

NORTH YORKSHIRE COUNTY COUNCIL

YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

3 March 2009

**Call In of Decision By Corporate Director – Children and Young Peoples' Service
Relating to Review of Charges for Post 16 Students**

1.0 PURPOSE OF REPORT

- 1.1 To enable the Committee to consider whether it would wish to refer the decision relating to the review of post-16 transport charges to the Corporate Director – Children and Young Peoples' Service or to the full Council and, if so, the nature of its concerns about the decision.

2.0 THE DECISION OF THE CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE'S SERVICE

- 2.1 On 13 February 2009 the Corporate Director – Children and Young Peoples' Service made the following decision:-

- (1) That the charges for post-16 transport from £315 per annum to £325 per annum (3%), with an equivalent increase in termly passes, with effect from September 2009.
- (2) That the concessionary charges made for non-entitled students to travel on home to school transport provided by the Authority also be increased by 3%.

- 2.2 A copy of the Report (see attachment pages 4-5) and Decision Record (pages 6-7) are attached as Appendices to this Report.

3.0 THE CALL IN

By 18 February 2009, I had received written notice from 9 Members that they wished the decision of the Corporate Director – Children and Young Peoples' Service to be called in. The notice was signed by County Councillors Margaret Ann de Courcey Bayley, Keith Barnes, Les Parkes, Stuart Parsons, Polly English, Bill Hoult, John Marshall, Caroline Seymour and Gordon Charlton.

The reasons given for Call-in were:-

“The decision to increase charges will adversely affect young people and their families during the economic downturn.

The level of Education Maintenance Allowance for 2009/10 is not yet known.

The decision discriminates against young people in rural areas.

The decision is inconsistent with the County Council's stated objective of looking after our heritage and our environment in our countryside and our towns and villages, due to the inevitable increase in car journeys”.

4.0 THE ROLE OF THE OVERVIEW AND SCRUTINY COMMITTEE

- 4.1 It is for the Committee to consider the decision which has been subject to call in and then to decide whether, or not, it wishes to refer it back to the decision making person or body (the Corporate Director – Children and Young Peoples' Service) for reconsideration, setting out in writing the nature of its concerns, or whether, or not, it wishes to refer the matter to full Council.
- 4.2 If the Committee does not refer the matter back to the Corporate Director – Children and Young People's Service or refer it to the Council, the decision will take effect on the date of the Overview and Scrutiny Committee meeting. The relevant parts of the County Council's Overview and Scrutiny Committee procedure rules are set out below.

5.0 16. CALL IN

Note: Powers of call in apply only to functions which are the responsibility of the Executive.

- (d) If, having considered the decision, the Overview and Scrutiny Committee wishes to do so, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or refer the matter to full Council. If referred to the decision maker they shall then consider the matter, amending the decision or not, before adopting a final decision.
- (e) If following an objection to the decision, the overview and scrutiny committee does not refer the matter back to the decision making person or body the decision shall take effect on the date of the overview and scrutiny meeting.
- (f) Where the matter has been referred to full Council, but the Executive decides that the matter must be determined prior to the next Council meeting, they may proceed to determine the matter, and shall report the matter to the next Council meeting.
- (g) Subject to (f) above, if the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, (note: it has no locus to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget) the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it.

6.0 ISSUES TO BE DETERMINED

- 6.1 That the Committee considers whether, or not, it wishes to refer the decision back to the Corporate Director – Children and Young Peoples' Service for reconsideration and, if so, the nature of the Committee's concerns, or whether the Committee wishes to refer the matter to full Council, or not.

CAROLE DUNN
Assistant Chief Executive (Legal and Democratic Services)

County Hall
NORTHALLERTON

19 February 2009
JW/ALJ/JD

<u>Background Documents</u>	None
Author of Report	Jane Wilkinson

NORTH YORKSHIRE COUNTY COUNCIL
CHILDREN AND YOUNG PEOPLE'S SERVICE
CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

13 FEBRUARY 2009

REVIEW OF CHARGES FOR POST-16 STUDENTS

1.0 PURPOSE OF REPORT

1.1 To seek Executive Member endorsement to the review of charges for home to school transport.

2.0 BACKGROUND

2.1 The Authority introduced charges for Post-16 Transport in 2006. The charge was initially fixed at £300 per student. The charges were last reviewed a year ago at which time it was decided to increase the charges, from September 2008, by 5% to the current charge of £315 per annum.

3.0 HOME TO SCHOOL TRANSPORT – CHARGES FOR POST-16 STUDENTS

3.1 In considering the prospective increase in charges it is clearly essential to take account of changes in transport costs over the last 12 months. Whilst a few months ago the indications were that there would be a very significant year on year increase in home to school transport costs to reflect inflation. This is against a background where most of our home to school transport contracts are automatically adjusted, using an index, to cover inflationary changes. However the recent reduction in fuel prices means that the anticipated year on year increase is now of the order of 3%. A 3% increase in charges would involve an increase in the annual charge from £315 to £325. The current annual income from such charges is anticipated to be of the order of £600K and therefore a 3% increase, in a full year, would attract extra income of £18K.

3.2 Despite the increase in post-16 students there has been a decline in the applications for transport assistance. The number of post-16 students applying for transport fell from 4,569 in the 2005/06 academic year, which was prior to the introduction of a transport charge, to 3,229 in the 2006/07 academic year, where the transport charge applied to Year 12 students only, reducing to 2,383 students in the 2007/08 academic year, when the transport charge applied to Years 12 and 13. The number of applicants appear to have stabilised now and for the current academic year there was a slight increase of applications to 2,427, despite the increase in the charge from £300 to £315. The most significant reason for this reduction is that, in the more urban parts of the County, particularly Scarborough, Selby and Harrogate, students are finding alternative ways of using public transport, including discount offers made by public transport operators, to get to and from school at a net lower cost than the purchase of a termly or annual concession from the Authority. It is clearly helpful to students that these facilities are available although the Integrated Passenger Transport Unit continues to work with operators to ensure not only effective co-ordination of provision of public transport with the "home to school transport network".

3.3 A proportion of students have, since 2004, had the benefit of Education Maintenance Allowances which were introduced, in part, to enable students to meet the cost of transport. The amounts payable under the EMA scheme have remained unchanged

at £30, £20 or £10 per week since their introduction together with the facility for the student, if they achieve his/her learning target, to receive up to 4 bonuses of £100 each over a 2 year course.

- 3.4 Education Maintenance Allowances were introduced in 2004. They are assessed each year on a means tested basis. The income thresholds did not increase until the 2007/08 academic year and remain the same for the current academic year. At present no decision has been made as to whether the income threshold will increase for the 2009/10 academic year.
- 3.5 Executive Members are asked to endorse a 3% increase in home to school transport charges with effect from September 2009. As in previous years students will be able to pay this charge in 9 monthly instalments.
- 3.6 The Authority also provides the opportunity for non-entitled children and students to take-up vacant "concessionary" seats on transport provided for those children and students who are eligible for free transport. It is also recommended that these concessionary charges be also increased by 3% with effect from April 2009.

4.0 RECOMMENDATIONS

- 4.1 Executive Members are asked to endorse
 - (a) an increase in the post-16 transport from £315 per annum to £325 per annum with an equivalent increase in termly passes;
 - (b) an increase of 3% in the concessionary charges made for non-entitled scholars to travel on home to school transport provided by the Authority;

CYNTHIA WELBOURN
CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE'S SERVICE

Report prepared by George Bateman, Assistant Director – Finance & Management Support

GCB/DAW
4.2.09

ConsultedExecutive Member

Date: 13 February 2009

ConsultedExecutive Member

Date: 13 February 2009

Agreed:Corporate Director

Date: 13 February 2009

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: Review of Charges for Post-16 Students

This record is produced in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

This form should be used to record:

- EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and
- KEY decisions taken by an OFFICER (either alone or in consultation with an Executive Member)

(One form per decision)

The following executive decision has been taken: -

1. That the charges for post-16 transport be increased from £315 per annum to £325 per annum (3%), with an equivalent increase in termly passes, with effect from September 2009.
2. That the concessionary charges made for non-entitled students to travel on home to school transport provided by the Authority also be increased by 3%.

By whom: Cynthia Welbourn in consultation with County Councillors Caroline Patmore and John Watson OBE

On: 13 February 2009

Reasons for decision: -

Charges for post-16 transport were introduced for the first time in September 2006. The charge was initially fixed at £300 per student. The charges were last reviewed in February 2008 at which time it was decided to increase the charges, from September 2008, by 5% to the current charge of £315 per annum.

Students with special educational needs are exempt from the travel charge and young carers or other young people with particular needs are considered for exemption on an individual basis.

An early decision is required in order that parents, pupils, schools and colleges can be informed of the increase.

Details of any alternative options considered and rejected: -

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Conflicts of Interest

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee in respect of that conflict.

Conflict	Dispensation?

Signed
County Councillor Caroline Patmore

Publication Date: 13 February 2009

Signed
County Councillor John Watson OBE

Signed
Cynthia Welbourn, Corporate Director

Note: This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to the

Directorate: Children and Young People's Service

Assistant Chief Executive (Legal and Democratic Services).

Contact for further information: George Bateman, telephone 01609 532118

Contact for copy of report considered marion.sadler@northyorks.gov.uk

To: **Alison Jones**, Legal and Democratic Services – for onward circulation to:

- all Members of the Council
- Martin Thomas – Conservative Group Research & Communications Officer
- Richard Ormerod - Lib Dem Group Research & Communications Officer
- Hannah King - Labour Group Research & Communications Officer
- Stephen Knight, Principal Officer Democracy and Governance
- Carole Dunn, Monitoring Officer
- John Moore, Chief Finance Officer
- Ray Busby, Scrutiny and Corporate Performance
- Amanda Fry, Staff Officer to the Chief Executive Officer
- Stephanie Bratcher; Scrutiny and Corporate Performance
- Rachel Rushforth; Scrutiny and Corporate Performance
- Bryon Hunter, Scrutiny Support Officer
- Hugh Williamson, Head of Scrutiny and Corporate Performance