



DERBY CITY COUNCIL

**PLANNING & TRANSPORTATION CABINET
MEMBER MEETING
16 March 2009**

ITEM 4

Report of the Corporate Director Regeneration
and Community

Public consultation proposals seeking views on the proposed reduction in discretionary home to school transport services

SUMMARY

- 1.1 This report provides an overview of a proposed reduction in discretionary home to school transport services and the proposed public consultation process.
- 1.2 The report seeks approval for the proposed public consultation process.

RECOMMENDATION

- 2.1 To approve the proposed public consultation process seeking views on the proposed reduction in discretionary home to school transport services by September 2009.

SUPPORTING INFORMATION

- 3.1 Historically Derby City Council, and previously, Derbyshire County Council, have provided specific school bus services where children would find it difficult to use commercial service buses to school. These are services for children that primarily live below the statutory minimum walking distance to school and therefore are discretionary services. The services are funded by charges made to pupils and Council funding.
- 3.2 There are significant pressures on the Council's 2009/10 budget and the reduction in discretionary home to school bus services has been identified as a potential budget saving. The decision on whether to implement these proposals is one for Cabinet, but only after a full public consultation exercise where officers can set out for Members the implications of the proposals.
- 3.3 Details of the proposed public consultation exercise are attached as Appendix 2. The Cabinet Member is asked to approve this proposed process in order that consultation on this issue can begin immediately.

3.4 The key consultation issues will be:

- to seek views on the proposed reduction of discretionary home to school transport bus services
- to understand the impacts of the proposals on families and schools

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List of appendices:	None
	Appendix 1 – Implications
	Appendix 2 – Proposed public consultation process

IMPLICATIONS

Financial

- 1.1 If implemented in their current form, the proposals will result in an overall saving of £280,000 per annum.
- 1.2 It is envisaged that a proposed service saving of £165,000pa would be realised in 2009/10, with an additional £85,000pa in 2010/11; in addition, with effect from 2010/11 the loss of a post would result in a further saving of £30,000pa.

Legal

- 2.1 Under section 509(3) Education Act 1996 local education authorities such as the Council have discretionary power to pay the whole or part of any part of reasonable travelling expenses of any person receiving education at a school, further education institution or any other institution where the Learning and Skills Council has secured provision. Section 46 (1) Public Passengers Vehicles Act 1981 allows pupils not eligible for free transport to pay for seats on school buses used to provide free transport to other pupils. There are also concessionary fares for young people on public transport under transport legislation. All this is in addition to the duty on a local education authority to provide free transport where it decides that such transport is necessary, which is not being considered in this report.
- 2.2 DfES Guidance 373/2007 of May 2007 on Home to School Travel and Transport says that “Local authorities should consult widely on any changes to their local policies on school travel arrangements, with all interested parties included in the consultations. Consultations should last for at least 28 working days during term time. This period should be extended to take account of any school holidays that may occur during the period of consultation ... Good practice suggests that any such changes should be phased in and come into effect as pupils start school.” There is a statutory duty on the Council to have regard to this guidance.
- 2.3 The consultation papers must give sufficient reasons for the proposals to allow intelligent consideration and response. All responses should be conscientiously taken into account when the proposals are finalised.

Personnel

- 3.1 Removal of subsidised supported mainstream school bus services as proposed is likely to result in the eventual loss of between one and two posts currently located in the Procurement & Operations Team of the Council's Integrated Passenger Transport Group.

- 3.2 However the group is still developing its role in terms of taking on transport procurement and management of services across the council and any decisions on changes to posts will need to be taken in the light of any additional responsibilities that the Group takes on from other areas of the Council. Work on revising the Group staffing structure will be carried out during 2009/10 and staff will be kept fully informed.

Equalities Impact

- 4.1 The rationale for the proposals is based on both budgetary and equality grounds; the current pattern of provision to a limited number of schools could be perceived as inequitable. The proposed removal of services will address this issue.

Corporate objectives and priorities for change

- 5.1 This proposal contributes towards the Council's Corporate Priority of providing excellent services and value for money.

Public consultation proposals seeking views on the proposed reduction in discretionary home to school bus services

Overview

- 1.1 The budget proposals approved by Full Council on 2 March 2009 included the proposal to withdraw discretionary home to school bus services, which are primarily provided for those children who live less than the statutory minimum walking distances of either 2 or 3 miles from their school, dependent on their age. The aim would be to withdraw these services from September 2009.
- 1.2 As well as making required budget savings, part of the rationale for proposing these changes was to work towards an equitable system of access to all schools and also to make a positive contribution towards the increasing physical activities agenda and to reducing obesity.
- 1.3 Children that live more than the statutory minimum walking distance from their nearest appropriate school, or where families receive free school meals and the maximum working tax credit, will continue to have transport services provided. If the provision is to a faith school then the service is already charged for, for those pupils that started school from September 2008.
- 1.4 In order to properly assess the implications of the proposals a full consultation exercise is being carried out. The key consultation issues will be:
 - to seek views on the proposed reduction of discretionary home to school bus services
 - to understand the impacts of the proposals on families and schools

Timetable for consultation

- 2.1 We will be following consultation guidelines for consulting with schools to ensure that we consult for 28 working days, in term time. This equates to around 6 weeks of term time.
- 2.2 In total the consultation will run for around 8 to 9 weeks, though this will be over the Easter Holidays.
- 2.3 Following formal approval of the consultation process by the Cabinet Member for Planning and Transportation on Monday 16 March, the consultation will formally start on **Tuesday 17 March 2009**.
- 2.4 Working on the basis of 28 working days, outside of term time, the consultation will technically finish on **Monday 11 May 2009**.

- 2.5 We will then analyse the results of the consultation and report them formally to Cabinet on 2 June with recommendations on whether to progress or not with the proposed reduction in discretionary home to school bus transport.
- 2.6 Reports for the meeting on 2 June will be available to the public from Friday 22 May.

Consultation process

- 3.1 The consultation process has been designed to be as wide as possible. We will prepare a questionnaire for people to complete, either returning it by free post to the Council or by completing it online from our website.
- 3.2 Consultees will include:
- parents of all pupils attending schools in Derby
 - parents of children who live in Derby but who attend faith schools outside the city
 - governors and headteachers of all Derby schools and neighbouring faith schools
 - the Catholic diocesan education authority for Derby
 - neighbouring local authorities
 - the Confederation of Passenger Transport
 - any interested members of the general public, who become aware of the consultation process and wish to provide their views

Consulting with Overview and Scrutiny Commissions

- 4.1 During the budget process both the Children and Young People and Planning and Transportation Commissions have been kept informed of the situation.
- 4.2 We will arrange separate consultation meetings with the Commissions to ensure that their views are formally captured within the consultation process.