

THE DEVONWIDE PARTNERSHIP

Agreement for operation and management of the Devonwide Concessionary Travel Scheme

Statement of Purpose

The purpose of the Partnership is to meet the requirements of the Transport Act 2000 regarding the provision of concessionary fares for the residents of the Devon Unitary and District Councils, acting as Travel Concession Authorities. The Act states that Travel Concession Authorities have a duty to provide free local bus travel to defined eligible people.

1. The Partnership

1.1. The membership of the Partnership will consist of the Travel Concession Authorities within the geographical area of Devon, excluding the City of Plymouth, namely East Devon, Mid Devon, North Devon, South Hams, Teignbridge and Torridge District Councils, West Devon Borough Council, Exeter City Council and Torbay Council.

1.2. The Partnership will provide on application the Devonwide photo card and travel pass to all eligible persons. This will meet fully the requirements of the Transport Act 2000, subject to discretionary additions which the Partnership may agree. The terms and conditions regarding issue and use of the Devonwide pass are defined in schedule A to this agreement and will be published by public notice and in the current Devonwide application booklet.

1.3. Devon County Council will provide a secretarial, accounting, technical and financial service to the Partnership as described in schedule B to this agreement. On behalf of the Partnership Devon County Council will arrange the issue of the Devonwide pass to eligible persons and will negotiate appropriate financial (reimbursement) arrangements with transport operators. These arrangements and negotiations will meet all current statutory requirements whilst seeking best value for the Partnership. The basis of reimbursement arrangements are defined in schedule C to this agreement.

1.4. The Partnership will elect from amongst its membership a Chairperson for each financial year.

1.5. Meetings of the Partnership will take place at least quarterly. Each Travel Concession Authority will be entitled to representation as it deems appropriate. Additional meetings may be called by majority agreement. The Chairperson may call a Special Meeting at any time by giving at least two weeks' notice to member Authorities.

1.6. Plymouth City Council will be an associate member of the Partnership to the mutual benefit and support of the Devonwide scheme and Plymouth City Council's own concessionary travel scheme. As an associate member Plymouth City Council will not be entitled to vote on decisions and will not provide free passes nor contribute financially on the same basis as the full members.

- 1.6. When decisions require a vote, each full member will have one vote.
- 1.7. Devon County Council will not be entitled to vote on decisions.
- 1.8. The Partnership will commence on 1st April 2006 and will be subject to review no later than 1st December in each financial year to take effect with the commencement of each financial year following.
- 1.9. A Travel Concession Authority wishing to withdraw from the Partnership may only do so with effect from 1st April in any year and must give written notification to the Chairperson of the Partnership no later than 17 months before this date.
- 1.10. If Devon County Council wishes to cease its management of the Scheme on the Partnership's behalf, it may only do so with effect from 1st April in any year and must give written notification to the Chairperson of the Partnership no later than 17 months before this date.
- 1.11. If the Partnership wishes Devon County Council to cease its management of the Scheme it may only do so with effect from 1st April in any year and must give written notification to Devon County Council no later than 17 months before this date.

2. Costs

- 2.1. The Travel Concession Authorities will meet all costs associated with the administration and operation of the Partnership and the issue and use of Devonwide passes.
- 2.2. An annual fee will be agreed and paid to Devon County Council in respect of the service outlined in paragraph 1.3.
- 2.3. All costs associated with the administration and operation of the Partnership, including the fee to Devon County Council, the issue and use of Devonwide passes and the reimbursement to operators will be apportioned to member Authorities on the basis of formulae which will be agreed by the Partnership according to majority vote.
- 2.4. An indicative budget will be prepared by Devon County Council each financial year for amendment and approval by the Partnership by the 31st October preceding.
- 2.5. Devon County Council will have no commitment to fund any part of the scheme, with the sole exception of absorbing certain transport operator reimbursement costs as may be decided by the County Council Executive.

Signed on behalf of the Devonwide

Signed on behalf of

Partnership

.....**Council**

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**L. Halton
Chair**

Position

Date

Date

Schedule A – The Devonwide Concessionary Travel Scheme

1. The Devonwide Concessionary Travel scheme (the Scheme) is published by a Partnership of the Travel Concession Authorities in Devon under powers given to those authorities under the Transport Act 1985 (the 1985 Act), the Transport Act 2000 (the 2000 Act) as amended by the Travel Concessions (Eligibility) Act 2002 (the 2002 Act) and the Travel Concession Scheme Regulations 1986 (S.I. 1986/77) (the regulations).
2. The Scheme is run by a Partnership made up of:
 - ◆ East Devon District Council
 - ◆ Exeter City Council
 - ◆ Mid Devon District Council
 - ◆ North Devon District Council
 - ◆ South Hams District Council
 - ◆ Teignbridge District Council
 - ◆ Torbay Council
 - ◆ Torridge District Council
 - ◆ West Devon Borough Council
 - ◆ Plymouth City Council (associate member with no voting rights)
3. The Scheme will be administered by Devon County Council on the Partnership's behalf.
4. The Scheme will provide free travel on eligible local bus services to defined eligible persons within the boundaries of the full member councils and within the boundary of Plymouth City Council and on cross boundary bus routes to Bude, Launceston, Gunnislake, Callington, Minehead, Taunton, Chard and Bridport and such other places as may be determined by the Partnership by majority vote.
5. The free travel concession will be provided at all times on Saturdays, Sundays and Public Holidays. On weekday mornings free travel will not be provided from 04.30 to 09.00 with certain exceptions as determined by the Partnership by majority vote.
6. The free travel concession will be available on all local bus services as defined by the Travel Concessions (Eligible Services) Order 2002 operating within the Scheme area, i.e. registered local bus services in receipt of Bus Service Operators Grant. There may be some exceptions as determined from time to time by the Partnership by majority vote.
7. All local bus operators have a right of admission to the Scheme; the Partnership has powers to oblige operators to enter the scheme.
8. Rail travel will be facilitated by sales of discounted national senior railcards to the over 60s who are resident in one of the full member council areas.
9. In accordance with the 1985 Act, the 2000 Act and the Travel Concession (Eligibility) Act 2002 the Partnership will issue a permit free of charge for free

travel to defined eligible persons under the Scheme. All eligible persons must reside in the area of one of the full member Travel Concession Authorities and either:

- 9.1. aged 60 or over or
 - 9.2. a disabled person who-
 - a. is blind or partially sighted,
 - b. is profoundly or severely deaf,
 - c. has a disability, or have suffered an injury, which has a substantial and long term adverse effect on their ability to walk,
 - d. does not have arms or has long-term loss of the use of both arms,
 - e. has a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning, or
 - f. would, if they applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have their application refused pursuant to section 92 of that Act (physical fitness) otherwise than on the grounds of persistent misuse of drugs or alcohol or
 - 9.3. is a nominated, dedicated companion travelling with a severely disabled person who holds a Devonwide travel pass and photo card.
10. In order to obtain free travel all eligible persons under section 9.1. and 9.2. will be required to apply for and obtain a Devonwide travel pass and photo card.
- 10.1. Operators will allow free travel only on production of a current, valid Devonwide pass and photo card.
 - 10.2. Pass holders must give details of the journey required with a destination point to the driver of the service.
 - 10.3. A ticket will be issued for each journey made which must be shown on inspection.
 - 10.4. Eligible persons will be required to provide a completed application form, a passport sized photograph, proof of residence and proof of age or disability.
 - 10.5. A valid pass and photo card will be issued free of charge to eligible persons.
11. Severely disabled persons who are only able to access public transport services with the assistance of a travelling companion may apply for a supplementary pass for use by a nominated companion when travelling with the severely disabled person using their travel pass.

12. Lost or stolen passes will be replaced on application; the Partnership reserves the right to charge the administration costs of replacement.

Schedule B – Management of the Scheme

1. Devon County Council will manage the scheme on behalf of the Partnership Travel Concession Authorities. As part of this management Devon County Council will provide secretarial, accounting, technical and financial advice to the Partnership relating to the provision of concessionary fares.
2. Devon County Council will take responsibility for: -
 - ◆ Publicising the scheme
 - ◆ Budgeting, accounting and financial monitoring
 - ◆ Organising the printing of all relevant stationery
 - ◆ Supplying stock to agents
 - ◆ Maintaining a database of pass holders
 - ◆ Organising and negotiating payments to operators
 - ◆ Dealing with public enquiries
 - ◆ Dealing with enquiries from partnership members.
 - ◆ Arranging for passes to be issued and supplying replacement passes.
 - ◆ Supplying management data to the Partnership Travel Concession Authorities.
 - ◆ Any other reasonable task to ensure the smooth running of the scheme
 - ◆ Arranging for the issue of senior railcards under the Association of Train Operating Companies' scheme to eligible residents.
3. Changes may be made to the financial and management features of the scheme at any time. However any such changes will only be made by majority agreement of the full member Travel Concession Authorities.

Schedule C – Reimbursement to Operators

1. The Devonwide Concessionary Travel Scheme will comply with the Travel Concession Scheme Regulations 1986 and with the objective that bus operators should be no better or worse off as a result of participating in the Scheme.
2. This translates into a need to compensate for revenue foregone, taking into account any generated trips and to provide sufficient capacity such that all those wishing to travel - both concessionary and non-concessionary passengers - may do so.
3. The travel consumed by half fare Devonwide pass holders in the financial year 0506 will be taken as the base line for reimbursement for free fare travel from 1 April 2006. Increase in travel consumed following the introduction of free travel from half travel will be taken to be generated as a result of the existence of the Scheme.
4. On receipt of valid claims operators of commercial, eligible services will receive from the Scheme:
 - a. 78.43% of double the half fare revenue received from Devonwide pass holders in 0506 for each service. This is equivalent to all income from the Devonwide half fare travel scheme in 0506.
 - b. On a company-wide basis, all concessionary growth from the 0506 baseline will be reimbursed at the rate of 10% of average adult fare per passenger.
 - c. 100% of agreed valid claims for revenue foregone due to passengers who are eligible for Devonwide half fare travel concessions but bought standard tickets in 0506.
 - d. a payment in recognition of the agreed administrative costs incurred by participating in the Devonwide scheme.
 - e. a separate payment to cover the costs of providing additional vehicle capacity to cope with growth in patronage brought about by concessionary travel. This will be considered on a case-by-case basis and will be service-specific.
5. Operators of eligible services financially supported by Torbay and Plymouth councils will receive payments from the Scheme according to the method described in section 4.
6. Operators of eligible services supported by Devon County Council which currently attract Devonwide half fare reimbursement will receive payments from the Scheme according to the method described in section 4.
7. Operators of eligible services supported by Devon County Council which currently attract no Devonwide half fare reimbursement will receive from the Scheme:

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- a. 50% of double the half fare revenue received from Devonwide pass holders in 0506 for each service. This is equivalent to all income from the Devonwide half fare travel scheme in 0506.
 - b. 100% of agreed valid claims for revenue foregone due to passengers who are eligible for Devonwide half fare travel concessions but bought standard tickets in 0506.
 - c. a payment in recognition of the agreed administrative costs incurred by participating in the Devonwide scheme.
 - d. As the contracts on these eligible services are surrendered or reach the end of the current five year contract and where they are re-tendered by Devon County Council under the terms and conditions of contract introduced from 1 April 2005 the operator will receive payment from the Scheme according to the method described in section 4.
8. Ongoing validation of reimbursement calculations and claims will require the issue of a zero-value ticket to each concessionary passenger. There will also be a requirement for a record of concessionary origins and destinations in order to assess the total volume of concessionary business.
 9. Under the Scheme all operators of eligible services are required to provide monthly information by service of the number journeys made by Scheme pass holders and the value of the fares that would have been paid in the absence of the concession.
 10. From to time to time on bus sample surveys will be required for checking the validation of pass use and payments to the operator for the service.
 11. In cases where an operator will experience problems of cash-flow due to the near-disappearance of on-bus revenue with the introduction of free fares reimbursement payments will, on request, be made on receipt of monthly invoices in advance - on the understanding that reconciliation will take place at suitable intervals on the basis of the ongoing supply of relevant valid data.