

## NORTH YORKSHIRE COUNTY COUNCIL

### YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on 3 March 2009 at County Hall, Northallerton.

#### PRESENT:-

County Councillor Heather Garnett in the Chair.

County Councillors:- Michelle Andrew, Andrew Backhouse, Arthur Barker (substitute for Martin Smith), Keith Barnes (substitute for Brian Simpson), Liz Casling, David Heather, Michael Hesletine, Christopher Pearson, Caroline Seymour, Melva Steckles and Tim Swales.

#### Members Other Than County Councillors:-

Rev A Judd (Church of England)

Patricia Stowell (Parent Governor).

Officers:- George Bateman (Finance & Central Services), Chris McGee (Children & Young Peoples' Service), Richard Owens (Integrated Passenger Transport), Stephanie Bratcher (Scrutiny Support) and Jane Wilkinson (Legal and Democratic Services).

Also in attendance – County Councillor Ron Haigh

Executive Members: County Councillor John Watson

Apologies for absence were received from County Councillors Brian Simpson, Martin Smith and Jim Snowball and Jos Huddleston (Non-Conformist Church) and Suzanne Morris (Parent Governor).

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### **COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK**

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#### **206. PUBLIC QUESTIONS**

The Committee Administrator reported that County Councillor Ron Haigh in his capacity as the ViceChair of the County Council's Appeals Committee had given notice of his intention to speak on the main agenda item.

#### **207. CALL IN OF DECISION OF THE CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLES' SERVICE RELATING TO A REVIEW OF TRANSPORT CHARGES FOR POST 16 STUDENTS**

CONSIDERED –

The report of the Manager of Democratic Services outlining the procedure for call-in in respect of the decision made by the Corporate Director – Children and Young Peoples' Service) to increase transport charges for post-16 students and to increase the concessionary charges made to non-entitled students to travel on home to school transport provided by the Authority by 3% with effect from September 2009.

The Chairman read out the reasons given for the call-in before drawing Members attention to the tabled order of meeting as recommended in the County Council's Overview and Scrutiny Guidance/Protocols. She then outlined the purpose of the meeting and the role of the Committee. The Chairman then invited the

representatives of the Corporate Director – Children & Young Peoples' Service Services) and the Executive Member to explain the rationale behind the decision.

The Executive Member County Councillor John Watson said that the decision to increase transport costs was not evidence of a policy change by the County Council. The County Council's policy for post-16 transport costs was set three years ago and remained unchanged. At that time the County Council in line with many other local authorities introduced post-16 transport costs. It was always envisaged that the fees would keep pace with inflation and transport costs which was what had happened in this instance. In terms of comparator information with other local authorities the County Council currently occupied a mid-table position.

It was acknowledged that the number of students who paid the concession had initially dropped following introduction of the charges but the situation had now stabilised. Indeed the figures for the current year showed a small increase in the number of applications made. The reason for the reduction was thought to reflect students especially those in the urban areas sourcing alternative ways of using public transport that included the use of discounts offers made by public transport operators.

The Committee was informed that since 2004 a proportion of students had the benefit of an Education Maintenance Allowance (EMA) which was introduced in part to enable them to meet the costs of transport. Announcements regarding the amount of EMA for the 2009/10 academic year were still awaited but it was not envisaged that there would be an increase. What was anticipated, however, was that the income threshold for EMA would be raised in line with inflation. If this happened increased numbers of people would become eligible to claim EMA. It was against this background that the decision to increase transport charges had been taken.

The call-in signatories were then invited to explain their position.

The Committee was informed that the signatories considered that the rise of 3.17% for transport costs when considered alongside the 5% rise the previous year and the County Council's decision to increase Council Tax in 2009/10 by an amount that was 1% above the national average was a step too far. The County Council's decision to increase the cost of school meals and its less than generous grant towards the cost of school uniforms meant that those parents on a low income were increasingly financially challenged.

The award of an EMA also positively discriminated against those students living in a rural area as they had no option but to spend a greater proportion of their allowance on transport than did their urban counterparts. The present system was blatantly unfair and the signatories called for the County Council to undertake further research into this situation. In Harrogate for example students were able to obtain a bus pass that enabled them to use public transport at both weekends and in the evenings as well as during the day for no extra cost. This had the advantage of not only being much better value than the concession offered by the County Council but also provided students with the increased flexibility they needed.

The proposed increase also discriminated against those families on low incomes as they would find it very difficult to meet the increased cost even though in monetary terms it was a relatively small amount. Finally, the Committee was warned of the adverse impact on the environment that would result from more and more students being forced to find alternative methods of transport. Decisions that actively encouraged greater numbers of vehicles on the road should not be supported.

The Executive Member responded by saying that the 5% rise in transport costs made the previous year was in line with inflation. Transport charges were introduced by the

County Council in 2006 and were not increased in 2007. In 2008 the 5% rise was in effect the cumulative inflation rise for both 2007 and 2008. In retrospect he wished the charges had been reviewed annually. He agreed that an award of EMA positively discriminated against post-16 students living in rural areas. This had he said to be balanced against the situation whereby pre-16 students received free school transport if they lived three or more miles away from their school. He said that he often received complaints from parents living in urban areas who believed they were discriminated against when compared to their rural counterparts. He readily acknowledged that a lot of work was needed before a more unified transport system could be introduced in the County. Negotiations in this respect were already underway with operators and he hoped to be in a position to come forward with proposals sometime during the next year. It was emphasised that it would not be easy to find a solution as the County Council was unable to offer operators any additional monies. The introduction of a single system was also predicated upon there being a comprehensive public transport network in operation which currently in North Yorkshire there was not.

At the invitation of the Chairman the Vice-Chairman of the County Council's Appeals Committee (including transport) said that in his experience very few parents complained about the level of contribution for post-16 transport they were asked to pay. This was because the alternative was that they had to pay the going rate which was invariably much more expensive. He quoted examples in his ward and said that the post-16 transport cost set by the County Council represented in his opinion very good value for money and that there would always be a cost attached to rurality.

In response to questions from Members the following information was provided:-

- That post-16 students use the same buses and take up spare capacity on the school buses used by pre-16 students whenever possible.
- The County Council monitors spare capacity on school transport annually in Sept/Oct and reviews provision each year to match supply and demand.
- Cumbria and Northumberland are the only two local authorities nationally who do not impose transport costs for post-16 students.
- Comparator information:-

Somerset (Highest charge) £380 set to increase this year to £440.  
Lincolnshire (Lowest Charge) £170 set to increase this year to £199.

- Before the introduction of transport charges in 2006 North Yorkshire County Council was the highest spending local authority (school transport) it is now the fourth highest.
- That the take-up of seats by fee paying students is significantly higher than those who receive free transport. The County Council has a duty to retain a seat on a bus for a student who receives free transport even if they do not take up their allocation and/or use an alternative means of transport.

In summing up the Executive Member said that the decision to increase post-16 transport costs was in line with the County Council's current policy. The concession represented very good value for money when compared to actual public transport costs as the service was heavily subsidised by the County Council. He said that the affects of the current economic downturn were not confined to only those people with two or more children aged 16. If post-16 transport charges were not increased then this cost would have to be passed on to Council Tax payers. It was only fair that

increases in line with policy were applied holistically and not on a piece meal basis. He believed that the increase was appropriate especially as it seemed likely the income threshold for EMA was set to increase which would assist the poorest families.

In summing up the signatories said that the increase in Council Tax meant that it was legitimate for them to query all other increased service costs. The payment of EMA was designed to encourage students to remain in education. It was not unreasonable for post-16 students to expect to receive pocket money and it was possible that as a result of the increased charges some students would now decide not to continue with their education. They welcomed moves to introduce a single transport system within the County which would be especially beneficial to those living in rural areas. They supported raising the income threshold for EMA but pointed out that this would not help those people who already received it.

In conclusion the Chairman thanked everyone for their contribution.

Members were then invited to vote on whether they wished to refer the decision. The majority of Members supported the rationale for the decision and considered the increased cost to be modest and not unreasonable.

**RESOLVED –**

That the Committee does not wish to refer back the decision relating to the review of post-16 transport charges back to the decision maker or to refer the matter to full Council.

JW/JD/ALJ