



## **Buckinghamshire Council Travel Concession Scheme 2023-24**

### **Introduction**

1. Local Authorities are empowered under the Transport Act 1985 to establish travel concession schemes which offer reduced cost travel and free travel in particular circumstances to certain groups of passengers. The Transport Act 2000 requires certain local authorities to provide a statutory minimum level of travel concession on buses with the Concessionary Bus Travel Act 2007 defining this minimum level of free off-peak travel.
2. This statement describes the scheme being provided by Buckinghamshire Council for 2023-24 ("the scheme").
3. This scheme will come into effect on 1<sup>st</sup> April 2023 and cease effect on 31<sup>st</sup> March 2024.

### **Scheme Details**

4. The people who are entitled to use the Scheme are those residents of England who:
  - (Of either sex) have attained the female pensionable age
  - Are blind or partially sighted
  - Are profoundly or severely deaf
  - Are without speech
  - Have a disability or have suffered an injury which has substantial and long-term adverse effect on their ability to walk.
  - Do not have arms or have long-term loss of the use of both arms.
  - Have a learning disability, that is a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning.
  - Would, if they applied for the grant of a license to drive a motor vehicle under Part III of the Road Traffic Act 1988, have their application refused pursuant to section 92 of that Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol.

5. In the event that eligibility for the statutory travel concession is altered, the change shall automatically apply to this scheme, unless Buckinghamshire Council gives notice to the contrary.
6. The Scheme offers a permit to eligible persons allowing free travel on eligible services as set out below.
7. The Scheme is available to all eligible residents within the Buckinghamshire Council administrative area (i.e. not Milton Keynes Unitary area) who must apply to Buckinghamshire Council for a permit to use the scheme.
8. Buckinghamshire Council may charge a fee for the issue of replacement passes and reserves the right to withdraw any passes it finds to be used fraudulently.
9. The scheme offers Statutory Free Travel according to the terms of the Concessionary Travel Act 2007 on local bus services for anyone holding a valid English National Concessionary Travel Scheme permit issued by any authority in England between 09:30 and 23:00 on Monday to Friday, and at all times on Weekends and Bank Holidays.
10. The scheme also allows free travel for any holder of a Buckinghamshire Council permit (or a valid permit previously issued by Buckinghamshire County Council) between 0900 and 0930 and 23:00 and 23:59 on Monday to Friday on any journey commencing in the administrative area of Buckinghamshire Council.
11. Holders of a visually impaired person's permit issued by Buckinghamshire Council (or a valid permit previously issued by Buckinghamshire County Council) may travel **at any time**.
12. For an initial period between 1st April 2023 and 31st August 2023, inclusive, any holder of a Buckinghamshire Council permit (or a valid permit previously issued by Buckinghamshire County Council) may travel at any time for a reduced flat fare of £1 per single journey outside of the scheme hours stated in clauses 9 and 10. This will be reviewed prior to the end of this initial period and may be extended by agreement with participating operators. No additional payment will be available for this purpose.
13. Holders of a permit issued by Buckinghamshire Council (or a valid permit previously issued by Buckinghamshire County Council) endorsed "companion" may be accompanied by a companion free of charge. A holder of a permit endorsed "companion" may start a bus journey independently, but if accompanied by a companion, both permit holder and companion must board and alight at the same point. No companion may obtain a concession under the Scheme except when accompanying the holder of a valid permit endorsed "companion".

14. Holders of a valid permit will be eligible for free bus travel, subject to clauses 9–13 above, providing they show the valid permit issued to them to the driver or conductor (or touch the permit to a smartcard reader) of the bus on which they wish to travel (subject to there being spare capacity on that bus).

### **Compulsory Participation of Bus Operators**

15. The operators of eligible bus services must offer the scheme described to all eligible persons on all journeys starting in the Buckinghamshire Council administrative area as described in clauses 9 - 13 above, subject to the eligible persons showing a valid permit (clause 14).
16. Operators will be eligible for reimbursement for each journey starting in the Buckinghamshire Council administrative area as described in clauses 21 - 30 (in accordance with the Transport Act 2000 clause 145A as amended by the Concessionary Bus Travel Act 2007).
17. Operators are reminded that failure to operate the scheme makes them liable on summary conviction to a fine not exceeding level 3 on the standard scale under the Transport Act 2000 (Section 148) and the Transport Act 1985 (Section 101).

### **Appeals**

18. An operator may apply to the Secretary of State for Transport for cancellation or variation of the scheme by 26 May 2023 under Section 150(3) of the Transport Act 2000 (as amended by the Concessionary Bus Travel Act 2007) or under Section 98(2) of the Transport Act 1985 (as amended by the Concessionary Bus Travel Act 2007). An operator must give written notice as set out in the appropriate Act to: Head of Public Transport, Buckinghamshire Council, Walton Street Offices, Aylesbury, HP20 1UY.
19. An operator may also apply at any time to the Secretary of State for Transport under Section 99(2) of the Transport Act 1985 to be released from its obligation to provide travel concessions under the scheme on the grounds that the authority responsible for the administration of the scheme has failed to reimburse it for providing the concession. The operator must provide Buckinghamshire Council with 28 day notice in writing of their intention so to do.
20. An operator applying to the Secretary of State for Transport under clauses 18 or 19 must continue to provide the Scheme until the Secretary of State for Transport, or the person they appoint, decides otherwise.

### **Scheme Reimbursement arrangements**

21. The scheme operates on a “fixed reimbursement pot” basis. The total pot is set at £4,890,140 for 2023-24.

22. There will be no claims made for additional payments by either side for the time that the scheme applies.
23. Operators will be reimbursed on a quarterly basis, with 90% of the projected apportionment for each operator paid to them by the mid point of each quarter. An adjusted final payment will then be paid within weeks of the end of the quarter, subject to clause 27.
24. The fixed reimbursement pot will be distributed on a pro rata basis to all participating operators.
25. The pot will be split into four equal amounts each to be paid quarterly. Distribution will be based on each operator's percentage share of nominal total revenue forgone in that quarter of all operators. This will be calculated for each operator by multiplying the number of eligible single journeys undertaken on that operator's services multiplied by that operator's average fare. The nominal revenue foregone for each operator in the scheme will then be totalled. Each operator's payment will be calculated pro rata based on their percentage of this total
26. Operator average fares will be calculated from the returns submitted to Buckinghamshire Council according to clause 30 using the total adult single, return and day tickets sold by that operator.
27. Buckinghamshire Council may withhold payment if an operator does not submit data as required by clauses 28 - 31 within 14 days of the end of the preceding quarter or if it believes the data submitted to be significantly incorrect. Written notification will be given to the operator by the due payment date.
28. Operators are required to submit quarterly data identifying the number of journeys being undertaken on each service operated, having regard to the Travel Concession Authority area where each journey commenced.
29. Trips made should be recorded using an on-bus Smartcard Reader. A maximum of 3% of an operator's total trips per quarter will be accepted as recorded via manual driver entry.
30. Section 22 (community transport operators) and contracted services where Smart ETMs are not currently mandated are exempted from the manual entry limit.
31. Operators are required to submit fares information for adult single, return, day and weekly tickets and where requested the additional information specified in the DfT's revised guidance.

32. Buckinghamshire Council may conduct surveys without being required to pay a fare; may conduct other checks on vehicles on which concessions are granted and may require other data (including ticket machine data) in order to audit claims from bus operators.