

Executive Note
The National Bus Travel Concession Scheme for Older and Disabled Persons (Eligible Persons and Eligible Services)(Scotland) Order 2006
(S.S.I. 2006/ 117)

The above instrument is laid in exercise of the powers conferred by sections 40(7) and 52(4) of the Transport (Scotland) Act 2005. The instrument is subject to negative resolution procedure in the Scottish Parliament.

Policy Objectives

The purpose of this instrument (the Eligibility Order) is to specify “eligible persons” and “eligible services” for the purposes of the National Bus Travel Concession Scheme for Older and Disabled Persons. The Scheme is set out in the National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Order 2006 (the Scheme Order). “Eligible persons” are those who will be eligible to travel under the Scheme and “eligible services” are the bus and coach services on which they will be eligible to travel.

This instrument, the Eligibility Order, refers to the Scheme Order and could not therefore be made until the Scheme Order was made on 7 March 2006.

The key points of the Scheme were announced in the Parliament by Nicol Stephen, the then Transport Minister, in December 2004. They are:

1. The Scheme will begin on 1 April 2006.
2. The Scheme will be run by Transport Scotland, the new executive agency which has been set up and which is directly accountable to Scottish Ministers.
3. The bus Scheme will cost a maximum of £159m in 2006-07 and £163m in 2007-08.
4. Bus operators will be paid at the rate of 73.6% of the average adult single fare to ensure that they are no better and no worse off through taking part than they would be if there were no scheme. This covers revenue forgone and any additional costs they incur.
5. Older and disabled people will be able to travel free by bus anywhere in Scotland on local buses and on long distance scheduled coaches throughout the day, including the morning rush hour.
6. Older people are defined as people aged 60 and over. The definition of disability relates to disability where mobility is reduced. In circumstances where assistance is required to travel, the entitlement will include a companion.
7. The scheme will be an application on the new Entitlement Card, which is intended over time to allow members of the public to use an increasing number of public services through a single card. The card will be electronic and will help to prevent fraud.
8. Alongside the bus Scheme, older and disabled islanders will also be entitled to two free return ferry trips to the mainland.

The Scheme Order provides the statutory basis for points 1 – 4 and points 7 and 8 will be achieved administratively.

The Eligibility Order provides the statutory basis for points 5-6 and lays down the eligibility criteria for inclusion in the Scheme. “Eligible persons” must be resident in Scotland and aged

60 or over or fall within a number of classes which together define disability for the purposes of the Scheme.

The eligibility criteria in relation to disability were developed from recommendations made by an Eligibility Task Group which included members from the Association of Transport Coordinating Officers, the Confederation of Passenger Transport, Strathclyde Passenger Transport and the Mobility and Access Committee for Scotland. Where practicable, the criteria use assessment processes already in place to passport individuals into the Scheme. This prevents an individual from having to undergo a further assessment to prove eligibility for the Scheme. "Eligible persons" also include companions where assistance is required to travel.

"Eligible services" include local registered bus services and long distance scheduled coach services available to the general public.

Consultation

As the first part of the consultation process, the Executive set up seven task groups comprising key stakeholders including the bus operators, current scheme operators, policy consultants and the Mobility and Access Committee for Scotland. Secondly, the Executive issued a consultation paper on the draft orders for the scheme ("Scotland-wide Free Bus Travel for Older and Disabled People: Consultation Paper") to over 500 individuals and organisations in October 2005. Well over 100 responses were received.

Financial Effects

The scheme will cost a maximum of £159m in 2006-07 and £163m in 2007-08. It will be resourced by new money allocated under the 2004 spending review settlement and sums to be re-invested from the local government settlement. The sums to be re-invested have been agreed with COSLA on a basis which meets the objective shared by COSLA and the Executive that local authorities will continue to be resourced for concessionary travel on modes other than bus and that resources used for supported bus services will be protected.

The regulatory impact of the new scheme is generally positive. Under the current local arrangements, there are 16 concessionary travel schemes with different rules and levels of reimbursement. This is particularly problematic for those bus companies – of which there are many – which operate across local authority boundaries. The new scheme will involve one set of negotiations across Scotland and one reimbursement rate, freeing up a considerable amount of management time to develop and improve bus services.

Scottish Executive
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