

## CABINET

<b>Date of Meeting</b>	Tuesday, 20 <sup>th</sup> November 2018
<b>Report Subject</b>	School Transport – Transport Anomalies
<b>Cabinet Member</b>	Cabinet Member for Streetscene and Countryside
<b>Report Author</b>	Chief Officer (Streetscene and Transportation)
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

The school transport route optimisation and re-procurement exercise was completed in September 2017. The exercise delivered maximum service benefit by ensuring the most efficient use of vehicles and by designing the most cost effective routes and vehicle capacity for the required number of eligible passengers. As a consequence of this service review, a number of historical non-statutory transport arrangements were identified that were over and above the current Home to School Transport Policy and presented opportunities for alternative service delivery and potential efficiency savings.

A report was presented to the Council's Environment Overview and Scrutiny Committee on 12<sup>th</sup> July 2018 to identify options for managing some of these non-statutory transport arrangements (referred to as transport anomalies) and Cabinet subsequently approved the manner for dealing with the anomalies in July 2018.

Given the challenges facing the Council in respect of budgets, it is now proposed that the historical anomalies should be withdrawn from July 2020 with 12 months' notice to be given to parents/carers and schools of the withdrawal, which would allow sufficient time for parents/carers to make their own alternative travel arrangements to and from school.

As part of the County wide bus network review, the Council is also reviewing the subsidies it provides to commercial bus operators. This will result in some subsidised bus services, which are used by non-eligible pupils to travel to school, ceasing to operate. In these cases and where pupils who are directly affected by the cessation of these services can be identified, they will be offered concessionary seats on the school buses to travel to the schools affected. The capacity on these buses will be expanded to cater for the additional demand; however, the offer of concessionary travel will only continue until the end of the summer term in 2020 when it is expected that parents will make alternative arrangements for transporting their children to school each day.

## RECOMMENDATIONS

1	That the Cabinet approves the timelines for removing with the historical non-statutory school transport arrangements and cessation of subsidised bus services carrying non-eligible learners.
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## REPORT DETAILS

<b>1.00</b>	<b>BACKGROUND TO THE PROPOSALS</b>
1.01	The Learner Travel (Wales) Measure 2008 (as amended) ('the Measure') sets out the legal framework specifically related to travel and transport provisions for learners travelling from home to school in Wales. Under the legislation, the Local Authority must provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school (2.5 miles if the family are receipt of benefit) and 2 miles or further for primary school.
1.02	Additionally, Flintshire County Council's Home to School Transport Policy reflects the statutory provisions of the Measure and stipulates that free transport for children of compulsory school age is provided where a child receiving secondary education lives over three miles from the nearest appropriate school and 2 miles or further for primary school.
1.03	Parents and learners may express a preference for a particular school, a particular type of language provision or faith school, but the Measure does not confer on those parents or learners any rights to free transport to their preferred school and or location, unless that school is determined by the Local Authority to be the learners nearest suitable school and the learner meets the distance criteria.
1.04	There are several reasons why a pupil may not be attending the nearest appropriate school. The first reason relates to a situation in which a child has recently moved to the area outside the main admission round, i.e. after the closing date for applications, and the nearest suitable school is full. The second reason relates to a situation in which all school preferences are oversubscribed and the pupil therefore has to attend the next nearest appropriate school available. In these circumstances, if parents have been unable to secure a place for their child at their nearest suitable school or if their nearest suitable school is full, then free transport will be provided to the next nearest suitable school, providing the distance criteria is met under the current policy and a justification is provided to demonstrate why a child is not attending the nearest suitable school.
1.05	The school transport route optimisation and re-procurement exercise was completed in September 2017. The optimisation exercise delivered maximum benefit by ensuring the most efficient use of vehicles and delivery of the most cost-effective routes and vehicle capacity for the required number of eligible passengers. As a consequence of the exercise, a number of historical non-statutory transport arrangements and anomalies were identified that were over and above the current Home to School Transport Policy and beyond the requirements of the Measure, and presented

	opportunities for alternative service delivery and potential efficiency savings.
1.06	A report was presented to the Council's Environment Overview and Scrutiny Committee in July 2018 to identify options for managing these anomalies and the committee recommended the Council's Cabinet give approval for the historical anomalies to be phased out over a 5-year period as pupils leave school when they reach Year 11. This would mean that the transport provision would be provided for a number of non-eligible pupils until July 2023, which would have significant budget implications and the full anticipated savings of £400k (which were expected to be achieved by the withdrawal of the transport anomalies) would not be achieved until 2024-2025. Appendix 1 details the annual costs over the 5-year period if the transport provision were to be continued to be provided until July 2023.
1.07	<p>Currently, all those pupils who are not attending their nearest suitable school and are in receipt of discretionary free school transport have been honoured for the academic year 2018-2019 however, given the challenges facing the Council in respect of budgets it is proposed that the transport provision for non-qualifying pupils identified through the historical anomalies should be withdrawn from July 2020 with 12 months' notice to be given to parents/carers and schools of the withdrawal, which would allow sufficient time for parents/carers to make their own alternative travel arrangements to and from school. Appendix 2 details the anticipated savings to be made if the changes were to be implemented in July 2020.</p> <p>It is intended that, from September 2019, the home to school transport policy will be applied strictly and if, as a result of parental preference, a child attends a school other than their nearest, free transport will not be provided and parents will be responsible for making their own transport arrangements and for all transport costs, for the whole time the child attends the school.</p>
1.08	Additionally, as part of the County wide bus network review, the Council is also reviewing the subsidies it provides to commercial bus operators. This will result in some subsidised bus services, which are used by non-eligible pupils to travel to school, ceasing to operate. In these cases and where pupils who are directly affected by the cessation of these services can be identified, they will be offered concessionary seats on dedicated school buses to travel to the schools affected. The capacity on these buses will be expanded to cater for the additional demand; however, the offer of concessionary travel will only continue until the end of the summer term in 2020 when it is expected that parents will make alternative arrangements for transporting their children to school each day.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.02	There are significant budget implications if the historical transport anomalies were continued to be provided until July 2023. See Appendix 2.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
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3.01	With Cabinet Member (Streetscene and Countryside).
3.02	Consultation will be required with Schools and Head Teachers.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	A Local Authority could be at risk of challenge by way of judicial review or complaints to the Public Services Ombudsman for Wales if the school transport policy is not applied consistently and fairly in all cases. This risk can be mitigated by applying the school transport policy in full and addressing the historical anomalies highlighted at the earliest opportunity.
4.02	Progress will be reported to the Streetscene & Transportation Programme Board.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Summary of costs if implemented over 5 year period
5.02	Appendix 2 – Summary of anticipated savings if implemented in July 2020

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<b>Contact Officer:</b> Stephen O Jones, Chief Officer, Streetscene and Transportation <b>Telephone:</b> 01352 704700 <b>E-mail:</b> <a href="mailto:stephen.o.jones@flintshire.gov.uk">stephen.o.jones@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	None.