



Haringey Council

Agenda item:

[No.]

Report to Cabinet 18 December 2007

Report Title: Introduction of free national off peak bus travel for elderly and disabled people and implications for Haringey.

Forward Plan reference number (if applicable):

Report of: **Niall Bolger, Director of Urban Environment**

Wards(s) affected: **All**

Report for: **Key**

1. Purpose

1.1 To inform the Cabinet of the introduction of free national off peak bus travel for elderly and disabled people and the implications for Haringey. To seek approval to align the qualifying criteria for the 'London' disabled freedom pass with that of the new national pass.

2. Introduction by Cabinet Member (if necessary)

2.1

3. Recommendations

3.1 That the Cabinet note the introduction of the new national bus pass and implications arising for Haringey
3.2 That the Cabinet agree to align the criteria for the disabled freedom pass to the seven categories of disabled person defined in national legislation.

Report Authorised by: **Niall Bolger, Director of Urban Environment**

Contact Officer: **Ann Cunningham, Head of Parking**

4. Director of Finance Comments

- 4.1 The Government is introducing free national off peak bus travel for elderly and disabled people from 1 April 2008. To fund the additional costs of the scheme the government is making available £250 million for the country as a whole, of which £212 million will be for England including London. It is currently unclear whether this level of grant will fully cover the additional costs.
- 4.2 Funding for the first three financial years – 2008/09 to 2010/11 – will be by means of a non-ringfenced specific grant and the DfT issued a consultation paper on 28 September 2007, setting out four options for allocating grant to relevant authorities in England. Furthermore for the first three years, the additional grant will be paid as a single sum to London and it will be possible to net this off the settlement with Transport for London (TfL), avoiding a mismatch between grant and expenditure at borough level. London Council's are supporting option 2 for distributing grant to authorities, this maximises the funding available for London.
- 4.3 The new scheme also makes it clear that the qualifying criteria for the disabled persons freedom pass should be in line with national legislation. The Council currently also uses discretionary criteria to issue disabled persons freedom passes and Haringey has the highest number of disabled freedom passes in issue of any London Borough. Reviewing the criteria so that it is in line with national legislation could potentially generate a saving for the Council.

5. Head of Legal Services Comments

- 5.1 The Head of Legal Services comments that the Concessionary Bus Travel Act 2007 provides that everyone aged 60 and over and disabled people will have free off-peak travel on all local buses anywhere in England from April 2008. The Act provides a power, via regulations in the future, for mutual recognition of national concessionary bus passes across the United Kingdom.
- 5.2 Schedule 1 to the 2007 Act amends Schedule 16 of the Greater London Authority Act 1999 (The London Free Travel Scheme) to allow for the additional concessions required for all eligible England Residents, and reserves to the Secretary of State the power to make regulations about the form and period of validity of the travel concession permits.
- 5.3 The Head of Legal Services supports the recommendations and has no specific additional comments to make.

6. Local Government (Access to Information) Act 1985

- 6.1 Concessionary Bus Travel Act 2007
6.2 Transport Act 2000
6.3 Greater London Authority Act 1999

7. Strategic Implications

- 7.1 The Government is introducing a national off peak free travel concession for elderly and disabled people from 1 April 2008. The key impact for Local Authorities is that there will now be a statutory requirement to provide a free off peak bus concession in Greater London for all elderly and disabled people whether their sole or principle residence is in Greater London or elsewhere in England
- 7.2 This has two implications for Haringey; the cost of the scheme will rise and there is a need to bring the qualifying criteria for the disabled persons freedom pass in line with national legislation. Both of those issues are addressed in this report.

8 Financial Implications

- 8.1 The cost of the Freedom Pass scheme will rise as a result of the new national concession because of the additional routes and journeys which will be covered. The government will be giving authorities extra grant, and while the London Councils are pressing for full reimbursement of all additional costs, the extra cost and amount of grant is still unclear.
- 8.2 Haringey currently has by far the highest number of disabled freedom passes in issue across London. It is estimated that aligning the qualifying criteria of the disabled persons freedom pass with national legislation will generate savings of approximately £100k annually on the concessionary travel budget.
- 8.3 All existing disabled freedom pass holders are now being asked to submit new applications , which will reassessed over the coming months in advance of the 2008/9 reissue ensuring that they still meet the criteria . If the recommendation in this report is agreed, those applications will be assessed only in line with national legislation and those not meeting the national criteria will not be issued with a disabled freedom pass for April 2008.
- 8.4 The London Councils carry out the apportionment biannually. The next apportionment will be carried in next year and will be based on the total number of freedom passes issued between February and September 2008. The savings referred to in paragraph 8.2 would as such be achieved in the following year in 2009/10.

9.1 Equalities Implications

- 9.2 Proposals in this report will ensure that resources are targeted at those who need the service most. The parking Service will closely work with Adult Services [whose mental health Team assess applications based on Severe Mental Disorder] who will assist in identifying those most in need.

10.1 Consultation

- 10.2 The mobility forum has been consulted and their feedback is appended to this report.

11. Background

- 11.1 The Council issues the London Freedom Pass under two categories; The Older Persons and Disabled Persons Freedom Pass.
- 11.2 The Older Persons Freedom Pass is issued automatically to those aged 60 yrs or over. There are seven categories of disabled people defined in the Transport Act 2000 for the purpose of qualifying for a Disabled Freedom Pass;
1. people who are blind or partially sighted
 2. people who are profoundly or severely deaf
 3. people without speech
 4. people who have a disability, or have suffered an injury, which has left them with a substantial and long-term adverse effect on their ability to walk
 5. people who do not have arms or have a long-term loss of the use of both arms
 6. people who have a learning disability, that is defined as, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning
 7. people who, if they applied for the grant for a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, would have their application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol.
- 11.3 Local Authorities may at their discretion issue freedom passes to disabled people that do not meet one of the above criteria. Haringey use this discretionary power to issue passes to persons with a long-term mental health disability. Applications are assessed by the Haringey Council's Mental Health team. This discretion is used by some other neighbouring boroughs, who are also in the process of reviewing their position. The information available at present indicates that some boroughs are changing the criteria now in advance of the introduction of the new national scheme, while others will review their position in advance of the 2010 reissue.
- 11.4 Many residents currently qualifying under the additional criteria, will continue to qualify under Criterion 7 [explained above], which specifically makes reference to those with Severe Mental Disorder. This will ensure that those in genuine need of the service will continue to qualify for the service.
- 11.5 The Older Person's Freedom Pass is valid between 9am and 4.30 am Monday to Friday and all day at weekends and public holidays. The Disabled Persons Freedom is valid 24 hours, 7 days a week.
- 11.6 Passes are renewed on biannual basis and the service is currently reassessing all existing applications in advance of the reissue due in April 2008. There are currently 6993 disabled persons freedom passes in issue , of which 660 are issued under the discretionary Mental Health criteria.
- 11.7 The Department for Transport have made it very clear that there are no powers to give the new national concession to those outside the categories of disabled persons defined

in legislation. This means that if the Council continues using their existing criteria for Disabled Freedom Passes some will qualify for a 'London only' pass , while others will qualify for the new national pass.

- 11.8 The London Council's are urging all boroughs who currently issue under additional criteria to align their scheme to that of the new national scheme, to ease administration, clarity for service users and providers, and to keep the cost of scheme down.

12. Recommendations;

- 12.1 a) that the Cabinet note the introduction of the new national bus pass and the issues arising for Haringey.
b) That the Cabinet agree to align the criteria for the disabled freedom pass to the seven categories of disabled person defined in national legislation.

13. Use of Appendices / Tables / Photographs