

Northumberland Concessionary

Travel Scheme 2015/16

Citation and effect

1. This document constitutes the Northumberland Concessionary Travel Scheme (“the Scheme”), and is made by the unitary local authority for the administrative area of Northumberland (“the Authority”).
2. The Scheme meets the requirements of the Transport Act 2000 (as amended) and is made, insofar as applicable, under the Transport Act 1985. It takes account of current Guidance issued by the Department for Transport.
3. It will take effect, unless previously superseded, on and from 1 April 2015, and will continue in effect until further notice.
4. This Scheme replaces any concessionary bus fares scheme previously operated by Northumberland County Council.

Definitions

5. Terms (signified by double quotation marks) defined in the remainder of this section or elsewhere in this document will have those meanings throughout the Scheme. The singular includes the plural, and the masculine form the feminine, except where the context requires otherwise.
6. The following terms will have the meanings given below:

“Administrator”	The Authority, or any person it may appoint for the time being to administer the Scheme.
“Eligible Service”	A local bus service as defined in the Travel Concessions (Eligible Services) Order 2002 [SI 2002 No. 1016], as amended.
“National Permit”	A travel concession permit, corresponding to such standard design as may be specified by Regulations, issued by another authority under the English National Concessionary Travel Scheme.
“Operator”	The operator of any Eligible Service which has at least one stop within the Principal Area (see 8).

“Permit” A travel concession permit issued under the Scheme, or by a predecessor authority, and corresponding to such standard design as may be specified by Regulations.

“Weekday” means any day other than a Saturday, Sunday or Bank Holiday.

7. Any reference in the Scheme to a body corporate shall, unless the context requires otherwise, include any officer, employee or agent of that body when acting in that capacity.

Area and operation of concession

8. The “Principal Area” of the Scheme will be the administrative area of the Authority, including any stop immediately outside the boundary which is specified as so included.

9. In this Scheme, Eligible Services do not include:

- Excursions, tours or services of limited duration to special events.
- Services operating at restricted times for works, schools or similarly limited requirements, unless they have a demonstrable utility for concessionary passengers.
- Long-distance or other services where the fare is, in the sole opinion of the Administrator, a disincentive to make local journeys or where tickets cannot readily be purchased from the driver or where most seats can be reserved
- Vintage or heritage bus services
- Premium priced services including those where 'extras' (e.g. refreshments or car parking) are included in the fare
- Rail replacement services
- Any other services that, in the sole opinion of the Administrator, do not have any significant element of providing access to services
- Services which the Department for Transport may from time to time add to the above list

10. An “Eligible Journey” is a single, continuous journey on any Eligible Service between any two points within England. For holders of a valid Permit, an Eligible Journey will include one in either direction between a point within the Principal Area and any point in Scotland on specified sections of route as detailed below:

18 Berwick to Duns
60 Berwick to Galashiels via Duns
67 Berwick to Galashiels via Kelso
34, 235, 236, 253 Berwick to Eyemouth
131 Newcastle to Jedburgh

On the following local bus services, free travel is only available for journeys wholly within England:

710 Newcastle – Coldstream/Kelso
32 Berwick - Swinton

11. On presentation of a valid Permit or a valid National Permit, an Operator shall allow the holder to travel without charge on any Eligible Journey which starts (or is scheduled to start) from a stop within the Principal Area (or, where permitted as defined in paragraph 10 above, within Scotland):
 - At or after 0900 on a Weekday.
 - At any time on a Saturday, Sunday or Bank Holiday.
 - Before 0900 on a Weekday on production of a hospital appointment letter or card indicating the need to travel before that time to attend said appointment (whether the appointment is in Northumberland or not and even if the appointment is after 0900) .
12. In addition, on presentation of a valid Permit or a valid National Permit issued on the grounds of disability, an Operator shall allow the holder to travel without charge on any Eligible Journey which starts from a stop within the Principal Area (or, where permitted as defined in paragraph 10 above, within Scotland) at any time on any day.
13. On presentation of a valid Permit or a valid National Permit with Companion entitlement (see 18 below), an Operator shall allow a Companion to travel without charge on the same Eligible Journey as the Permit holder which starts from a stop within the Principal Area, at any time on any day. However, no concession will be provided to a Companion for any part of an Eligible Journey which lies within Scotland.
14. The holder of a valid Permit issued under the Scheme (but not a Companion of such Permit holder) is also entitled to travel without charge on any Eligible Service between any two points within England, starting outside the Principal Area, provided that the journey starts:
 - Between 0930 and 2300 (inclusive) on a Weekday.
 - At any time on a Saturday, Sunday or Bank Holiday.
15. An Operator who persistently fails to provide a concession in accordance with the above commits an offence, and is liable to a fine on summary conviction.
16. The Authority may agree with operators of other public passenger transport services (e.g. community transport) that they will provide concessions under the Scheme, subject to the same terms as for Eligible Services. The Authority may also offer alternative or additional concessions to Eligible Persons, which shall be outside the scope of this Scheme.

Issue and use of Permits

17. Persons eligible to be issued with a Permit under the Scheme (“Eligible Persons”) are the following:

- Those whose normal permanent place of residence is within the Principal Area, AND who
- ◆ Have attained the qualifying age specified in legislation (i.e. a woman's State Pension age), OR
- ◆ Are of fare-paying age and disabled in one of the following ways:
 - a) Being blind or partially sighted.
 - b) Being deaf.
 - c) Having no speech.
 - d) Having no arms, or long-term loss of the use of both arms.
 - e) Having a disability or injury which has a substantial and long-term adverse effect on the ability to walk.
 - f) Having a learning disability.
 - g) Being physically unfit to hold a driving licence, except by reason of persistent misuse of alcohol or drugs.

Eligibility on disability grounds will be determined in accordance with the Guidance issued from time to time by the Department for Transport.

18. A person who, in the Authority's opinion, is so disabled that he requires the assistance of another person ("a Companion") to travel by bus, may be issued with a Permit marked with Companion entitlement. This will allow a Companion to receive the same concession as the Permit holder when making the same Eligible Journey which starts within the Principal Area. However, a Companion will only be eligible to receive a concession for any journey starting outside the Principal Area where this is permitted by the travel concession authority for the area where the journey starts, and no concession will be provided to a Companion for any part of an Eligible Journey which lies within Scotland
19. The Authority will issue a Permit, without charge, on first application by any Eligible Person. Applicants for new, renewal or replacement Permits must follow the prescribed procedures, as notified from time to time by the Authority, and provide evidence of their eligibility and / or a photograph in a prescribed form. The Authority will not be responsible for any cost incurred in obtaining evidence or provision of a photograph by an applicant. The Authority reserves the right to make enquiries to confirm the information provided; provision of false or misleading information will render the application and any Permit issued invalid, and may make the applicant liable to prosecution.
20. The Permit will be valid for a maximum of five years, until the expiry date shown. It remains the property of the Authority, and must be returned on request if any condition of use is breached or for any other reasonable cause.
21. The Permit must be presented to a smartcard reader as directed and if required clearly shown to the driver or other authorised person at the start of each journey, or on request,.

22. If a Permit is lost or stolen, the Authority must be notified without delay. A Permit which has become defaced or defective will be replaced on request. A charge may be made for a replacement Permit, at the discretion of the Authority.
23. If a holder ceases to require or to be eligible for a Permit, it must be returned to the Authority without delay. Any change of name or address must be notified to the Authority, and a replacement Permit will be issued, if necessary, without charge.
24. A Permit may only be used by the person to whom it was issued, and must not be copied. Any misuse of a Permit or breach of conditions of its use (including those in this Scheme) may result in its withdrawal, and may render the person using or attempting to use it, and any person aiding or abetting him, liable to prosecution. In such circumstances, the user will be required to pay the full fare for any journey taken, for which the Authority will have no liability.

Reimbursement Procedure

25. From 1st April 2015 payment to operators for accepting Older and Disabled Persons' Bus Permits will be based on the numbers of permits accepted for travel as recorded on an Electronic Ticket Machine (ETM) approved by Northumberland County Council (see paragraph 27 below).

Information Required From Bus Companies

26. All operators who wish to be reimbursed under the scheme must submit regular monthly data from a Smartcard-enabled ETM approved by Northumberland County Council for routes and sections of route which operate within Northumberland and on relevant sections of route in Scotland (as defined in 10 above). Operators are required to provide the following information for each service where reimbursement is claimed:
 - Number of English National Concessionary Travel Scheme passengers boarding in Northumberland or, separately, in Scotland
 - Adult Single ticket issues and revenue
 - Adult Return ticket issues and revenue
 - One-day ticket issues and revenue (e.g. Day Explorer, DayRider)
 - Weekly and other period tickets
27. The format of these data will be agreed, but must allow the Administrator to satisfactorily calculate the reimbursement due for the previous month and identify the concessionary passenger boardings for which the Scheme is liable. Data must be submitted within 2 weeks of the end of the month. Non-receipt or delay will lead to delayed reimbursement or reclaim of Interim Payments.
28. Operators who are currently unable to record or transmit data to the ENCTS HOPS for reasons outside their control must contact Northumberland County Council to agree suitable alternative arrangements to be made

29. To allow for occasions where smartcard readers are inoperative, reimbursement on the basis of manual issue of tickets will be allowed, but this must not exceed 2% of the operator's total reimbursement for any month.
30. On minor routes where a Smartcard-enabled ETM approved by Northumberland County Council may not be appropriate, reimbursement will still be permitted subject to a maximum of £400 per month

Concessionary Fares Reimbursement

31. Operators will need to provide the Administrator with access to ETM data (except under paragraph 30 above) and sufficient fares information to enable an Average Fare to be calculated and agreed with them. The Average Fare for these purposes will be that derived from an average of adult single, return, one-day, and weekly fares for each route operated. The ETM data will be used to calculate payments due to each operator.
32. ETM data will be handled by the Administrator on a confidential basis, to be agreed with the Operator.
33. Operators will be reimbursed at the rate of 50% (inclusive of marginal additional costs) of the agreed Average Fare submitted and agreed with each eligible operator based on the number of concessionary passengers (holders of a valid Permit or valid National Permit) carried on each route as per ETM data recorded and returned as indicated above. Any Operator who believes that he has incurred extraordinary additional costs which are not met by the standard reimbursement may apply to the Authority for consideration of a specific claim, supported by verifiable evidence

Payment and Calculation of Reimbursement

34. Reimbursement payments to participating operators will be calculated by the Administrator on a quarterly basis ("the Payment Period").
35. Payments will be made to participating operators as follows:
 - Interim Payments: An amount equivalent to 30% of the estimated Total Reimbursement due in each quarter shall be paid monthly, subject to satisfactory receipt of data.
 - Balancing Payments: The cumulative balance of the Total Reimbursement due at the end of each quarterly Payment Period shall be calculated by the Administrator and advised to each operator, with the aim of making payment within 4 weeks of the receipt of data, subject to any data issues being resolved.
36. Participating operators will be notified in advance of the amount of each payment made in accordance with the above and any subsequent variation to that amount.
37. The scheme reserves the right to reclaim any overpayments either by invoice or by deducting the overpaid amounts from future Reimbursement Payments or, where necessary, from the value of other payments made by the Authority to the operator. Deduction will be made no later than 3 months after the end of the Financial Year to which

the overpayment relates, or 3 months after identification of the overpayment, whichever is later.

38. Any payments to Participating Operators falling outside the statutory provisions will be based on an agreed formula with the objective of being no more and no less generous than the terms of reimbursement in respect of local services.
39. The balance of Total Reimbursement due at the end of each quarter shall be the difference between:
 - The Interim Payments already made at that time in respect of that Payment Period, less any overpayments invoiced and/or deducted and;
 - The Total Reimbursement due in respect of the Payment Period, calculated as the product of the recorded concessionary journeys and the Average Fare.
40. Participating Operators will be sent a reimbursement statement detailing each balancing payment reconciliation. This statement will show the following for the relevant Payment Period:
 - The sum of the payments due to the Participating Operator;
 - The sum of the payments so far made to the Participating Operator;
 - The amount of any balancing payment or reclaim.

Participation and termination

41. All Operators are required to participate in the Scheme, since it provides mandatory concessions under the Transport Act 2000. Any Operator who will cease to participate through the cancellation of all Eligible Services within the Principal Area must give at least 28 days' written notice of this to the Administrator.
42. Any new Operator should apply to the Administrator for admission to the Scheme at least 28 days before the start of the relevant service. Initial reimbursement will be estimated by the Administrator using the best available evidence during the first three months of operation, after which the standard (or other agreed) method will be applied.
43. Any operator of a bus service which the Administrator does not consider an Eligible Service may request the Authority to review any decision to exclude the service from the Scheme. The Administrator can provide advice to such an operator about changes to the service which would qualify it for inclusion.
44. An Operator may withdraw from voluntary participation in any discretionary elements of the Scheme, giving no less than 42 days' notice in writing of this intention. In this event, the Administrator may require the Operator to continue to offer such concessions on Eligible Services by issue of a Participation Notice under Section 97 of the Transport Act 1985.
45. An Operator has a right of appeal to the Secretary of State against the terms of reimbursement, or the issue of a Participation Notice. Such appeal must be lodged within 56 days of the Scheme, or any relevant variation, coming into operation, provided that

seven days' prior written notice has been given to the Authority. Any Operator considering such an appeal should consult with the Administrator at the earliest opportunity, to obtain advice and enable the parties to seek an agreed resolution.

General

46. The Authority may employ another person, but not an Operator, to act as the Administrator of the Scheme.
47. Any changes to the Scheme will be notified to Operators at least 28 days in advance, although this period may be reduced by mutual agreement. Changes to the reimbursement arrangements which are determined solely by the Authority will only apply on the expiry of four months' written notice.
48. The Authority may require Operators to display an interior notice relating to the Scheme on each deck of the vehicles normally providing Eligible Services within the Principal Area, and a notice at or near the entrance of such vehicles indicating that National Permits are valid on the service.
49. All correspondence and enquiries should be directed to:

The Concessionary Fares Officer
Northumberland County Council
County Hall
Morpeth
NE61 2EF