

CABINET

Date of Meeting	Tuesday, 14 th May 2019
Report Subject	Removal of School Transport Anomalies
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Streetscene and Countryside
Report Author	Chief Officer (Streetscene and Transportation)
Type of Report	Operational

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 12th 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.

A further report was presented to the Council's Environment Overview and Scrutiny Committee on 8th November 2018 and it was agreed that the anomalies should be withdrawn from July 2020.

However, given the significant financial challenges currently facing the Council, consideration must now be given to withdrawing the historical transport anomalies in July 2019 to achieve a saving.

RECOMMENDATIONS

1	That the Cabinet notes the financial impact of providing the historical transport anomalies and approves either Option 1, continue to support the anomalies until July 2020 or Option 2, remove all anomalies in July 2019.
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REPORT DETAILS

1.00	BACKGROUND TO THE PROPOSALS
1.01	<p>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.</p>
1.02	<p>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.</p>
1.03	<p>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.</p>
1.04	<p>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.</p>
1.05	<p>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.</p>
1.06	<p>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</p>

	<p>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 Financial year.</p>
1.07	<p>A further report was presented to the Council's Environment Overview and Scrutiny Committee in November 2018 proposing the withdrawal of the transport anomalies from July 2020 which was subsequently approved by the Council's Cabinet. Cabinet also approved that non-eligible pupils, currently travelling on the public services which were to be removed by the bus review would also receive concessionary seats on dedicated school transport buses up until July 2020.</p> <p>It was also recommended and approved 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 including all associated costs for the duration of the child's attendance at that school.</p>
1.08	<p>Following the Cabinet decision, all those pupils who are not attending their nearest suitable school and are in receipt of discretionary free school transport (or are travelling on supported bus routes which no longer operate) have had their arrangements honoured for the 2018-2019 academic year.</p> <p>However, given the current financial challenges facing the Authority in respect of the current budget deficit, consideration must now be given to withdraw the transport provision for non-eligible pupils from July 2019.</p>
1.09	<p>Option 1 - Withdrawing the anomalies in July 2020 will have an impact on the school transport budget but will allow the Integrated Transport Unit to undertake a more extensive consultation period with pupils for them to consider alternative transport arrangements.</p> <p>Appendix 1 details the associated impact on the current transport budget should services be maintained until 2020.</p> <p>Option 2 – Withdrawing the anomalies in July 2019 will provide a financial saving to the authority but will have significant impact on those pupils utilising the services as there are currently no alternative public transport options along those routes.</p> <p>Appendix 2 details the anticipated financial savings should the changes be implemented in July 2019.</p> <p>A risk analysis has been undertaken to identify the impact of removing the non-statutory transport arrangements for each route Appendix 3.</p>

2.00	RESOURCE IMPLICATIONS
2.02	There will be a budget implications should the provision of historical transport anomalies be continued until July 2020. (See Appendix 1).

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

4.00	RISK MANAGEMENT
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.

5.00	APPENDICES
5.01	Appendix 1 – Budget Implications associated with the continuation of anomalies to July 2020
5.02	Appendix 2 – Potential savings associated with the withdrawal of anomalies by July 2019
5.03	Appendix 3 – Non Statutory School Transport Risk Analysis

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Contact Officer: Stephen O Jones, Chief Officer, Streetscene and Transportation Telephone: 01352 704700 E-mail: stephen.o.jones@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None.