatchington Mill School having run from Saltdean via Brighton Station and Dyke Road.

48E – One morning service from Bevendean to Cardinal Newman School via central Brighton, one afternoon service from Cardinal Newman to Bevendean via central Brighton.

52 – One afternoon service calling at Longhill School grounds and serving Woodingdean, provided by The Big Lemon.

55 – One morning service from Brighton Station to Varndean College.  
Afternoon one journey from Varndean College to central Brighton, Hove and Portslade.

56 – Two morning services to Hove Park from Central Brighton, one calling at Blatchington Mill School en route. Route operated by Compass Travel.

59A – One morning service to Cardinal Newman School travelling from Shoreham, Southwick, Portslade and Hove.

81E – One morning service from London Road (via a loop through Queen's Park) to Blatchington Mill School via Churchill Square, Seven Dials and Dyke Road.

### **School specific commercial routes**

70 – Morning only service from Lower Bevendean to BACA.

71 – One morning service from Whitehawk to Hove Park Lower with afternoon return.

73 – One morning service from Whitehawk to Cardinal Newman School with afternoon return.

93 – One morning service from Seven Dials to Hove Park Lower School (Martin Road) then on to Blatchington Mill School.

94/94A – Three morning services from Arundel Road or Queen's Park to Varndean then Dorothy Stringer Schools via Ditchling Road. Two afternoon services from Dorothy Stringer School only, not travelling via Ditchling Road or Varndean School.

### **Supported Services/Hired Services (for costs to B&H City Council see separate spreadsheet)**

72 – Two hired vehicles supplementing a single commercial service from Whitehawk to Longhill School grounds and afternoon return, 3 vehicles each way in total. Currently fixed price contract, switching to revenue guarantee in April 2013.

74 – One morning service with afternoon return from Elm Grove to Patcham High School via Lewes Road via Lower Bevendean and Coldean. (Currently single year revenue guarantee contract only.)

75 – One morning service with afternoon return from The Avenue Moulsecoomb via Lower Bevendean and Coldean. Revenue guarantee contract.

76 – One morning service with afternoon return from Saltdean Vale to Longhill School grounds. Revenue guarantee contract.

76A – One morning service with afternoon return from South Coast Road to Longhill School grounds via Saltdean. Part funded by East Sussex County Council. Revenue guarantee contract.

91 – One morning service only from Coombe Road to Cardinal Newman School via Hollingdean and Preston Drove. Revenue guarantee contract.

95 – One morning service with afternoon return from Burwash Road Hangleton to Cardinal Newman School (stopping outside Cottesmore RC Primary) via Portslade and Hove Town Hall. Revenue guarantee contract.

95A – One morning service with afternoon return from Foredown Drive Portslade to Cardinal Newman School (stopping outside Cottesmore RC Primary) via Portslade Station and Hove Station. Revenue guarantee contract.

96 – One morning service with afternoon return from Patchdean to Blatchington Mill School and Hove Park Lower via Westdene. (Currently single year revenue guarantee contract only.)

116 – One morning service and afternoon return from Seaford to Cardinal Newman School, calling at Rottingdean. Fully funded by East Sussex, although available to Rottingdean students.

All services provided by Brighton & Hove Bus and Coach Company except for services 52 and 56.

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. None

