

<b>DECISION-MAKER:</b>	<b>CABINET</b>
<b>SUBJECT:</b>	CONCESSIONARY FARES SCHEME 2021/22
<b>DATE OF DECISION:</b>	16 MARCH 2021
<b>REPORT OF:</b>	<b>COUNCILLOR LEGGETT</b> <b>CABINET MEMBER FOR GREEN CITY AND PLACE</b>

<b><u>CONTACT DETAILS</u></b>			
<b>Executive Director</b>	<b>Title</b>	Executive Director of Place	
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<b>STATEMENT OF CONFIDENTIALITY</b>	
None	
<b>BRIEF SUMMARY</b>	
To agree the final scheme and the reimbursement rate calculation methodology for bus companies for the Concessionary Fares Scheme for 2021/22	
<b>RECOMMENDATIONS:</b>	
Having complied with paragraph 15 of the Council's Access to Information Procedure Rules.	
(i)	To agree to reimburse bus operators in line with the Department for Transport Concessionary Fares Guidance and the calculation methodology as detailed in appendix 1. This will use the Reimbursement Calculator published by the Department for Transport to determine the reimbursement rate for each operator.
(ii)	To agree the local enhancements above the statutory minimum, which is to allow concessionary travel from 0900 rather than 0930 and between 2300 and 0030 for Southampton residents.
(iii)	To agree the delegated authority to the Executive Director of Place, following consultation with the Cabinet Member for Green City & Place, to approve future years Concessionary Fare Scheme details where there is no material change relating to policy or budget.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	This report is submitted for consideration as a General Exception under paragraph 15 /16 of the Access to Information Procedure Rules in Part 4 of the City Council's Constitution, notice having been given to the Chair of the relevant Scrutiny Panel and the Public.
2.	The Concessionary Fare Scheme for 2021/22 needs to be approved prior to the commencement of the Scheme on 1st April 2021. Delays have occurred

	in finalising the Scheme details for 2021/22 due to awaiting further guidance from the DfT relating to concessionary fare reimbursement national policy during the ongoing Covid-19 pandemic.
3.	To enable the Council to comply with the statutory requirement to approve and publish the Concessionary Fare Scheme details including the local enhancements and the reimbursement rate that the Council will use.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
4.	The Council could withdraw the local enhancements that are offered to City residents but this is likely to achieve little saving as most passengers would just travel 30 minutes later in the morning once free travel is allowed.
<b>DETAIL (Including consultation carried out)</b>	
5.	The Council is required by law to give bus operators 28 days' notice of the Scheme that will operate and the proposed methodology for determining the reimbursement rate. This report will allow the Council to give the required notice. Should the bus operator refuse to participate in the concessionary fare scheme the Council would need to issue a participation notice requiring them to do so. For the Notices to be effective, final confirmation is necessary of the additional local enhancements to the statutory minimum i.e. travel from 0900 rather than 0930 and between 2300 and 0030 for Southampton residents. Non-Southampton residents will qualify for the statutory minimum. The proposed scheme for 2021/22 is the same as that which was agreed and operates in 2020/21. This offers residents greater opportunity to access health and other facilities so helping with well-being.
6.	The Department for Transport provides local authorities with guidance each year on the reimbursement and a calculator to use. This takes various factors into account and the information on the scheme that the authority has submitted. The Council will apply the DfT Concessionary Fares Guidance including the Reimbursement Calculator to determine the reimbursement rates for each operator. This is the same methodology as applied for 2019/20 scheme year.
7.	The Scheme details for 2021/22 outline what will happen in normal operating circumstances i.e. the methodology using DfT guidance that will be applied. This ensures SCC has a legal scheme that will reimburse the operator at no better no worse off principles, as it would in any normal year. The Scheme details approved as part of this paper is separate from any methodology that will be considered to support bus operators during the current Covid-19 pandemic and recovery period.
8.	The Council also produces a claim form that operators are required to populate with data on concessionary fare use and average fares. As the bus network in Southampton has been subject to several changes, intensive competition and reductions in fares, the Council will continue to calculate the average fare and reimbursement as based on the DfT Concessionary Fares guidance as has been the case for the previous 2020/21 Scheme and will not be entering into a fixed arrangement with any of the larger operators. A fixed arrangement will continue with the three smaller operators in the city who generate nominal levels of reimbursement. Once the scheme starts on 1 <sup>st</sup> April bus operators then have 56 days to appeal to the Secretary of State on the proposed reimbursement rates. Appendix 1 shows details of the final Scheme for 2021/22.

<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
9.	The budget for concessionary fares in 2021/22 is £3,884,000 as approved by Full Council on the 24 <sup>th</sup> February 2021 and is forecast at this time to be an appropriate level to fund the proposed scheme in 2021/22. This will be closely monitored as bus patronage levels adjust throughout the year as Covid-19 lockdown restrictions are eased and further guidance from Government emerges to support the longer-term recovery as part of the National Bus Strategy.
<b><u>Property/Other</u></b>	
10.	There are no property or other implications
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
11.	Concessionary Fares are governed by the Transport Acts of 1985 and 2000, and the Concessionary Fares Act of 2007. If it were to be agreed that the future that no enhancements over and above the statutory minimum will be offered, then the 1985 Act does not apply as all local enhancements are made under the Concessionary Fares Act 2007.
<b><u>Other Legal Implications:</u></b>	
12.	The provision of a concessionary travel scheme in accordance with the national minimum is a statutory duty. A discretionary power exists to provide a scheme that extends the entitlement of services over and above the national minimum. Any scheme must be made having regard to the Human Rights Act 1998 (with any national minimum scheme will be deemed to comply) and the Equalities Act 2010, in particular the Public Sector Equalities duty. A comprehensive Equalities Impact assessment has been completed in order to inform the recommendations and scheme and scheme enhancements are offered in order to positively assist the elderly access essential services at earlier times in accordance with that duty. Statutory notice must have been given by 1 <sup>st</sup> December 2020 and any representations received in accordance with the Notice considered and determined in accordance with the Act and Regulations.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
13.	Once the scheme starts on 1 <sup>st</sup> April bus operators then have 56 days to appeal to the Secretary of State on the proposed reimbursement rates. This could impact on the final reimbursement rates if the bus operators were to win an appeal. The risk of this is managed by the Council Scheme being consistent with the DfT Concessionary Fares guidance.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
	The provision of concessionary travel accords with the policy direction of the City's adopted Local Transport Plan (2019) by helping the Council meet its targets for increasing the use of sustainable transport modes (and bus travel in particular) and also increasing accessibility and promoting social inclusion.

<b>KEY DECISION?</b>	Yes	
<b>WARDS/COMMUNITIES AFFECTED:</b>	All	
<u>SUPPORTING DOCUMENTATION</u>		
<b>Appendices</b>		
1.	Scheme details for 2021/22	
<b>Documents In Members' Rooms</b>		
1.	Equality and Safety Impact Assessment	
<b>Equality Impact Assessment</b>		
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>		<b>Yes</b>
<b>Data Protection Impact Assessment</b>		
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>		<b>No</b>
<b>Other Background Documents</b>		
<b>Other Background documents available for inspection at:</b>		
<b>Title of Background Paper(s)</b>		<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	None	
2.		