

SOUTHAMPTON CONCESSIONARY FARES SCHEME 2009/10 (extended for use in 2010/11) ('the Scheme')

Introduction

The Concessionary Fares Scheme agreed by Southampton City Council will come into effect on Thursday, 1 April 2010 and continues until further notice. This Notice and Scheme replaces the Southampton Concessionary fares Scheme 2009 and supersedes all previous Schemes and Notices

Legislation

The scheme is made in accordance with the Concessionary Bus Travel Act 2007, the Transport Act 2000, the Travel Concessions (Eligibility) Act 2002 and the discretionary powers contained in the Transport Act 1985 ('the Acts').

Responsible Authority

The responsible authority for the Scheme shall be Southampton City Council. The Scheme shall be funded by Southampton City Council. The Scheme shall be administered by either Southampton City Council or its appointed agent(s).

All enquiries regarding the Scheme and all Notices required to be served upon the responsible authority under the Acts should be addressed to:

Paul Nicholls, Head of Planning and Sustainability, Ground Floor, Civic Centre, Southampton, SO14 7PS.

A copy of the Scheme will be supplied to any person on request by post from the person specified above and is available on the Council website at www.southampton.gov.uk.

Operator Eligibility

Operators of registered bus services running within the City which are also eligible for bus service operators grant.

User Eligibility

Residents of Southampton who meet any of the following criteria will be eligible for a free concessionary fares pass:

- men and women aged 60 years and older;
- blind people;
- partially sighted people;
- deaf people;
- people without speech (in any language);
- people with a disability, or who have suffered an injury, which, in the opinion of a qualified medical practitioner, seriously impairs their ability to walk;
- people without the use of both arms;
- people with a learning difficulty;

- people who would be refused the grant of a driving licence to drive a motor vehicle under Section 92 of Part III the Road Traffic Act 1988;
- people with a long term mental health problem; and
- travelling companions/escorts of disabled people.

For those under the age of 60, applicants must either provide confirmation that:

- i) They are in receipt of Disability Living Allowance (mobility component); or
- ii) They are in receipt of Disability Living Allowance (care component); or
- iii) They are in receipt of War Pensions Mobility Supplement; or
- iv) They have a valid registration card for their disability; or
- v) Certification of Vision impairment; or
- vi) Have learning difficulties and attend Southampton Day Services; or
- vi) They have a signed form from their doctor confirming eligibility.

Hours of Operation

The Southampton concessionary fares scheme will be based on bus travel alone. Concessionary travel is available all day on Saturdays, Sundays, Bank Holidays and declared public holidays, and between 09:00 and 00:00 on other days.

Area of Travel

Any journey that starts within the boundary of Southampton (NOTE: funding of such travel shall be subject to any inter-authority boundary/funding agreements which may be entered into and shall be deemed to be part of this Scheme. This will not affect user eligibility or operator reimbursement).

Level of Concession

The proposed scheme provides free travel on presentation of a valid pass:

Administration

The administration of the issue of concessionary fares scheme passes will be carried out by the Southampton Gateway project as part of the Smartcities Scheme. A database of all people who are issued with a bus pass will be kept. The City Council will be responsible for meeting the statutory requirements for data protection.

Reimbursement

Bus operators will submit monthly returns to the City Council unless otherwise agreed in advance identifying the number of journeys undertaken and the average fare payable. The Council will assume that 50% of journeys will be returns and this should be included in submissions.

The derived generation factor employed will be 142.4% to reflect scheme usage.

An additional amount of £0.15 per generated trip will also be paid to recognise operators' additional costs in providing the concession.

The City Council will require all information required to be produced in support of claims under the scheme to be certified as accurate by a "responsible person".

The returns will be subject to periodic audit by the City Council or its nominated representatives. Bus operators will be expected to provide information reasonably required for this purpose.

The reimbursement calculation included at schedule 1 and any subsequent reimbursement calculations or arrangements issued by Southampton City Council from time to time shall form part of this Scheme and the particulars and conditions contained therein shall be binding on Operators and Southampton City Council subject to any lawful variation in accordance with the Acts.

With regard to additional capital costs, the principle that will be applied is that which the Council has always adopted, which is that all claims must be based on actual costs incurred and that such claims must be supported by the production of signed and approved accounts, purchase receipts or other similar documentary evidence, and that if such additional costs cannot be proven to relate directly to the operation of the concessionary fares scheme, the claims will be refused.

Reimbursement arrangements will be determined annually by 3rd March following discussions with operators and determined in accordance with the Acts and any guidance issued by the Secretary of State. Operators will be notified of final determination of reimbursement arrangements as soon as possible after 3rd March each year. Any newly determined reimbursement arrangements will comprise part of this Scheme and replace Schedule 1 accordingly.

Right to Survey

The City Council has the right to carry out surveys on vehicles on which concessions are given. Bus operators will be consulted as to how and when the survey will be carried out and operators will be given reasonable prior notice of the City Council's intention.

Variations

Southampton City Council reserves the right to vary the Scheme or to offer discretionary enhancements to the Scheme in accordance with the provisions of the Transport Act 1985 and any reimbursement arrangements relating to and forming part of the Scheme at any time in accordance with the provisions of the Acts, upon relevant Notice. Southampton City Council shall give 28 days notice in writing to Operators of any proposed variations or changes to the Scheme or reimbursement arrangements, but the period of such notice may be shortened by mutual agreement.

Right of Participation

Notwithstanding the mandatory participation of Operators in accordance with the Transport Act 2000 and the Concessionary Bus Travel Act 2007, Southampton City Council may require and notify any Operator to participate in the Scheme or any variation of the Scheme in accordance with the Transport Act 1985, and such participation will commence not less than 28 days after receipt of such written notification. At the date of notification the Operator will be supplied with a copy of this Scheme and any Variations thereto.

Operator Representations and Complaints:

If an Operator participating in this Scheme wishes to make any representations in relation to this scheme or reimbursement under this scheme (including any challenge, complaint, concern or grievance in relation to the Scheme) such a representation should be made in writing to the Responsible Authority at the address set out above. Representations will be considered by the Council on their merits and without prejudice to the Operators rights of Appeal under the Acts. Operators also have the right to avail themselves of the Authority's Corporate Complaints Policy, details of which may be found on the Authority's website at www.southampton.gov.uk

Right of Appeal

Any Operator has a right of appeal to the Secretary of State against the terms of reimbursement of the Scheme under the Transport Acts 1985 and 2000 or against participation in any discretionary element of the Scheme under the Transport Act 1985 on the grounds that:-

(a) There are special reasons why their company's participation in the scheme in respect of any of the services to which the notice applies would be inappropriate (under both the 2000 Act and the 1985 Act); or

(b) Any provision of the scheme or of any of the scheme arrangements are inappropriate for application in relation to any operators who are not voluntarily participating in the scheme (1985 Act only).

Prior to making such an application, notice in writing must be given to the person and at the address specified under the 'Responsible Authority Heading above.

REIMBURSEMENT CALCULATION

Concessionary Fares Calculation

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| Number of trips | N | 1000 |
| Average Fare (which will assume 50% returns) | AV | £1 |

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| So total fares that would have been collected | $N \times AV$ | £1,000 |
|---|---------------|--------|

As concessionary fare passengers do not have to pay, more trips are deemed to be made than if there had been no scheme in existence, so an adjustment is made. This is called the Generation Factor, and is used to factor down the total reimbursement due to the operator.

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| Derived Generation factor (from DfT Reimbursement Analysis Tool): | GF | 142.4% |
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| Total fare to be reimbursed to the operator: | $R = N \times AV / (1 + GF)$ | £412 |
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| So SCC pays per trip: | R/N | £0.412 |
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In addition, recognising that operators are likely to have incurred some element of additional cost in providing the concession, an extra amount of:

£0.15 per generated trip

will be paid (in accordance with the adjudications received on the appeals against the 2008/09 scheme).