

Concessionary Travel Consultation Report Tuesday 29 January 2019

Purpose of report:

The council has to make some very tough decisions to ensure we deliver better outcomes for residents, especially vulnerable children, and to help us achieve the Community Vision for Surrey in 2030, where no one is left behind. This means we have to change how we deliver services, how we work more effectively with our partners, coupled with continuing to make savings.

The English National Concessionary Travel Scheme (ENCTS) is a statutory duty for this council. Our annual cost of providing free bus travel for pass holders is over £7 million, facilitating over 6 million free trips per annum. There are 168,341 pass holders in the county.

In Surrey we extend the offer with two additional travel concessions over and above the statutory requirement; free travel for disabled people before 9:30am and after 11:00pm Monday to Friday and free companion passes allowing a pass holder to accompany an individual.

These are discretionary and not universally offered across England. As part of the county council's transformation activities, we have considered and consulted upon the future concessionary travel offer for residents. This was an important consultation, and the recommendations in this report are a reflection on what people told us about some of the most vulnerable residents in Surrey.

Recommendations:

1. To withdraw the non-statutory additional travel concession for disabled pass holders and offer the national statutory English National Concessionary Travel Scheme (ENCTS) in Surrey from Monday 1 April 2019. Disabled pass holders will be able to travel for free between 09.30 and 23.00 on weekdays, all day at weekends and on bank holidays.
2. To retain companion passes so from Monday 1 April 2019 entitled pass holders and a companion can travel for free between 9:30am and 11:00pm on weekdays, all day at weekends and bank holidays.
3. To note officers will continue discussions with bus operators on a commercial offer of a reduced fare or flat fare scheme in the county.

Consultation Proposals and Approach:

4. Surrey County Council is committed to providing the best services it can for residents within a sustainable budget. As part of the council's transformation programme, five public consultations ran from 30 October 2018 to 4 January 2019. This included a public consultation on proposals to bring the council's concessionary bus fare schemes in line with the national statutory offer.
5. Under these consulted proposals, disabled people and their companions would continue to travel for free after 9:30am and before 11:00pm Monday-Friday, and

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at any time on Saturdays, Sundays and public holidays, as set out by the English National Concessionary Travel Scheme (ENCTS).

6. The changes proposed in the consultation would see the cessation of concessionary travel for disabled people and their companions outside of the ENCTS scheme. Free concessionary travel for disabled people and their companions before 9:30am and after 11:00pm would be withdrawn. This would bring the council's concessionary schemes in line with the national statutory offer.
7. In addition, the consultation sought views on the withdrawal of companion passes (+C passes), which currently entitles people who provide care and support for a disabled person to travel for free on Surrey buses. This is a further concession funded by Surrey County Council.
8. In addition to publicising the survey stakeholders could complete online, emails were sent to over 350 stakeholders at the start of the consultation, with a follow up sent on 21 November 2018 as a reminder that the consultation was open and encouraging response submissions.
9. A number of face to face meetings were also held with all four Disability Empowerment Networks, the Disability Empowerment Network Chairs and the Surrey Coalition of Disabled People.
10. A Member Reference Group (MRG), made up of members of Surrey County Council's Environment Select Committee, was set up to provide an additional level of scrutiny to the consultation. This group was chaired by the Chairman of the Select Committee.
11. A special meeting was arranged for representatives from the Disability Empowerment Networks and the Surrey Coalition of Disabled People to speak with the MRG to outline the concerns of the disabled community about the proposals. This was held on Monday 14 January 2019.

Summarised Consultation Response

12. Consultation responses were made up of:
 - 3,082 surveys, of which 690 were received as hard copy returns
 - 19 emails and 1 written response, and
 - 27 stakeholders responded on behalf of the people they represent. For example disability groups, borough and district councils.
13. Just over 60% of all survey respondents did not believe that the council should make savings from this area. Just under 30% of respondents believed this was an appropriate area to make savings. The remaining 10% told us they did not know or did not answer this question.
14. When asked if savings should be made from elsewhere in the County Council, just over 52% of survey respondents said 'Yes.' Just under 21% said 'No' with 24% stating they did not know. 2% of people did not answer this question.

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15. 964 people stated they had a disabled person's bus pass and 516 stated they had a companion pass. 1844 people responded to the consultation but were not entitled to either a disabled person's or a companion pass. 810 respondents to the survey said they had some form of caring responsibility.
16. The majority of stakeholder feedback was strong opposition to the proposals. They particularly highlighted the impacts on disabled working people and carers, reductions in accessibility to services such as education and medical appointments, and the potential for increased social isolation.
17. Some stakeholders stated that they saw the proposals being contradictory to various national strategies, such as the Government's Loneliness Strategy, Inclusive Transport Strategy, and the Care Act 2014. As well as national strategies, some stakeholders pointed to the proposals being contradictory to the Community Vision for Surrey in 2030 and the Surrey Learning Disability and Autism Strategy.
18. 1,886 people shared qualitative feedback through the survey. These comments were grouped into high level themes around - "Impact on People", "Impact on Place", "Pass use & / or the Surrey bus network", "Mitigation" and "Council".
19. The majority of all comments were on the impact on people, with 677 comments related to the proposals penalising vulnerable people. 325 comments were made around the need for the county council to look for savings elsewhere to protect the current concessions. And 168 comments stated people's agreement with the proposals, on the basis that free travel is available the rest of the day.
20. Detailed analysis [can be found on the council's website](#).

Proposals Implications and Mitigation Options
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Implications

21. There are strong themes arising from the consultation feedback regarding the impact these proposals would have on more vulnerable residents in Surrey, particularly people with disabilities. It was notable that the majority of respondents were neither disabled nor companion pass holders, yet the most significant level of concern through the qualitative feedback was still for vulnerable service users who could feel more disadvantaged should the changes be agreed.
22. A significant number of respondents highlighted that implementing the proposals will directly impact on people's ability to access work, education and essential services such as medical or caring appointments. This could compromise some people's ability to remain independent, and have a knock-on effect on their wellbeing.
23. The majority of disabled pass holders, and those who also held companion passes, who responded when asked what alternative means of transport they would take should the concessions be removed, said they thought they would be unable to travel before 9:30am.
24. Respondents and stakeholders particularly highlighted a higher impact on people with sensory impairments, specifically people who are blind and deafblind, and people with learning disabilities.

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25. Stakeholders particularly highlighted that the proposals seem contradictory to the Government's Inclusive Transport Strategy 2018. This strategy focuses on "inclusive transport" that offers equal transport to disabled people by 2030. The purpose of which is to contribute to getting an additional 1 million disabled people into work by 2027.
26. In addition, a number of stakeholders suggested the proposals were at odds with the ambition in the Community Vision for Surrey in 2030 on improving transport, namely 'Journeys across the county are easier, more predictable and safer'.
27. Some people who responded said that implementing the proposals would put people into financial hardship. This could vary depending on people's access to alternative transport options and personal financial circumstances for disabled pass holders, and their families and/or carers. Others, the majority of whom do not have a disabled or companion pass, stated there could be little impact because people can change their travel plans to still travel for free.
28. Stakeholders and members of the public responding to the consultation mentioned the potential difficulties people may face should the changes be agreed. This specifically related to people trying to use their passes if they are no longer valid for free travel.
29. Impacts are covered in more detail in the Equality Impact Assessment, Annex 5a, covering the concessionary travel funding proposals.

Mitigations

30. At the end of this report is a mitigation options appraisal (Table 1). This is an assessment of the ability to implement suggestions from stakeholders and residents as feedback to the consultation.
31. Some mitigation options suggested cannot be delivered based on the restrictions around how the scheme must be administered under primary legislation.
32. The bus operators were asked whether, as a commercial proposition, they would consider offering a flat or reduced fare scheme to disabled and companion pass holder outside of the statutory free travel requirements.
33. Discussions on this potential mitigation are still ongoing with bus operators in Surrey. As a commercial decision needs to be made by each individual bus operator, it cannot be assumed that there will be a standard flat or reduced fare scheme offered across the county, a specific scheme for each or a group of operators, or any flat or reduced fare scheme at all.
34. As these discussions are on-going with bus operators, it cannot be assumed that there will be any mitigation in place to offset the impacts identified.
35. There may be a very small number of disabled children / young people using their free concessionary bus pass to travel to school or college who may be entitled to free home to school transport. We will not know how many children this may be until people start approaching the county council for assistance with free transport.

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36. If any child / young person can no longer use their concessionary bus pass and following an application and assessment are found to be entitled to free home to school transport, in these instances the council purchasing a bus season ticket to enable them to travel to school will be the most cost effective option.
37. The removal of free travel before 09.30 could therefore result in the cost of transport for those entitled children / young people increasing by the council purchasing bus season tickets.
38. Some residents in receipt of Disability Living Allowance or Personal Independence Payments may already be receiving a travel component as part of those benefits. Although this could be viewed as 'double funding' in terms of travel benefits, it should be noted that the feedback from the consultation was that those benefits don't come anywhere near being able to pay for a carers travel.
39. In order to mitigate the potential for people experiencing difficulties or potential conflict on buses from 1 April 2019, the service intends to write to all disabled and companion pass holders to inform them of the changes.

Changes to Consultation Proposals

40. Based on feedback to the consultation from the public and stakeholders, there was a clear sense of the impact being most heavily felt by companion pass holders. In particular, the impact on carers, but also on family, friends or others who help disabled pass holders with travel. These individuals may be unregistered carers, and so are not entitled to receive any Carer's Allowance from the Government.
41. Based on the feedback it has been agreed that the use of companion passes should be reviewed over the next 12 months to get more information on the use of passes and the cost to the county council. After which a report will be taken to the Cabinet Member for Environment & Waste covering the ENCTS operation in Surrey.
42. However, whilst free companion travel will remain, it will be linked to the move to the national statutory scheme to free travel between 9:30am and 11:00pm. Therefore the mitigation options, as outlined in this report, for entitled school children and a reduced or flat fare still need to be explored.

Risk management and implications:

43. The consultation and engagement on these proposals was completed as part of the county council's transformation programme. Responses to the consultation and the face-to-face meetings with key stakeholders highlighted a good deal of objection to the proposals and the potential impact on people's ability to access work, education and essential services such as medical or caring appointments.
44. These implications are recognised and work will continue on potential mitigation including discussions with bus operators on whether they could offer a reduced or flat fare to disabled and companion pass holders outside the statutory free travel requirements.

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Financial implications:

45. The current saving proposed in the council's Final Financial Strategy (**Annex 6**) is £400,000 for 2019/20. This can be broken down as £250,000 for the removal of non-statutory disabled concessions and £100,000 relating to increased automation. £50,000, originally to be realised from savings on companion passes, will now be saved from elsewhere in the concessionary travel budget.
46. There are 603 under 18s with a disabled person's pass and 339 under 18s with a companion pass. Some of these residents may require the purchasing of a season ticket to use on the bus to access school or college if, following application and assessment, they are entitled to free home to school transport.
47. The average cost of providing a season ticket for entitled children is around £800 per pupil. It is very unlikely that many of these young pass holders will apply for and be entitled to free home to school transport.

Supporting Information

48. The annual cost of providing free travel under ENCTS is over £7 million. There are approximately 5 million trips made Monday to Friday and just over 1 million at weekends by all concessionary pass holders. The ticket machines on buses operated by various bus companies in Surrey does not distinguish between pass types. This means that +C pass holders are not recorded as a separate pass from other older or disabled pass trips. However, looking specifically at pass use on weekday trips pre 9:30am and post 11:00pm, these totalled 178,000 in 2017/18 with 98% of these pre 9:30am trips. These 178,000 will have been made by disabled pass holders and disabled +C pass holders combined.
49. The table below shows the number of concessionary passes issued to Surrey residents as of July 2018.

Pass Type	Number Issued
Older person	157,535
Disabled person	8,065
+C older person	184
+C disabled person	2,557
Total	168,341

50. The ENCTS is enshrined in primary legislation. The eligibility criteria for getting a free bus pass are set out in guidance from the Department for Transport (DfT). For older people, this is linked to the pensionable age. This is rising incrementally to 66 years old by 2020. The eligibility criteria for disabled and companion passes can be found as Annex 4 to the 5 December 2018 Environment Select Committee Report, taken from the Free Bus Pass pages on the county council website.
51. People's ability to access the ENCTS is based on whether they apply and meet the eligibility criteria. If an applicant meets the relevant criteria for the pass they are applying for they will be issued one. This is unrelated to whether, for example, they may be able to afford to pay for bus travel, are in receipt of

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transport related allowances on grounds of disability (such as Personal Independence Payments) or whether they ever intend to use the pass.

52. At the end of this report is a table showing the concessionary travel offer made by other local authorities in the region (Table 2).
53. Some respondents mentioned free travel offered in other areas, specifically the comparatively generous London concessionary travel offer. London Freedom Pass holders can travel free on bus, tube, tram, Docklands Light Railway, London Overground and Transport for London rail services. A 60+ London Oyster photo card allows holders to travel free on public transport in London from 60 years of age until they qualify for a Freedom Pass. There are also London schemes for apprentices, job seekers, Forces Veterans, young people, and others.
54. However, London's needs are quite different to those of Surrey. The budget for Transport for London (TfL) is much greater than Surrey County Council's, noting that TfL's bus budget in 2018/19 will be over £600 million, with our own bus budget at circa £8 million. Moreover, the additional two concessions that we are considering are not statutory and not universally offered.

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Background papers to this report:

Concessionary Bus Travel Consultation Response Analysis Report

Annexes

Annex 5a – Concessionary Bus Travel Review Equality Impact Assessment

Annex 6 – 2019/20 Budget Financial Strategy 2019-24

Table 1 - Mitigation options

The options presented in this table are based on suggestions and ideas arising from the consultation to mitigate the proposed removal of the additional concessions consulted on. It includes the council's response to these options, ability to mitigate impacts and the likelihood of these mitigations being implemented.

Option	Outcome	Start-up requirements	Ability to mitigate the removal of additional levels of concession	Likelihood of delivery	Implication/s should there be no mitigation
Pass holders pay for their pass in order to retain the additional concessions	-	We are unable to implement this option because current legislation restricts us from taking any payment from people eligible for a free concessionary bus pass.			
Passes should be Means Tested so only those who need them get free travel	-	We are unable to implement this option because current legislation does not allow us to Means Test applicants for passes. There would need to be a change to the law and funding made available to administer a Means Tested scheme.			
Look at different time restrictions on free travel	Retain additional concession	It was suggested that free travel after 23.00 be withdrawn to keep free travel before 09.30. Because of the low numbers of people travelling after 23.00, this would not deliver a sufficient saving to support funding the journeys before 09.30.			
Keep one additional concession over the other	Retain additional concession	Other authorities in the region (Hants, East Sussex, Kent) offer free travel for disabled and companion pass holders covering the statutory times of the scheme i.e. 09.30 to 23.00 (Monday – Friday). However, this option could be challenged by keeping one additional concession over and against another group of pass holders. This option could be explored further, but may not be as effective a mitigation option as others listed.			
Restrict eligibility criteria to ensure the most vulnerable retain free travel	Retain additional concession for some people	The county council uses the DfT guidance when assessing the eligibility criteria for issuing passes. In the past, residents have complained to us who have been refused a bus pass, using that guidance, for being too restrictive and disadvantaging people who need free transport. To further restrict the criteria could leave the council open to challenge by not following the DfT guidance.			

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Option	Outcome	Start-up requirements	Ability to mitigate the removal of additional levels of concession	Likelihood of delivery	Implication/s should there be no mitigation
Partners or other organisations pay a contribution towards maintaining the additional concessions	Retain additional concessions	A further assessment would be needed to understand the mechanism for making this work i.e. who & how do people pay that meets legal requirements under the ENCTS	High Only if sufficient sources of funding be available	Low Based on previous discussions there has been no interest in partners, stakeholders or community groups contributing funding towards bus services. It is therefore assumed this would be the same for the additional concessions being consulted on.	Would likely result in the moving to the statutory level of free travel between 09.30 and 23.00
Pass holders contribute an annual sum in order to retain the additional concessions	Retain additional concessions	Amount from each person wishing to contribute needs to meet the potential annual requirement for reimbursing the bus operators. Need a payment mechanism in place	High Only if sufficient funding be paid by pass holders	Low This is based on the likelihood of the amount people would be willing to pay would not meet the cost of travel reimbursement. Additionally, administration of this option would need to be funded, with no current additional funding available.	Would likely result in the moving to the statutory level of free travel between 09.30 and 23.00

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Option	Outcome	Start-up requirements	Ability to mitigate the removal of additional levels of concession	Likelihood of delivery	Implication/s should there be no mitigation
The county council work with the bus operators to implement a flat fare or part fare scheme that covers the additional concessions for disabled and / or companion pass holders	Pass holders would pay a reduced fare	<p>Ideal scenario would be that all the bus operators agree to the scheme being implemented across the county.</p> <p>In that instance all the bus operators to agree what the concessionary flat fare amount or part fare scale should be.</p> <p>There may also be an option where specific bus operators may offer a concessionary flat fare or part fare, but this would not be countywide</p>	<p>Moderate to High</p> <p>Subject to agreements needed from the operators.</p> <p>However, there may be some people who would still find a part fare scheme expensive.</p>	<p>Moderate</p> <p>This type of scheme would provide some income for the bus operators.</p> <p>The alternative would be a loss of revenue from people not travelling with no reimbursement from the county council.</p> <p>This needs further exploration with the bus operators running either commercial services, supported services or both.</p>	<p>Would likely result in the moving to the statutory level of free travel between 09.30 and 23.00</p>

Table 2 - Other Regional Local Authority Offer

Local Authority	Disabled Persons	Disabled C+	Older Persons	Older Persons C+
STATUTORY SCHEME	Mon – Fri 09.30 until 23.00 All day Saturday, Sunday & Public Holidays	No	Mon – Fri 09.30 until 23.00 All day Saturday, Sunday & Public Holidays	No
Brighton-Hove	Enhanced Hours Mon – Fri 09.00 until 03.59	No	Enhanced Hours Mon – Fri 09.00 until 03.59	No
Bucks CC	Enhanced Hours Mon – Fri 09.00 until 23.59 Visually impaired: Free travel at anytime	Yes, with enhanced hours Mon – Fri 09.00 until 23.59 Visually impaired: Free travel at anytime	Enhanced Hours Mon – Fri 09.00 until 23.59	Yes, with enhanced hours Mon – Fri 09.00 until 23.59
Hants CC	Free travel at any time	Yes, with free travel at any time	Statutory Offer	No
Herts CC	Statutory Offer	Yes	Statutory Offer	No
Kent CC	Statutory Offer	Yes	Statutory Offer	No
East Sussex	Statutory Offer	Yes	Statutory Offer	No
West Sussex	Free travel at any time	Yes, with free travel at any time	Statutory Offer	No
London	Free travel at any time	No	Free travel at any time	No
Surrey CC	Free travel at any time	Yes, with free travel at any time	Statutory Offer	Yes

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