

# ITEM 9a



## COUNCIL CABINET 7 JULY 2009

Report of the Chairs of the Children and Young People and Planning and Transportation Commissions

### **Proposed Withdrawal of Discretionary Home to School Transport Services**

#### **SUMMARY**

- 1.1 The report of the Corporate Director for Regeneration and Community on the proposed withdrawal of discretionary home to school transport services was considered at a joint review meeting of the Children and Young People and Planning and Transportation Overview and Scrutiny Commissions on 22 June 2009.
- 1.2 At their meeting the Commissions heard evidence from a range of witnesses as well as from the Council Cabinet member for Planning and Transport and the Assistant Director Highways and Transport.
- 1.3 Having considered the report and the evidence the Commissions agreed to recommend to Council Cabinet that the proposals contained in the report should not be implemented. The detailed recommendations of the Commissions are set out in (2) below.

#### **RECOMMENDATIONS**

2. The Children and Young People and Planning and Transportation Overview and Scrutiny Commissions recommend that:
  - a) Council Cabinet does not approve the proposals contained in the Director's report.
  - b) In the interim the current proposals to provide discretionary home to school transport using the Notts Derby bus service are underwritten by the Council. This is to ensure that school transport will be provided for the full academic year in the event that the commercial service does not prove to be financially viable.
  - c) Cabinet conducts a detailed and city-wide consultation to establish the school bus requirements of all 105 schools in the City so that a realistic estimate can be made of the costs of providing comprehensive transport to all the schools in Derby.
  - d) The Council, together with bus operators such as Notts Derby,

investigate the options for providing a commercial service to all Derby schools, the costs of providing such a service, and the practicality, based on the lower fares that commercial operators are apparently able to charge, of reducing the subsidies the Council pays to support its current services to schools.

- e) During the coming academic year the Council monitors the take up of the pay as you go services offered by Notts Derby and compares this information with that relating to the take up of the previous advanced payment services.

## **REASONS FOR RECOMMENDATIONS**

- 3.1 From the evidence they received at their meeting the Commissions consider that the proposals contained in the Director's report will for reasons of convenience, cost, safety and security, adversely impact on the children who were previously in receipt of discretionary home to school transport and upon the parents of those children.
- 3.2 Members were concerned about the possible termination of the commercial services that were being proposed by Notts Derby if these did not prove to be financially viable. Members were told at the meeting that Notts Derby were only prepared to offer a six month guarantee of service and they felt this was insufficient.
- 3.3 Commission members were concerned that if Notts Derby considered that they could provide a commercial service with a £1.00 flat rate fare, the Council had had not been getting value for money for the bus services it provided to schools. They felt this was a matter that warranted investigation
- 3.4 It was the view of the Commissions that the consultation on school bus services that had been carried out so far was flawed. Members were told by some of the witnesses that they had not been contacted as part of the consultation exercise. It was also felt that the consultation had not been sufficiently extensive.
- 3.5 The Commissions considered that the Council should establish the school transport requirements of all the schools in Derby and that the costs of providing such transport using commercial operators like Notts Derby should be determined.
- 3.6 It was considered that the introduction of the new commercial services by Notts Derby provided the opportunity to compare the take up of identical 'advanced payment' and 'pay as you go' schools bus services.

## SUPPORTING INFORMATION

4. A copy of the notes of the joint review meeting on 22 June 2009 is attached. The Chairs of both Commissions have agreed that the notes are a reasonable representation of what was said at the meeting. The contributors to the review have been provided with copies of the notes and have been asked to inform Councillor Poulter of any amendments that they consider should be made to the notes.

## OTHER OPTIONS CONSIDERED

5. The proposals contained in the Director's report.

**For more information contact:** David Romaine 01332 255598 e-mail [david.romaine@derby.gov.uk](mailto:david.romaine@derby.gov.uk)  
**Background papers:** Background Papers - None  
**List of appendices:** Appendix 1 – Implications  
Appendix 2 - Notes of the Joint Review Meeting of the Children and Young People and Planning and Transportation Commissions held on 22 June 2009 to review the proposals to withdraw Discretionary Home to School Transport.

## Appendix 1

## IMPLICATIONS

### Financial

1. None arising directly from this report.

### Legal

2. None arising from this report. Notts Derby have registered their new bus services but have no contract with the Council.

### Personnel

3. None arising from this report.

### Equalities impact

4. Discretionary home to school bus services will be of benefit to a wide range of Derby children and their parents.

### Corporate Priorities

5. This report has the potential to link with the following Corporate priorities

- Supporting everyone in learning and achieving
- Helping us all to be healthy active and independent
- Giving you excellent services and value for money

**Notes of the Joint Review Meeting of the Children and Young People and Planning and Transportation Commissions held on 22 June 2009 to review the proposals to withdraw Discretionary Home to School Transport.**

The meeting started at 6.00 pm

**Those present at the review meeting:**

**Commission members**

Councillor Bolton (Chair), Councillors Poulter, Higginbottom, Ginns, Repton, Harwood, Ingall, Lowe, Rawson, John Honey

**Cabinet member and Officers**

Councillor Care, J Guest - Corporate Director, Regeneration and Community, C Durrant, - Assistant Director - Highways and Transport, D Dowbenko - Integrated Passenger Transport Group Manager, Keith Forrest – Assistant Director, Strategic Support, Children and Young People Department.

D Romaine – Co-ordination Officer

**The witnesses** to the review were: Stuart Frost - Notts Derby Buses, Dave Wilkinson – NASUWT, Dr Reynolds – Head Teacher St Benedict's School, Matthew Emery - Head Teacher John Fisher School, Nick Dunne – Governor St Benedict's School, Helen Vasey - Head Girl – St Benedict's School, Graham Lobb - Parents for Buses, Angela Kinsey – Petitioner, Chris Rawden – Governor St Mary's School, Kya MacKay and Ryan MacDonald – young people's representatives, May Mason – Parent.

**Apologies** were received from Councillors Latham and Williams. Councillor F Khan absented himself from the meeting because he considered he had a personal and possibly prejudicial interest in the matter under discussion.

1. It was agreed that Councillor Bolton would Chair the meeting.
2. The Chair gave the background to the review and explained that the purpose of the meeting was to consider the proposals contained in the report of the Corporate Director of Regeneration and Community that was to be submitted to the Council Cabinet meeting on 7 July 2009. The draft version of the Director's report, which had been provided to the Co-ordination Officer on Friday 19 June 2009, had been circulated electronically to Commission members. Paper copies of the draft report were available at the meeting.
3. Christine Durrant (CD) briefed the meeting on the proposals contained in the Director's report to Council Cabinet. She told the meeting that the proposal to withdraw discretionary home to school transport was approved as part of the Council's budget and applied to children who depending on age

lived less than 2 or 3 miles from school. CD said that three categories of children were provided with home to school transport. These categories are detailed in Appendix 2 of the report and in summary are:

Category A children. There is a statutory requirement for the Council to provide free home to school transport to the children in this category

Category B children. These are children who attend a faith school on faith grounds and for whom the Council provides free or subsidised transport. This provision is not affected by the proposals.

Category C children. These are children who live less than 2 or 3 miles from their nearest suitable school or who are attending a faith school on faith grounds and who live within the minimum walking distance. They are currently receiving discretionary subsidised transport and their parents pay an advance charge for the use of the bus. It is the children in this category who will be affected by the proposals.

4. CD confirmed that the proposal was to withdraw from September 2010 the Council's commitment and any direct financial support for discretionary transport provision to a number of schools.

5. CD told the meeting that the consultation on the on the proposed withdrawal of discretionary transport started on 17 March 2009 and finished on 11 May. She said that on 26 May the Council was approached by the Notts Derby bus operator with a proposal to provide a commercial bus service to St Benedict's and Derby Moor schools.

6. CD said that the Notts Derby proposal changed the situation and that because of this it was decided to defer making a decision at the 2 June Cabinet meeting until after the results of the consultation have been fully considered. She said that the results of the consultation were now available and that the report that had been provided to the Commissions' members was a draft of the report to Cabinet on 7 July 2009.

7. CD said that the new bus services would be available to 220 children and that the proposed withdrawal would therefore only affect 64 children.

8. CD went through the main points of the consultation and told Commission members that there had been significant support for the retention of the discretionary bus services and that this was highest for children at faith schools. CD said that the responses to the consultation showed mixed views on subsidising bus services and on the use of Council Tax contributions for this purpose. She also said that there was general support for the view that the Council should encourage healthy ways of travelling to school. However, some respondents had concerns about the increased cost for parents and about safety.

9. CD told the meeting that there were currently 220 pupils attending St Benedict's and 37 at Derby Moor School that would no longer be offered

subsidised transport. However the routes that Notts Derby had now registered largely covered the previous Council routes and the children at these schools would be able to access the new services to attend school.

10. CD also confirmed that there would be 55 pupils at the four primary schools and 9 at Bemrose Secondary school that who no longer be offered subsidised transport and that the their parents would have to make alternative transport arrangements.

11. Turning to the impacts of the scheme CD said that it was accepted that the withdrawal of the discretionary services would have some impact on bus usage and that there was likely to be an increase in car use. This might result in an increase in parking and congestion. CD said that the risk of accidents due to the proposed changes had been assessed as low. She recognised that the changes in payment arrangements might cause difficulties for some parents.

12. With regard to the financial impact of the proposal CD told the meeting that the annual cost of providing bus services was around £700k. £370k of this was for the provision of statutory services and £330k was for discretionary bus services. CD said that a number of options had been examined. These were to continue with the existing provision to the primary schools and Bemrose which would cost an additional £100k/year, to phase out the support for discretionary transport which could take up to 7 years and would cost around £450k, to provide transport to all the other schools in the City which would cost around £1.5m/year.

13. In conclusion CD told the meeting that it was acknowledged that the proposed withdrawals would cause difficulties for some children and carers, particularly in the short term. However she said there was inequality in the current provision of school transport and what was being proposed would help promote walking and cycling to school. It would also help to resolve the budget situation in which the Council found itself.

14. CD drew the meeting's attention to the recommendations in the draft Cabinet report.

15. The Chair asked Councillor Care if the draft report was to be considered by Council Cabinet. In response Councillor Care said that the Council was facing a challenging budget, there were inequality issues with the current arrangements as some schools did not get any transport. She said there need to keep matters in proportion.

16. Councillor Care said that Cabinet needed to approach the matter with an open mind and she pointed out that it was the Director's report and the recommendations had been made by officers.

17. Councillor Poulter asked Councillor Care about the indicative timetable for the proposals. In response Councillor Care said that unless there were developments at the Commissions' meeting the report would be considered by Cabinet on 7 July 2009. Councillor Poulter asked what the last date would

be that would allow the proposals to be implemented in September 2010. Councillor Care said that this would be June 2010.

18. Councillor Repton said he was amazed that Councillor Care had not said what the outcome of the proposals would be. He suggested that she would not do this before the 2010 elections. Councillor Repton referred to the figures provided to the Commissions by CD and asked about the £280k saving and £100k cost that she had mentioned. CD said that the £280k was the total savings identified in the budget as resulting from withdrawing discretionary home to school transport. She said that if the Council was to carry on providing the service it could only make a saving of £180k, so the cost would be £100k.

19. Councillor Higginbottom asked whether there was any intention to phase out the 'B' Line card and Councillor Care confirmed that there were no plans to do this.

20. Councillor Poulter referred to the timing of the proposed withdrawal of the services. Councillor Poulter said that parents did not at present know where they stood. He said that as the changes would not take place until 2010 there was no need to rush to agree anything and there was the opportunity for more discussion before making a decision.

21. In response Councillor Care said that there were reasons for making a decision now. She said that Year 6-7 children would be moving up and their parents needed to know what was going to happen. A decision needed to be made in July or September so that parents could take the transport issue into account when making their own decisions.

22. The Chair suggested that it might appear to parents that Councillor Care was waiting until after the parliamentary elections before implementing the decision. In response Councillor Care said that if she was putting her own political career first she would not be taking this decision now.

23. The Commissions then moved on to consider evidence from the witnesses.

### **1. Stuart Frost (SF) – Manager Notts Derby Buses**

24. SF told members who he was and said that he was pleased to have the opportunity to talk to members about what Notts Derby were proposing.

25. Councillor Higginbottom asked SF when Notts Derby put forward their proposals. SF said that this was in May 2009.

26. Councillor Repton asked whether Notts Derby would guarantee the fare both now and in the future. In response SF said that the routes would be a commercial operation. The fare would be £1 per journey and there was no intention of cutting back services. Councillor Repton then asked if it was correct that the St Benedict's route was part of a wider agreement with the



Council. CD replied and said that nothing had been signed between Notts Derby and the Council. Notts Derby were running the services independently.

27. John Honey then asked under what circumstances the services might be withdrawn. SF said that there was no intention to withdraw the services but if they did they would have to give notice to the Traffic Commissioners and would talk to the schools directly. John Honey then asked how Notts Derby would handle unruly behaviour and passengers who did not have the fare. SF said that they would deal with these situations in the same way they did now. If a passenger had no pass or fare they would not be allowed to travel, and passengers who behaved in an unruly manner would be reported to the Council.

28. Councillor Harwood asked how many school bus services Notts Derby currently provided and SF said there were five at present.

29. Councillor Repton queried the fare and SF confirmed it would be a flat rate of £1 each way. CD said that the £1 fare equated to around £380 per year which was comparable with the £350 per year under the current arrangements. Councillor Repton suggested that there was a need to look for better value for the majority.

30. Councillor Ginns asked whether Notts Derby buses had withdrawn school services before and SF said that if they had it would have been a County Council decision.

31. Councillor Poulter said that the costs seemed comparable and asked about the capacity of Notts Derby to provide the services. In response SF said that Notts Derby were only intending to run services to St Benedict's and Derby Moor Schools. He said that the company was buying 11 new vehicles which should be enough to do the job but if there were problems with overcrowding they would get more vehicles. Councillor Poulter asked whether Notts Derby was intending to take on extra routes. SF said that this might be possible in future but there was no intention at the present. He said they were currently running to five schools and that this would increase to 16 in September. Councillor Poulter asked if Notts Derby had an agreement with the school and SF said that they had offered the schools a six month guarantee of service.

32. Councillor Ingall asked SF whether Notts Derby ran any other commercial services to schools. SF confirmed they ran to other schools but said that there the children paid the schools. He said that the two new services would be the company's first commercial services to schools.

33. Councillor Rawson asked why the Council had been paying to provide the service if they were financially viable to a commercial operator. CD said that children who are 14-18 will pay the other half fare to Notts Derby through the 'B' Line scheme. Also the Council had to ensure that there were seats for everyone with passes on the buses, a commercial operator did not have the same restrictions as the Council.

34. Councillor Repton suggested that if the service was just about cost it should be possible for the Council to do better, but if the issue was quality of service the costs would be higher.

35. Councillor Higginbottom asked about the provision of buses to collect children following after school clubs etc. SF said that they could be provided if the Council paid.

## **2. Dave Wilkinson (DW) - NASUWT**

36. DW said that he welcomed Councillor Care's statement that the decision was still under consideration. He said he felt sorry it was proposed to stop the service as it had a good safety standard.

37. DW said that he was concerned about the possible impact of the proposals on pupil numbers, about the consequences for school budgets and the impact on teachers' jobs. He said that he realised that the proposals were a consequence of the low Council Tax that had been set for 2009/10.

## **3. Chris Reynolds (CR) – St Benedict's School**

38. CR told members that Catholic Schools were originally intended for pupils from poorer families. He said that the Council had made a promise to parents of pupils at a primary school on the south side of the city that transport to St Benedict's would be free. He also said that for many pupils moving up to secondary school that St Benedict's was the nearest suitable school.

39. CR asked what would be done to provide diploma students with the means of moving between different schools which they would need to do as part of their diploma studies. He said that the government had asked Council not to make any changes for two years.

40. CR pointed out that the 'B' Line card was available to all children but said that the figure was less than one quarter of the total. CR asked whether the other parts of the service had been looked at.

## **4. Helen Vasey (HV) – St Benedict's School**

41. HV said that she had used the bus service for 7 years and now realised how important it was. She said that she lived in Mickleover and told members that if she used a commercial bus service she would need to leave home at 7.15 am to get to school on time. She said that this would be tiring as school days were very busy.

42. HV said that moving to secondary school was daunting enough for a child of 11 without having to use a commercial bus. She also suggested that there might be safety issues if the Council buses were withdrawn.

43. On the financial aspects of what was proposed HV said that there would be no support for parents outside the benefit bracket. She said that the fare was a significant amount of money for parents with one child and even more for those with more children.

44. HV said that the proposals penalised faith schools and the Council should not be doing this or putting obstacles in the way of pupils who wished to attend them.

#### **5. Nick Dunn (ND) – St Benedict’s School**

45. ND said that the proposals discriminated against pupils who attended faith schools. He said that if they went through they would disadvantage parents whose budgets were already under pressure. He pointed out that a high proportion of the parents of St Benedict’s pupils were on benefits and there were a large number of pupils with special needs.

46. ND said that the proposals would lead to increased traffic problems with more congestion on site and more vehicles on the road.

47. ND said that the proposals would affect everyone and he was concerned that the Notts Derby service would not be maintained if it did not prove to be commercially viable.

#### **6. Matthew Evans (ME) – John Fisher School**

48. ME said that he spoke for all the schools. He said that parking and traffic in Alvaston had got worse. ME said that some children were walking to school but were faced with crossing busy roads. ME said that removing discretionary transport penalised parents who had made the decision to send their child to a Catholic School.

49. ME said that he recognised there was a need to subsidise services but argued that discretionary transport was equitable because it gave parents choices.

50. ME suggested that one possibility might be to introduce higher fares but said that the Council really needed to introduce an Integrated Transport System for the City.

#### **7. Ryan MacDonald (RM) – Young Persons representative**

51. RM said that there were advantages and disadvantages associated with the provision of home to school transport. He said he walked to school and back, about one mile each way, and enjoyed the experience. He also said that there was the issue of why some children should get transport to school whilst others did not.

52. RM said it was important to introduce children to the use of public transport, and some of them needed to use it. RM asked why the Council

would make a loss providing public transport when commercial operators could apparently run it at a profit. He felt that if it was possible to operate service commercially they should be expanded to other schools.

53. RM had some concerns about the statement by SF concerning Notts Derby's position if a pupil did not have a pass or the fare. SF clarified his earlier statement and said that under such circumstances the pupil would be allowed to travel but Notts Derby would seek to recover the money at a later date.

#### **8. Kya Mackay (KM) – Young People's representative**

54. KM said that she felt all children had a right to transport to school. She said that most children felt safer if they were travelling with friends or with people they knew.

55. KM said that she felt the service needed to be more comfortable with more support and that there should be a daily routine for morning and after school.

#### **9. Graham Lobb (GL) – Parents for Buses**

56. GL said he felt strongly that Catholic children should have a right to choose the school and commented that faith schools had a large catchment area.

57. GL said that he had concerns about Notts Derby's lack of accountability and said that the service could be stopped at short notice. He said that Category A and B children would rely on the new services. He felt that the new services should be underwritten by the Council and he pointed out that the new service was more expensive than the Littleover service which only cost £0.60 to £0.80 per day.

58. GL said he was concerned about the lack of a guarantee by Notts Derby and also about the possibility that Notts Derby drivers might leave younger children behind in favour of older children. GL also said that he was concerned that older children might get on the buses and bully the younger ones.

59. GL said that the proposals were likely to lead to more cars on the road. Regarding walking to school he said that his wife would not like to walk along Duffield Road on her own.

60. GL told members that he felt there should be a consultation to determine how many children would require buses.

#### **10. Angela Kinsey (AK) - Petitioner**

61. AK said that she felt the process had been dehumanised. She said that the Council had included no reference to safety or the care of children and

she was concerned that there were no proposals or contingency plans to cover the withdrawal of the service.

62. AK said that parents and carers often dropped off their children at school on their own way to work and altering this would require a change in lifestyle.

63. AK was concerned about the possibility of primary and secondary school children sharing buses. She said that children needed to feel secure and she was worried about their safety if the public were allowed on the buses.

64. AK suggested that any service needed to be pay as you go and affordable. She also said that the Council needed to guarantee that the service was secure and that it needed to regain the trust of parents.

### **11 Chris Rawden (CRa) – School Governor St Mary's**

65. CRa said he had concerns about the impact of the proposals on St Benedict's. He said the school had a Transport Plan which was encouraging the move away from cars and he felt that removing the discretionary service would undermine this work. CRa said that the Council had identified the children who would be affected and the proposals would result in increased car use to bring those pupils to school. This move to increased car use could have health issues for the children and would impact on the school which had already had to close its on-site parking.

66. CRa said that children were safer on buses and direct school buses were very important as they encouraged bus use by children. He said that the Council should retain the existing services and said that changing the service would have negative effects.

67. The Chair thanked the witnesses for their contributions and asked Commission members if they had any questions they wanted to ask the witnesses.

68. Councillor Ingall asked who amongst the witnesses had been consulted. GL said that he had received the paper consultation and CR said he had heard about it on the radio. None of the witnesses said that they had been asked for their views.

69. Councillor Repton said that he was appalled at the lack of consultation by the Council.

70. GL told the meeting that he considered it was the Council's responsibility to transport children and head teachers to teach them.

71. Councillor Ginns said that she felt children should be treated fairly and put first.

72. Councillor Harwood said that he originally had misgivings about the consultation and the reports had not given him any reason to change his

mind. He said that he was still worried about children going along Duffield Road. He was also worried about what Notts Derby would do if they found the routes uneconomical and said that he would prefer a 5 year guarantee otherwise the existing service should not be terminated.

73. Councillor Lowe said he was not in favour of discretionary transport being removed. He said that he had asked about the consultation and had been told it was sent out with the free newspaper but he had not seen it.

74. Councillor Rawson said that he had a number of points to make. He said there was a disproportionate effect on faith schools and said that 86% of those affected would be faith school pupils.

75. On payment in advance Councillor Rawson said it was important to know the level of take up of the scheme. He said that there had been big drops in bus use at Bemrose and Derby Moor when payment in advance was introduced. If the levels had been retained it would still be a viable service. Councillor Rawson said that he wanted to know whether this effect had been considered.

76. With regard to car use Councillor Repton said that the proposals dropped the need to reduce car usage in favour of economics. He said that he intended to ask Councillor Care about her views on car use compared with income and he said that the Children and Young People Department was not switched on to other methods of getting children to school.

77. Councillor Repton said that the issue was about the price of services. He said the budget was linked to the level of Council Tax and for the sake of saving a few pence the Council was now trying to balance a difficult budget.

78. Councillor Repton said that the Council was not getting value for money services if a private bus operator was able to step in and run a commercial service. He also suggested that the Council consider subsidising the services provided by the commercial operator to reduce the fares that the children using them would have to pay.

79. Referring to the information provided by CD, Councillor Repton said that if the additional cost of retaining the discretionary services was only £100k, the Council was failing young people if it did not do this.

80. John Honey said that he agreed with the aim of promoting walking and cycling but accident statistics suggested that bus travel was the safest form of travel for young people.

81. Councillor Poulter asked about the possible effect on pupil numbers referred to in the letter circulated by DW. In response KF said that as far as pupil numbers were concerned, the only possible impact was upon St Benedict's. However, he said that there had been similar concerns raised when the charging system changed to advanced charging last year,

but there had been no subsequent decline in the number of applications for a place at the school.

82. KF said that St Benedict's school remains a key element of the Council's choice and diversity policy within the BSF framework. He pointed out that the proposed school transport changes only applied to pupils whose homes were less than the statutory distances from the school.

83. So far as Diploma students and the 14-19 strategy were concerned, KF said that the legislation on school transport was lagging behind the 14-19 personalised learning agenda. He said that current legislation only required local authority's to provide a single journey from home to school and back again per day. He speculated that this might change in the future, but would require substantial additional funding.

84. Councillor Higginbottom and Councillor Repton commented on the absence from the meeting of the Cabinet member for Children and Young people.

85. Councillor Poulter also asked about how Notts Derby would react if a pupil who wished to travel on a bus did not have their fare. SF said that if the driver believed the case was genuine he/she would take the pupil's details and Notts Derby would try to recover the fare at a later date.

86. Councillor Poulter pointed out that some services provided by the Council were very expensive, up to £1000/person.

87. GL suggested that there was an opportunity to look at what the Council could do better or cheaper and that they should be able to do it for the whole City. He said he had not been asked if he wanted a bus. GL suggested that if a city-wide consultation were held it might be found that there were only a handful of schools that wanted a bus. He felt that this was something that needed to be looked at for the whole city. Councillor Poulter suggested that the Council needed to work with schools to find out the travel arrangements that were required.

88. AK said that withdrawing discretionary transport was the easiest way to save money. She said her children wanted to cycle to school but she felt it was too dangerous. AK asked how the Council could consider withdrawing services from schools and she said that the Catholic community provided 10% of the funding for Catholic schools.

89. ME suggested that the Council could look for cheaper ways of providing the service. He said that small primary schools could not do this. It was the responsibility of the Council not the schools to consult with the bus operators. This would be easier with proper consultation and support from the authority.

90. May Mason (MM) asked if the impact of the change from pay as you go to pre pay had been properly considered in terms of the total journeys and the carbon dioxide emissions. She also asked about the 56 Category A and B

children who would now have to be found alternative transport. She wondered if this would be in taxis which produced more carbon dioxide.

91. CD said that these children would be transported in smaller buses, mini buses or taxis, but in the most environmentally friendly way.

92. Councillor Poulter asked about evidence of modal shift and CD said that a significant change in problems had been witnessed outside schools. She said that about 8% more children seemed to be travelling to school by car. This had resulted in more congestion and traffic on Duffield Road. CD said that there had been no increase in people travelling on foot or by bus.

93. CD said that there had not been time to analyse risks due to walking or the level of congestion. CD said that at St Benedict's and Derby Moor the impacts had been due to the introduction of advanced charging. Now clearly fares might go down. This was a difficult decision for members to take as full information on the impact of the proposals was not available.

94. Councillor Poulter asked if there had been enough time to consider the information that was available. In response CD said that the proposals would impact 64 pupils which was not significant. She said that the impact of the advanced charging applied to a decision that had already been made.

95. The Chair pointed out that the report was an in-depth report and said it had been late arriving.

96. Councillor Higginbottom said she felt there was a need for further consultation and that an implementation date of September 2010 was out of the question completely.

97. Councillor Repton said that he felt the status quo should be retained and an attempt should be made to reduce the £100k cost that would be incurred by doing this.

98. Councillor Rawson suggested that the Council should follow GL's suggestion and take the opportunity to review arrangements for all schools as this would address the question of inequality. He said that more detailed work was needed to check the estimated cost of £1.5m.

99. Councillor Rawson said that his views on the proposal had not changed and that in the meantime the status quo should be retained. He also said that the impact of proposals on climate change targets needed to be assessed and environmentally friendly forms of transport explored.

100. Councillor Rawson referred to Councillor Troup's comments about the climate change targets being aspirational and said that the climate change impacts needed to be considered.

101. John Honey said that he wanted information on all the transport subsidies that Council was choosing to pay. He referred to the cost of the



Over 60's bus pass and queried whether this was to be re-negotiated with the government. John Honey also referred to the £40k subsidy being paid to Skylink and other subsidies to the Park and Ride schemes.

102. John Honey said that he was not happy with the consultation form and suggested that in future all Council consultations should go to scrutiny for a wider opinion before release.

103. John Honey queried the effect that the consultation had achieved. He referred to paragraphs 4.23 – 4.25 in the Cabinet report and the inappropriate use of 'will be' and 'will no longer' Mr Honey asked how the Council would respond to the consultation pointing out that Councillor Care has said no decision had been made and that the report said nothing about the outcome of the consultation.

104. Mr Honey referred to a comment on page 13 of the report in paragraph 2.5 where DfES guidance suggested that changes should be phased in and come into effect when pupils started school. He said that the Council should not consider implementing the changes without phasing in.

105. Councillor Higginbottom said that the views of the consultation had not been captured, mistakes had been made and impacts had been guessed, as had the impacts of advanced charging. She also said that there was the issue of trust. Parents were promised that when St Thomas Moore School closed their children would get free transport to St Benedict's. However Councillor Poulter said that it was difficult to continue to honour promises made in 1986. Councillor Higginbottom said that the bargain was for the long term and should be honoured.

106. Councillor Ingall also said that he was concerned about the lack of consultation. He suggested that Councillor Care was being led by her officers.

107. Councillor Rawson pointed out that 80% of consultees did not agree with what was proposed and he felt that this was a clear result.

108. Councillor Care asked to come back on the points that had been made and said:

1. That there was a walking route to St Benedict's
2. She would have been happy for the consultation process to have started sooner but it was not possible to start it before the budget process was completed.
3. The Littleover school service is run commercially and the distances are less than for St Benedict's.
4. The cheapest option for the Council is not necessarily the right one.
5. The Meteor Park and Ride is a commercial service and is not subsidised.
6. The Notts Derby proposal has changed the situation and it is now possible to go forward

7. Pay as you go is a commercial option
8. Notts Derby may need more buses.

109. The Chair asked Councillor Care if it was still her intention to take the report to Cabinet on 7 July. Councillor Care said that because of the Notts Derby decision it was not possible to go back and the only option was to go forward.

110. AK commented that the consultation had been a joke and that the Council did not take people seriously.

111. Councillor Care said that one outcome of the consultation had been the Notts Derby proposal. She said it had been a public consultation which had included all schools and pupils and Notts Derby became aware of the situation because of it. In response to a question Councillor Care said that Notts Derby did not know the outcome of the consultation, although they did know of the fall in passenger numbers resulting from payment in advance. They saw an opportunity and went for it. Because of this the Council were not able to go back to the previous arrangement.

112. Councillor Care said that from September 2009 there will be buses for all children and the provision of the buses would be as now. The changes to discretionary services would take place from September 2010. Councillor Care emphasised that the decision referred to in the report was in respect of the changes to the provision of bus services in September 2010.

113. The Chair told Councillor Care that none of the scrutiny members supported the proposal.

114. The Chair that thanked the witnesses for their contribution to the review and they left the meeting.

115. The Commissions then discussed the recommendations that they wished to make to Council Cabinet.

116. The Chair asked the members of the Commissions if anyone was in favour of the proposals contained in the report, and there was no one in favour.

117. Councillor Harwood said that he supported some of what was proposed. He said that his concern was St Benedict's which he said was the only school that made buses viable. He said he wanted all the buses retained. Councillor Harwood also said that he did not think the consultation had been done correctly.

118. Councillor Poulter suggested that enquiries should be made of other schools in a similar situation which were served by commercial bus services. He suggested taking advice on the commercial viability of the services.

119. Councillor Repton said that if Notts Derby could make a profit on a £1.00 fare the Council should go back to square one and talk to them about how this could be done.

120. Councillor Higginbottom said that it was wrong to take one school as a special case. She felt the Council should consult and research properly and admit the mistake it made when it introduced advanced fares.

121. The Chair said that she did not think Cabinet should consider the report on 7 July.

122. Councillor Rawson also supported going back to square one and reviewing all contracts and who needs them. He said that if the operator thought he could provide the service at this cost then the Council had been wasting money on subsidies which could have been better used. He suggested the Council needed to look at the matter again and in the meantime retain the status quo.

123. John Honey said it was the same for all schools it was just that their problem was smaller than St Benedict's. He said he did not know the term of the contracts but the Council said that they were expensive.

124. Councillor Ingall said that the original consultation had been poor and that more consultation was required.

125. Councillor Poulter suggested putting off the decision until September 2010 and in the meantime looking for a better way forward. He said consultation was required if the whole system needed to be changed and it should not be done piecemeal. There was a need to point out that the proposals were wrong but the Commissions should point out what needed to be done.

126. Councillor Harwood suggested asking schools what they needed.

127. Councillor Higginbottom asked why the Council could not make a profit if commercial operators thought they could. She suggested doing the consultation again properly, covering all the questions. She also asked why the Council could not run the services as a commercial operation.

128. Councillor Harwood said that the Council would have to provide a safety net if the services were not commercially viable.

129. Members discussed the recommendations that they wished to make to Council Cabinet. In summary these were:

1. To reject the current proposals and time scales
2. To continue to provide the status quo in terms of bus services to the schools
3. With Notts Derby to investigate the provisions of a commercial service, whilst looking at subsidies and reducing them if possible.

4. Investigation the possibility of re-introducing pay as you go charging

130. John Honey also suggested that if Cabinet rejected the Commissions' recommendations they should be asked to re-introduce phasing.

131. All the members except Councillor Poulter and Councillor Ingall supported the recommendations.

132. Councillor Higginbottom suggested that the Commissions put forward the recommendations to Council Cabinet but said it was necessary to know if they would result in any contractual implications for the Council.

133. It was agreed that the Co-ordination Officer would draft a report to Council Cabinet and would discuss it with both Commission Chairs who would agree the final form of the report.

The meeting finished at 9.15 pm

DRR 26 June 2009.