



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Cabinet considered the Concessionary Fares scheme report on 14 February 2024;

[9.-Concessionary-Fares-Cabinet-ReportPDF-132KBicon-namepaperclip-prefixfa.pdf \(nelincs.gov.uk\)](#)

1. Approves the continuation of the current, statutory minimum North East Lincolnshire Concessionary Fares Scheme (with existing non-statutory local enhancements) from 1 April 2024 to 31 March 2025.

2. Authorises the Executive Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Environment and Transport to approve 2024/2025 Concessionary Fares Scheme reimbursement arrangements with transport operators.

3. Authorises the Executive Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Environment and Transport to ensure that all actions necessary and ancillary to the above recommendations be completed.

4. Authorises the Executive Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Environment and Transport (subject to the agreement of the Section 151 Officer) to manage and take decisions relating to expenditure in the 2024/25 financial year to secure any bus services which are deemed socially necessary.

5. Authorises the Assistant Director Law, Governance and Assets to complete and execute all requisite legal documentation arising.

Cabinet meeting minutes and a decision notice from 14 February 2024 meeting are available at;

[Cabinet | Democracy \(nelincs.gov.uk\)](https://nelincs.gov.uk)

2. Subject and details of the matter (to include reasons for the decision)

The national Concessionary Fares Scheme is enshrined in legislation through the Transport Act 1985 and Transport Act 2000 (subsequently modified by the Concessionary Bus Travel Act 2007). Councils have a statutory duty to provide free bus travel for eligible pass holders to a statutory minimum level. Public transport operators are compensated for revenue foregone and for any net additional costs incurred as a result of operating the national scheme in accordance with criteria established by the Department for Transport (DfT).

The Council published a draft concessionary fares scheme, including existing no statutory local enhancements on 3 November 2023 (in order to meet statutory notice requirements to bus operators). The purpose of the Cabinet report was to approve the final Concessionary Fares scheme and authorise the Executive Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Environment and Transport to approve 2024/2025 Concessionary Fares Scheme reimbursement arrangements with transport operators.

North East Lincolnshire Council (NELC) has one local bus operator (Stagecoach East Midlands). Annually, the Council agrees Concessionary Fare reimbursement with Stagecoach East Midlands. This Officer Decision Record seeks approval to agree the Stagecoach East Midlands 2024/2025 Concessionary Fares reimbursement.

3. Decision being taken

For the Executive Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Environment and Transport to approve the Stagecoach East Midlands 2024/2025 Concessionary Fare reimbursement.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. **Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.**

No.

5. Anticipated outcome(s)/benefits

Option 1 is the recommended option;

One year fixed agreement informed by DfT reimbursement calculator - It is proposed that NELC enters into a one-year fixed reimbursement agreement, commencing 1 April 2024 to 31 March 2025 with the principal transport operator in North East Lincolnshire. The recommendation to agree a one-year fixed price option is recommended, reduces the risk of fluctuation of concessionary fares spend. It offers certainty of budget for both parties and provides greater stability in the bus network. The value of the proposed Stagecoach East Midlands 2024/2025 Concessionary

Fares reimbursement is identified in Appendix A as a closed Appendix. In exchange for this level of reimbursement, Stagecoach expect to be able to maintain the existing local bus network.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

Option 2 - Do nothing – Local authorities have a legal duty to provide free bus travel for eligible pass holders to a statutory minimum level and failing to do this would mean the Council would not be discharging its legal duty. This option is not recommended.

Option 3 - Reimburse operators based upon alternative calculation – The DfT recommend the use of their calculator tool to inform Concessionary Fare arrangements with operators. In the event that an alternative calculation is used which returns a payment lower than the DfT guided payment, operators are likely to appeal to the Secretary of State for Transport under section 150 (1) of the Transport Act 2000. This option is not recommended.

Option 4 - Payments based upon usage – A ‘pay as you go’ reimbursement method is not recommended for the large volume operators. As concessionary travel is demand led, the risk of overspend is greater than with a fixed price agreement. This option may also create instability in the bus network. This option is not recommended.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

14 February 2024 Cabinet Report

[9.-Concessionary-Fares-Cabinet-ReportPDF-132KBicon-namepaperclip-prefixfa.pdf \(nelincs.gov.uk\)](#)

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

n/a

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is clearly consistent with the will and expectation of Cabinet.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The costs of the concessionary travel scheme are to be met from within the existing budget envelope for that service.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications

13. Risk Assessment (in accordance with the Report Writing Guide)

In the event of the Council being unable to agree Concessionary Fare reimbursement with the principal bus operator there is a risk that they will begin proceedings to withdraw services (or elements of services) which may be detrimental for local bus passengers.

14. Has the Cabinet Tracker been updated with details of this decision?

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15. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director of Environment,
Economy, & Infrastructure

Signed: REDACTED

Dated: 26/03/2024

**16. Consultation carried out with
Portfolio Holder(s):**

Name: Cllr Stewart Swinburn

Title: Portfolio Holder for Environment
& Transport

Signed: REDACTED

Dated: 26th March 2024

**17. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name:

Title:

Signed:

Dated:

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.