

**CABINET – 4 JUNE 2007****CONSULTATION ON THE PROVISION OF MAINSTREAM HOME TO  
SCHOOL AND COLLEGE TRANSPORT****REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S  
SERVICE****PART A****Purpose of Report**

1. The purpose of this report is to describe the outcome of the consultation process which has taken place on possible changes to the mainstream home to school/college transport policy, and to seek a decision from Cabinet following the consultation and the views expressed by the CYPS Scrutiny Committee on 21 May and the decisions of the County Council on 23 May.

**Recommendations**

2. That further consideration be given to the proposed policy changes to mainstream home to school transport, as set out in paragraph 18 of this report, in the light of the outcome of the consultation process, the comments of the Children and Young People's Service Scrutiny Committee (on 21 May) and the decisions taken at the County Council meeting on 23 May.

**Reasons for Recommendations**

3. The proposed measures are necessary to reduce expenditure in a difficult financial climate, in particular very low increases in government funding. The proposed charges are for services for which there is no statutory duty to provide free transport. However, the proposed charges are set at a level which still offers significant support and subsidy for transport traditionally provided in Leicestershire to assist pupils and students to attend their preferred schools and colleges.

**Timetable for Decisions**

4. The timescale is as follows:-
  - Consultation period: 2 March 2007 to 4 May 2007
  - Children and Young People's Service Scrutiny Committee: 21 May 2007
  - County Council: 23 May 2007
  - Cabinet: 4 June 2007

### **Policy Framework and Previous Decision(s)**

5. The current policy on charges for home to school transport provision is as follows:
- There is no charge made for eligible pupils for transport to faith schools up to the age of 16. The average cost is £585 per student per year.
  - A charge of £60 is made for post-16 transport for eligible students to schools and colleges. The average cost is £426 per student per year.
  - A fare-paying charge of 17.5p per mile is made for ineligible children taking up spare places on buses.

### **Previous Decisions**

(a) County Council Budget Meeting – 21 February 2007

6. At the Budget meeting the County Council agreed to consult on proposals regarding charging for mainstream home to school and college transport. The proposed changes are outlined in the recommendations in this report.

(b) Children and Young People's Service Scrutiny Committee – 21 May 2007

7. The outcome of the consultation was considered by the Children and Young People's Services Scrutiny Committee on 21 May when 14 petitions (which are listed in Part B of this report) were presented. At that meeting the Committee asked that the following comments and concerns raised by members be drawn to the attention of the Cabinet:-
- (i) The proposed introduction of charges appeared to be discriminating against Catholics as there were fewer Catholic schools. Of the 1600 pupils currently receiving denominational transport 1541 were Catholic.
  - (i) The proposed introduction could, if parents were unable to afford the charges, disrupt the education of the children already attending Catholic schools.
  - (iii) The proposals, if introduced as envisaged, would result in families with more than one child facing significant additional costs.
  - (iv) Whilst supporting proposals for exemptions for low income families there remained concern about those families who were only marginally above the threshold. Consideration should be given to establishing mechanisms to deal with such cases particularly if more than one child was involved.
8. The Committee also decided on the casting vote of the Chairman to advise the Cabinet that it did not support:-
- "(a) proposals to increase post 16 transport charges in September 2007 and requested that these proposals be reconsidered;

(b) the proposed level of charges for denominational transport and requests that these proposals be reconsidered."

(c) County Council – 23 May 2007

9. At the meeting of the County Council the following decision was agreed arising from a Notice of Motion:-

- "(a) That this Council does not wish to charge pupils for transport to their nearest denominational school but, as debated during the recent budget process, has been required to consider the introduction of a charge as a consequence of the Government's continuing rejection of Leicestershire's case for fair funding of its schools and support services;
- (b) That the County Council believes that the overall outcome of the consultation process, particularly the responses of the Citizens' Panel, which is representative of the County's population and Council Taxpayers, justifies a decision to proceed with the proposed charge but with a recognition that the Council should seek to do more to support families for whom the charge could cause particular difficulties;
- (c) Accordingly, it be recommended that families of more than two children attending denominational schools should pay only for two children, and that a 'hardship fund' be established to assist those families who may be in financial difficulty but who are above the low income threshold, such fund to be administered by the Diocesan Authorities;
- (d) That it be noted that the estimated annual cost to the County Council of these changes will be £15,000 (families with more than two children), and £20,000 ('hardship fund');
- (e) That the proposed charges with the additional support for families as mentioned above be determined by the Cabinet at its meeting on 4 June 2007."

10. The Leader of the County Council also agreed consideration would be given at the meeting of the Cabinet to a proposal that if a charge is introduced it should only be levied on new pupils starting at faith schools from September 2008 provided this was fully costed.

The estimated income with phasing is as follows:

2008/09	£ 45,000
2009/10	£ 95,000
2010/11	£140,000
2011/12	£190,000
2012/13	£240,000
2013/14	£250,000

### **Resource Implications**

11. The savings contained in the Medium Term Financial Strategy show no net savings in 2007/08, £200,000 in 2008/09 and £550,000 in 2009/10.
12. The Director of Corporate Resources has been consulted on this report.

### **Legal Implications**

13. The proposals which have been consulted on are compatible with the current legal position. The County Solicitor has been consulted on the content of this report.

### **Equal Opportunities Implications**

14. An Equality Impact Assessment is being conducted on the proposals, taking into account the responses and views expressed in the consultation.

### **Background Papers**

Report to the County Council Budget meeting 21 February 2007.

Report to and minutes of the Children and Young People's Service Scrutiny Committee on 21 May 2007.

Notice of Motion considered by the County Council on 23 May 2007.

### **Circulation under the Sensitive Issues Procedure**

None

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## **PART B**

### **Background**

15. The legal position on home to school transport has been clarified by the Department for Education and Skills (DfES) in guidance published on 8 May.

Local authorities are under a general duty to promote the use of sustainable travel and transport, in particular by assessing young people's travel needs. Specifically in terms of home to school transport there is a duty to facilitate the attendance at school of 'eligible children' and those specified include:

- Children unable to walk to school because of disabilities, mobility problems or temporary medical conditions, or because they have disabled parents;
  - Those who cannot walk with safety to school because of the nature of the route;
  - Those living outside statutory walking distance (2 miles for those up to 8 years old and 3 miles for those over 8 years of age).
16. There are also new categories for children of low income families i.e. those in receipt of free school meals or families receiving maximum working tax credit as follows:
- From September 2007, for primary age children between ages 8 and 11 the statutory walking distance is reduced from 3 to 2 miles (this is already in the Leicestershire policy).
  - From September 2008 secondary aged children should receive free transport to any of 3 schools between 2 and 6 miles of their home.
  - From September 2008, children aged 11 – 16 receive transport to a school between 2 and 15 miles from their home, if the choice was made on grounds of the parents' religion or belief and the school is the nearest appropriate one. (N.B. The effect of the recommendations in this Cabinet Report is not to impose any such upper mileage limit.)
17. When exercising travel duties local authorities remain under a general duty to 'have regard to' the wish of a parent for his/her child to be provided with education or training at a particular establishment on grounds of the parents religion or belief.

### **Consultations: Proposals/Options**

18. The County Council has consulted on three proposals:
- To increase the charge for eligible students for post-16 transport to £180 per year from September 2007 and to £240 from September 2008.
  - To introduce a charge for eligible pupils for transport to faith schools of £240 per student per year from 2008, the charge to be waived for low income families.

- to introduce a minimum fare-paying charge of £180 from September 2007 and £240 from September 2008 for ineligible students and pupils who currently pay a fee per mile for using spare places on school transport.

19. In addition to the above proposals the consultation documentation has emphasised:
- That the County Council currently spends £9 million each year on home to school transport.
  - £7 million of this cost is met by the Council Taxpayer.
  - The Council's subsidy for home to school transport is higher than in many other areas.
  - The County Council is committed to keeping Council Tax at a low level.
  - The County Council is not removing home to school transport.
  - In some circumstances families on low incomes will be exempt from charges for transport to faith schools for students below the age of 16.
  - If the proposals are approved after consultation, the Council intends to re-invest £160,000 of income annually in the provision of 20 more CCTV cameras, 2 bus monitors to be deployed where there are concerns about behaviour on school transport and possibly the provision of vouchers for 16+ students.
20. The consultation has been carried on the County Council website from 2 March to 4 May 2007. It was aimed at all Council taxpayers as well as those likely to be directly affected by the proposals. An item was included in Leicestershire Matters which is delivered to all homes in Leicestershire. Posters were displayed in all libraries. In addition to this standard letters were prepared for schools to send home with pupils.
21. The following responses to the consultation have been received centrally:
- 731 completed questionnaires on the website
  - 399 responses from the Citizens' Panel
  - 76 copies of a standard letter addressed to the Leader of the Council
  - 121 Individual letters and e-mails including 8 from children, one from the Director of Education, Nottingham R.C. Diocese and one from Saint Mary's Parish Pastoral Council, Loughborough

14 petitions (presented to the Children and Young People's Service Scrutiny Committee on 21 May 2007:-

- St Charles' Catholic Primary School Measham (169 signatures)
- Parents whose children attend Catholic schools (17 signatures)
- St Winefride's Catholic Primary School, Shepshed (135 signatures)
- St Peter's RC (Aided) Primary School, Earl Shilton (340 signatures)
- St Peter's Catholic Primary School, Hinckley (64 signatures)
- Parents whose children attend Catholic Schools (83 signatures)
- St Clare's Catholic Primary School, Coalville (156 signatures)
- Two petitions from parents of children attending Catholic Primary Schools from the Nottingham R.C. Diocese. (1042 and 200 signatures)

- St Mary's Catholic Primary School, Loughborough (24 signatures)
- St John Fisher Catholic Primary School Wigston (92 signatures)
- Bishop Ellis RC Primary School (250 Signatures)
- A petition of 202 signatures.
- A petition (850 signatures) accompanied by 16 standard letters of objection from individuals.

22. The main issues raised during the consultation were:

- concern about the environment: possible increase in congestion and traffic
- a view that the proposals discriminate against Catholics and/or faith schools
- double payment for RC parents who contribute to Diocesan costs (10%) for buildings
- not affordable for some families, eg those just above financial safety net
- adverse effect on large families
- the need to protect faith schools
- impact on children part-way through their time in a school or examination courses
- choice diminished
- 16+ charge may discourage participation in education after compulsory school age
- parents of children attending out-catchment schools should pay for transport
- more walking and cycling should be encouraged
- little comment on fare-paying charges.

23. Fuller outcomes are given in the appendices to this report:

- Appendix 1: Summary (slides presented to Scrutiny Committee on 21 May 2007)
- Appendix 2: Analysis of:
  - ~ written responses on the website
  - ~ written responses from the Citizens' Panel
  - ~ written responses in individual letters and e-mails; and commentary
- Appendix 3: Full summary of responses from the online consultation and from Citizens' Panel.

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