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CABINET

Tuesday, 10th April, 2018

The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

S U P P L E M E N T A R Y P A C K

9.	CONSULTATION ON THE PROPOSED REVISED HOME TO SCHOOL/COLLEGE TRANSPORT POLICY
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To consider a report by County Councillor Myfanwy Alexander, Portfolio Holder for Learning and Welsh Language.

(Pages 3 - 36)

11.	CAR PARKING AT CORPORATE OFFICES
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To consider a report by County Councillor Phyl Davies, Portfolio Holder for Highways, Recycling and Assets.

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CYNGOR SIR POWYS COUNTY COUNCIL

CABINET
Date 10th April 2018

REPORT AUTHOR: County Councillor Myfanwy Alexander
Portfolio Holder for Learning and Welsh Language

SUBJECT: Consultation on the Revised Home to School/College
Transport Policy

REPORT FOR: Decision

1. Summary

- 1.1 The Learner Travel (Wales) Measure 2008 clearly states that the Authority has a duty to transport learners to their nearest suitable school if they meet the qualifying distance criteria.
- 1.2 The Authority's Home to School/College Transport Policy (**Appendix A**) has been amended to simplify the criteria and to include the approved catchment areas in respect of transport for each school. The revised policy also confirms the requirement for the Authority to ensure that all qualifying pupils who live in Powys have access to transport to their nearest suitable maintained school. This, together with proposed changes in respect to transport provision for children with Special Educational and Additional Learning Needs, has been incorporated into the revised policy. The policy also assumes that learners living in Powys will be entitled to transport to their nearest suitable maintained school in Wales if they meet the qualifying distance criteria.
- 1.3 The current policy, in terms of entitlement, is based on the standard qualification distances of 2 miles for primary aged pupils and 3 miles for secondary aged pupils with all pupils attending special schools receiving free school transport. The proposal is to standardise this for pupils attending special schools and to use the Statementing process to identify if any child living within the standard qualification distance is provided with transport according to their ALN/SEN needs.
- 1.4 The provision of home to school transport for post-16 learners is a non-statutory provision and it is proposed that as part of the consultation process the public is asked for their views regarding the potential introduction of a charge for post-16 transport provision together with the level of that charge if implemented. Alongside the consultation process it is proposed that officers undertake discussions with NPTC Group of Colleges in respect of the college funding part or all of the costs of transporting learners to their campuses in Powys. Consultation will also include the current payments that are made to some

learners accessing courses outside the Authority where these courses are not available within County.

- 1.5 The revised policy, when implemented, will provide parents and carers with clarity regarding school catchment areas for the provision of transport, including language of provision in individual schools.

2. Proposal

- 2.1 That the revised home to school/college transport policy in **Appendix A** is approved for consultation;
- 2.2 That a consultation plan is drawn up, in discussion with the Portfolio Holder for Learning and Welsh Language, which will look at suitable methods of engagement;
- 2.3 That the Portfolio Holder for Learning and Welsh Language is given delegated powers to agree the consultation documentation and questionnaire;
- 2.4 That the outcome of the consultation exercise and any proposed amendments are brought to Cabinet in early September for decision;
- 2.5 That the financial impact of the revised policy will be included in the final report following consultation and re-tendering of school contract routes.

3. Options Considered/Available

- 3.1 The alternative option considered was to retain the existing policy although it does not fully meet the requirements of the Learner Travel (Wales) Measure 2008 and does not provide clarity to individual learners/parents/carers in respect of school catchment areas. The revised policy is considered to be the fairest and most equitable way for the Council to meet its statutory obligations.

4. Preferred Choice and Reasons

- 4.1 The preferred choice is to undertake consultation on the revised Home to School/College Transport Policy as identified above to provide clarity to parents/carers and young people regarding the Authority's school transport arrangements.

5. Impact Assessment

- 5.1 Is an impact assessment required? Yes/Not at this stage. An impact assessment will be undertaken as part of the final proposals

6. Corporate Improvement Plan

- 6.1 The revised policy will not impact on the Authority's obligations under the Education Act 1996 to comply with parental preference regarding choice of school but may impact on the provision of funded home to school/college transport to a parent/carer's chosen school. The revised policy meets statutory minimum requirements.

7. Local Member(s)

7.1 All learners across the Council are affected by the policy, therefore all local members have an interest.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? YES / NO

If so, please provide their comments

8.1 Transport – The Senior Manager: Integrated Transport Unit has been fully involved in discussions around the revised policy

8.2 Children’s Social Care Service – No comment

9. Communications

Have Communications seen a copy of this report? YES / NO

Have they made a comment? If YES insert here

Communications Comment: The report is of public interest and requires use of proactive news release and appropriate social media to publicise the decision

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

a. Legal: The recommendation can be supported from a legal point of view

b. The Finance Business Partner notes the contents of the report and will work closely with the service to ensure that the financial impact of the revised policy is costed for inclusion in the final report.

c. Corporate Property (if appropriate)

d. HR (if appropriate)

e. ICT (if appropriate)

11. Scrutiny

Has this report been scrutinised? YES / NO

If YES what version or date of report has been scrutinised Version 4.0

Please insert comments Comments attached

What changes have been made since the date of Scrutiny and explain why Scrutiny recommendations have been accepted or rejected?

11.1 Not applicable

12. Statutory Officers

12.1 The Solicitor to the Council (Monitoring Officer) has commented as follows: “I note the legal comment and have nothing to add to the report”.

12.2 The Head of Financial Services (Acting Section 151 Officer) notes the comments of the Finance Business Partner.

Members’ Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for recommendation
<p>1 That the revised home to school/college transport policy in Appendix A is approved for consultation;</p> <p>2 That a consultation plan is drawn up, in discussion with the Portfolio Holder for Learning and Welsh Language, which will look at suitable methods of engagement;</p> <p>3 That the Portfolio Holder for Learning and Welsh Language is given delegated powers to agree the consultation documentation and questionnaire;</p> <p>4 That the outcome of the consultation exercise and any proposed amendments are brought to Cabinet in early September for decision</p> <p>5 That the financial impact of the revised policy will be included in the final report following consultation and re-tendering of school contract routes.</p>	<p>To ensure that the Authority’s home to school/college travel arrangements meet the requirements of the Learner Travel (Wales) Measure 2008 and to provide clarity to parents/carers and young people regarding the Authority’s school transport arrangements.</p>

Relevant Policy (ies):	Current Home to School/College Transport Policy (as amended)
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Within Policy:	Y	Within Budget:	Y
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Relevant Local Member(s):	All
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Person(s) To Implement Decision:	Gareth Jones
Date By When Decision To Be Implemented:	30 th April 2018

Contact Officer Name:	Tel:	E-mail:
Gareth Jones	01597 826429	gareth.jones@powys.gov.uk

Background Papers used to prepare Report:

The Learner Travel (Wales) Measure 2008
The Learner Travel Information (Wales) Regulations 2009
The Safety on Learner Transport (Wales) Measure 2011
The Learner Travel: Statutory Provision and Operational Guidance 2014 and related provision for school/learner transport in Wales
The Travel Behaviour Code Statutory Guidance (June 2014)

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REVISED
Home to School / College
Transport Policy

Proposed Implementation Date
September 2019

This document is available on request in alternative formats
(e.g. Large print type / Braille / on tape)

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1.0 Policy Framework

1.1 Legal framework

1.1.1 The Education Act 1996 (as amended) sets out the law in England and Wales for the attendance of pupils at school and the Learner Travel (Wales) Measure 2008 sets out the school travel policy for Wales. The Measure covers, amongst other things, duties on local authorities to assess learner travel needs, provide a definition of the nearest suitable school and make transport arrangements for defined groups of learners. The Safety on Learner Transport (Wales) Measure 2011 sets out specific safety standards for dedicated school transport.

1.1.2 The Learner Travel: Statutory Provision and Operational Guidance (June 2014) sets out related provision for school/learner travel in Wales.

1.1.3 The Travel Behaviour Code Statutory Guidance (June 2014) sets out the standards of behaviour expected of children and young people travelling to and from their place of learning and is aimed at keeping children safe on their journeys to and from school, including journeys between schools. It applies to all learners up to 19 years of age and all travel arrangements, including bus, train, walking and cycling. Parents are advised to make their children aware of the Travel Behaviour Code.

1.1.4 Under the Active Travel (Wales) Act 2013, local authorities have a duty to promote active travel and to improve the number and quality of active travel routes in their communities.

1.2 Overview

1.2.1 Powys County Council is required to ensure all qualifying learners ordinarily resident in the authority's area have access to transport to the nearest suitable maintained school.

1.2.2 This policy assumes that all qualifying learners living in Powys will be entitled to transport to their nearest suitable maintained school.

1.2.3 The Authority aims to provide safe, reliable, value for money transport to convey qualifying pupils/learners to and from school/college. These principles apply to all home to school/college transport provided by the Authority.

1.2.4 The Authority aims to ensure that it does not discriminate unfairly, either directly or indirectly, in the operation and interpretation of this policy.

1.2.5 The Authority encourages the use of school transport by eligible pupils/learners where appropriate.

1.2.6 Parents/carers are responsible for ensuring that their children travel to and from school safely (where they do not qualify for school transport) and to and from designated pick up points both in the morning and the afternoon. Further information is provided in the Authority's Code of Conduct for learners, parents/carers, schools and transport operators ([include link here](#)).

1.2.7 All dedicated school transport vehicles are provided with seat belts which must be worn at all times. Operators must take all reasonable steps to ensure that passengers are made aware that they must wear a seat belt. Passengers aged 14 and over are legally responsible for the wearing of a seat belt where one is provided.

Part One

2.0 Standard Qualifications and Definitions

2.1 Definition of suitable school/site

2.1.1 Section 1.38 of the Learner Travel: Statutory Provision and Operational Guidance (June 2014) states “the definition of nearest ‘suitable school’ is where the “education or training provided is suitable having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have”.

2.1.2 Section 1.39 of the Learner Travel: Statutory Provision and Operational Guidance (June 2014) states “deciding which suitable school is the learner’s ‘nearest’ is a matter for the Local Authority to determine in accordance with their own learner travel and education policy”.

2.1.3 A mainstream school will only be deemed a ‘suitable school’ by the Local Authority if the education provided there is suitable, having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have.

2.1.4 For the purposes of this policy, where a school operates from more than one site the Authority would only provide transport to qualifying learners to the nearest site which provides education through the chosen language medium.

2.1.5 Transport arrangements for a learner with SEN will be based on need and the route they travel. Further information is provided in **Annex A**.

2.2 Definition of ordinary place of residence

If a learner has more than one home, for example where their parents are not living together but they live partly with each parent, or with a parent and also at a children’s home, then both places of residence will be regarded as their place of ordinary residence. If there are more than two such places then only the two places closest to the nearest suitable school/site within the catchment area or further education college site will count.

A ‘parent’ includes any person who is not a parent but who has parental responsibility or who cares for the learner.

2.3 Standard qualification – primary aged learners

2.2.1 To qualify for school transport, primary aged learners must ordinarily reside 2 miles or more from the catchment or nearest suitable school or centre, measured by the shortest available route. The distance will be measured from the closest access point on the public highway (which could include suitable footpaths and bridleways) to the learner’s ordinary place of residence which is nearest to the school and measured to the nearest school gate. The footpath or bridleway will be considered suitable if it has a stone or tarmac surface. Any other surface will only be considered suitable if it can be walked in normal school footwear. Transport is not normally provided from home but from a designated pick up point. The measurement will be made through the use of the Geographical Information System (GIS).

2.3.2 Feeder transport is provided for qualifying primary aged learners whose nearest public highway point is 1 mile or more from the nearest pick up point on a main school transport route.

2.3.3 Where parents/carers exercise a preference for a school other than the catchment or nearest suitable school they must make their own arrangements for transport and are responsible for all transport costs.

2.4 Standard qualification – secondary 11-16 year old learners

2.4.1 To qualify for school transport, secondary school 11-16 year old learners must ordinarily reside 3 miles or more from the catchment or nearest suitable secondary school or centre, measured by the shortest route. The distance will be measured from the closest access point on the public highway (which could include suitable footpaths and bridleways) to the learner's ordinary place of residence which is nearest to the school and measured to the nearest school gate. The footpath or bridleway will be considered suitable if it has a stone or tarmac surface. Any other surface will only be considered suitable if it can be walked in normal school footwear. Transport is not normally provided from home but from a designated pick up point. The measurement will be made through the use of GIS.

2.4.2 Feeder transport is provided from the ordinary place of residence for qualifying secondary school 11-16 year old learners whose nearest public highway point is 2 miles or more from the nearest pick up point on a main school transport route. The measurement will be made through the use of GIS.

2.4.3 The Authority recognises its obligations under the Education Act 1996 to comply with parent preferences regarding choice of school. However, where parents/carers exercise a preference for a school other than the catchment or nearest suitable school they must make their own arrangements for transport and are responsible for all transport costs.

2.4.4 Where public transport is available, and in accordance with Section 88 of the Transport Act 1985, this will be used as first choice and a permit will be issued. Where no public transport is available then the Authority will arrange transport for eligible learners. A local bus service is NOT a dedicated home to school transport bus and learners will be expected to travel with members of the public. The law does not currently prescribe seat belts to be fitted to a local bus service vehicle and passengers are permitted to stand on these vehicles.

2.5 Transport for 16-19 year olds

There is no requirement for the local authority to provide school or college transport free of charge to any learner who is over compulsory school age but it will continue to be provided without charge up to 31st August 2019.

Transport is made available for full-time learners who live 3 miles or more from the catchment or nearest suitable secondary school or further education college site offering post-16 provision. Transport is not normally provided from home but from a designated pick up point.

Feeder transport is provided for qualifying learners who live 3 miles or more from the nearest pick up point on a main school transport route as measured by the nearest available route. The measurement will be made through the use of GIS.

Through the collaborative arrangements put in place to ensure that all learners are able to access a local curriculum that meets the minimum entitlement as required by the Learning and Skills Measure (Wales) 2009 the Authority considers that all its secondary schools offer a relevant and adequate range of post-16 provision. The Authority will only transport learners whose ordinary place of residence is within the county of Powys to the school/college which is geographically the nearest suitable school to the learner's ordinary place of residence.

The nearest further education college site is defined as the catchment or nearest suitable site to the learner's ordinary place of residence which offers a suitable course. The Authority will not provide transport to enable learners to attend out of county establishments but in certain circumstances may provide assistance with travel costs e.g. if the establishment attended is the nearest suitable provision to the learner's ordinary place of residence.

The Authority does not provide home to school transport for learners living outside the county boundary who wish to access post-16 education in a Powys secondary school but transport will be provided to facilitate attendance as part of the collaborative arrangement between Powys high schools and college sites.

Where public transport is available this will be used as first choice and a permit will be issued. Where no public transport is available then the Authority will arrange transport for eligible students.

Transport will only be provided for full-time courses, as determined by the college being attended and with the agreement of the Authority.

No transport arrangements will be made for learners on part-time courses but they may be able to access seats on public transport on payment of the appropriate fare.

However, where a post-16 learner is only able to attend a course on a part-time basis due to personal circumstances, for example they are a 'young carer', then entitlement will be considered on an individual basis by the Senior Manager: Central Support Services (Schools) and the Transport Entitlement Officers.

2.6 Provision for learners who attend special schools and specialist centres attached to mainstream schools

Appendix A to this policy provides information relating to transport provision in respect of learners accessing special school and specialist centre provision.

2.7 Special arrangements for learners with short-term medical needs

Consideration will be given to provision being made for all learners with a short-term medical need not just those who qualify for transport on distance. A short-term medical need is a condition that following a period of medical intervention improves or no longer exists e.g. a broken limb. In all instances, transport will only be provided to the catchment or nearest suitable school.

Requests, supported by evidence from a medical professional, should be made in writing to the Authority's Transport Entitlement Officers or by e-mailing admissionsandtransport@powys.gov.uk. Provision will be reviewed on a termly basis.

2.8 Provision of passenger assistants on transport

Passenger assistants are not normally provided on transport to mainstream schools. The need for a passenger assistant on a vehicle to support an individual pupil/learner will be decided following completion of a Risk Assessment by the Authority.

Passenger assistants will be provided on vehicles to supervise learners on their journey to and from special schools / specialist centres attached to mainstream schools where there are two or more learners. In most cases the need will be established during the statementing/review process and will be in accordance with the needs of the learner. For learners that require individual transport, the provision of an assistant is qualified through the transport application form where officers identify the need and, where applicable, with key stakeholders. The requirements will be confirmed by the Authority's ALN Manager.

2.9 Journey times

In assessing the travel needs of learners, the Authority will take into account the fact that travel arrangements must be safe and reasonable.

In accordance with the Learner Travel (Wales) Measure 2008, the Authority will aim to ensure that, except in exceptional circumstances, a learner being transported to their catchment or nearest suitable mainstream school/site should not normally have a single journey time of more than 45 minutes for primary schools and 60 minutes for secondary schools. Where parents/carers express a preference for English-medium or Welsh-medium provision where this is not available at their catchment or nearest school, journey times may be longer.

The Authority will aim to ensure that a learner being transported to a special school / specialist centre attached to a mainstream school should not normally have a single journey time of more than 45 minutes for primary aged pupils/learners and 60 minutes for secondary aged pupils/learners. However, because of their wider catchment area and the County's geography this may not always be possible. Where particular medical circumstances apply which may require a shorter journey time then the case will be treated on its merits through the appeals procedure.

2.10 Measuring routes and mileages ('available routes')

The two and three mile limits included in the policy will be measured in the same way as the 'statutory walking distance' i.e. along the nearest available route. An available route may not necessarily be the shortest distance by road as it is measured by the shortest route that a learner, accompanied by a responsible adult as necessary, may walk in reasonable safety. Such routes may utilise public footpaths which may not be suitable for motorised vehicles.

Where mileages and routes have to be calculated in order to determine eligibility under the policy, the measurement will be made through the use of the MapInfo Geographical Information System (GIS).

2.11 Behaviour

The Travel Behaviour Code sets out the standards of behaviour expected of learners travelling to and from their place of learning. The Authority can refuse to transport children if they do not follow the Travel Behaviour Code. Parents/carers are advised to make their children aware of the Code

<http://gov.wales/topics/educationandskills/allsectorpolicies/learner-travel/travel-code/?lang=en>

Harassment of any form will not be tolerated. Abuse and violence of/to staff and/or service users and damage to vehicles will not be accepted. Such behaviour will result in a learner's entitlement to free transport being withdrawn. The parent/carer may be responsible for re-imbursing the operator for any damage caused by the learner and he/she may be reported to the relevant authorities where appropriate.

In the event that transport is withdrawn from a learner, it is the responsibility of the learner's parents/carers to arrange suitable transport to and from their place of learning for the period during which transport is withdrawn.

2.12 Cameras

CCTV will be installed in certain contract vehicles to ensure the safety of passengers and drivers and to identify individuals who demonstrate unacceptable behaviour. Where CCTV is used, parents/carers and learners will be made aware that recording services are in operation, including details around the confidentiality, use, storage and retention of images.

2.13 Change in school session times

Under the Changing of School Session Times (Wales) Regulations 2009, where the Authority considers that a change in school session times is necessary to make travel arrangements more efficient or effective, it will undertake appropriate consultation to change the time a school's first (morning) session begins and its second (afternoon) session ends.

2.14 Safeguarding

The Authority works with partners, including governing bodies, headteachers, schools, the Local Safeguarding Children's Board, operators, parents/carers and other agencies to share information and best practice to assist safeguarding of children travelling to and from school.

Any issues of a safeguarding/child protection nature must be raised with the Authority as soon as possible following any disclosure. It may also be appropriate to make the school safeguarding lead / headteacher aware of any safeguarding concerns. If there is an immediate danger to a young person then the driver should dial 999.

Required safeguarding checks (enhanced DBS clearance) will be undertaken by operators on all bus drivers, taxi drivers and passenger assistants every 3 years.

All drivers are required to undertake safeguarding training with the Authority. They also complete online training through the NSPCC. During the tendering process, all contractors must evidence that they adhere to a safeguarding policy.

2.15 Adverse weather

During periods of adverse weather, the Local Authority or contractor may suspend home to school transport provision. Every effort will be made to contact parents/carers to inform them of school closures. Where learners need to be transported home earlier than the normal closing time, the school will contact parents/carers to inform them of the school's closure to ensure the safety of pupils after they leave the school. Where parents/carers transport children who would normally travel on home to school transport to school in the morning they are responsible for collecting them at the end of the school day.

2.16 Appeals procedure

Entitlement to free school transport will be decided by the Principal Officer: Admissions and Transport. Where a request is refused, parents/carers will be advised of the reason(s) not to award free transport.

Parents/carers have a right of appeal against a decision not to award the provision of free school transport for their child. Appeals must be made in writing, setting out the reason(s) for the appeal, to the Senior Manager: Central Support Services, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk

If the appeal is declined, parents/carers have a right to appeal this decision by sending a letter of appeal within 2 weeks of the date of the letter to the Head of the Schools Service. Appeals will be heard by a Portfolio Holder. The appeal will be arranged and supported by the Authority's Legal Services.

There is a right of appeal on a point of law by way of Judicial Review. The right must be exercised within 6 weeks of the decision.

There is also a right of appeal on procedural matters to the Office of the Ombudsman for Wales, 1 Ffordd yr Hen Gae, Pencoed, CF35 5LJ.

2.17 Complaints

All complaints regarding home to school transport from learners, parents/carers, members of the public, drivers, etc. will be investigated.

2.17.1 Learner Behaviour

Any concerns or complaints regarding learner behaviour should be made, as soon as possible after the incident, to both the school and the Senior Manager: Central Support Services, Schools Service, County Hall, Llandrindod Wells, LD1 5LG, by completing the online pro forma which can be found here <http://www.powys.gov.uk/en/schools-students/apply-for-school-transport/>

2.17.2 Quality of Provision

Any concerns or complaints regarding drivers, passenger assistants or vehicles used for school transport should be made, in writing, to the Passenger Transport Manager, Highways, Transport & Recycling Service, County Hall, Llandrindod Wells, LD1 5LG.

2.17.3 Contract Compliance

In addition to statutory vehicle safety checks, the Authority will, on unspecified days, undertake random checks on Authority-contracted vehicles to ensure that contracts are being complied with.

Part Two

3.0 Transport for Individual Circumstances

3.1 Transport related to admission appeals

The Authority will provide transport for learners who meet the standard distance qualification criteria and are refused admission to their catchment or nearest suitable school via an admission appeal, to enable them to attend the nearest suitable alternative school prescribed by the Authority.

3.2 Transport to over-subscribed schools

The Authority will provide transport for qualifying Powys resident learners to the nearest alternative suitable school when the Authority is unable to make arrangements for a learner to attend their catchment or nearest suitable school due to it being oversubscribed. The Authority will undertake full discussion with the school around its ability to admit a pupil as part of the appeals process (see para 2.16).

3.3 Transport provision on school closure

During consultation on the permanent closure of a school, the Authority will consult on the revised catchment area for the named receiving school(s). Following permanent closure of the school, transport will be provided to the named receiving school(s) for learners who live in the new school's extended catchment area. For learners living outside the extended catchment area of the named receiving school the provision of transport will be considered. This provision will not automatically apply to younger siblings.

3.4 Transport to denominational schools

Transport to denominational schools will only be provided for learners who qualify under the standard qualification criteria (see paras 2.3 and 2.4).

3.5 Transport following a change of ordinary place of residence

The Authority may provide transport for learners, following a change of ordinary place of residence within the County boundary during Years 10 or 11 (GCSE examination course) or Years 12 and 13 (A level examination course), in order to ensure continuity of education.

Parents/carers must apply by completing and submitting a standard application form to the Admissions and Transport Team, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk and entitlement will be determined by the Head of Schools Service. If transport is provided it will be from a point on an existing transport route, provided there is a seat available. Such provision will not continue into Years 12 and 13 where learners move in Years 10 or 11.

3.6 Transport for early years

Transport will only be provided for learners who attend school on a full-time basis i.e. those children who are admitted to school at the beginning of the school year after they have attained their 4th birthday.

3.7 Payments to parents/carers

In remote areas where it would not be financially advantageous to the Authority to provide transport to qualifying learners, agreement may be sought for parents/carers to transport their child/ren to/from school on payment of an agreed fuel allowance rate. Such cases will be considered on an individual basis and arrangements will be reviewed regularly.

3.8 Transport related to English-medium / Welsh-medium provision

3.8.1 Primary

In the primary sector, transport will be provided to the catchment or nearest suitable provision providing education through the medium of either English or Welsh. In order to qualify learners must meet the standard qualifying criteria (see para 2.3).

The provision of education is deemed to be equal whether the school is an English-medium or Welsh-medium school or delivers both languages through a dual stream arrangement.

3.8.2 Secondary

In the secondary sector, transport will be provided to the catchment or nearest suitable provision providing education through the medium of either English or Welsh. In order to qualify learners must meet the standard qualifying criteria (see para 2.4).

3.8.3 For both primary and secondary aged learners, entitlement to transport will cease if a learner moves between streams in a school and the school is no longer the learner's catchment or nearest suitable school for the chosen language of provision.

3.9 Transport provision on safety grounds

Free transport will be provided for learners of statutory school age where the Authority is satisfied that the route between home and school is unsafe for pedestrian usage by a learner accompanied by a responsible person, such as a parent/carer or other adult, even though the distance is below the standard distance qualification criteria (see paras 2.3 and 2.4). Parents/carers must apply, in writing, to the Senior Manager: Central Support Services, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk. Provision will be decided following completion of a Risk Assessment by appropriately qualified LA officers.

3.10 Transport related to pupil referral services

The Authority's pupil referral units (PRUs) are located in Newtown and Brecon/Llandrindod Wells but learners who access the units or who follow an alternative curriculum may need to travel to different centres for provision during the week. Under these circumstances, the Authority will provide home to school transport, on a daily basis, to the centres attended by a learner on a weekly basis, subject to the standard distance qualification criteria (see paras 2.3 and 2.4). As arrangements can, on occasions, be quite flexible, it may prove necessary to change educational settings and, under these circumstances, transport arrangements will be changed accordingly.

Where home to school transport is in place, learners accessing the PRU will normally be expected to travel on mainstream home to school transport where appropriate. Other specific arrangements based on an individual learner's need will be decided by the Head of Schools Service and/or Senior Manager: Central Support Services.

3.11 Transport to meet the needs of Looked After Children

The same age and distance criteria apply to both Looked After and previously Looked After Children. It will be for the Authority with parental responsibility for looking after a child to determine which school they should attend, which might be a school other than the catchment or nearest suitable school to their current place of residence because, for instance, of priority to maintain continuity in their education or contact with siblings and friends. The Schools Service will work closely with colleagues in Children's Services in ensuring that the child's education and care requirements are fully met.

Where the proposed school is not the nearest suitable school from the learner's current place of residence, officers from the Schools Service and Children's Service will liaise over any additional costs of providing such transport. This additional cost will be recorded as a separate budget under the home to school transport budget.

3.12 Transport related to permanent exclusions and managed moves

The Authority will provide transport for permanently excluded learners or learners (see paras 2.3 and 2.4) subject to managed moves who meet the standard distance qualification criteria to enable them to attend the nearest appropriate alternative school prescribed by the Authority.

3.13 High school induction days

If they meet the standard distance qualification criteria (see para 2.3 and 2.4) and a seat is available, learners transferring into Year 7 in September are able to make use of existing school transport when attending induction days.

3.14 Transport for work experience placements

Learners are not entitled to transport to undertake work experience placements. However, if there is spare capacity learners can make use of existing transport if a seat is available and there is no additional cost to the Authority.

3.15 Vacant Seat Payment Scheme

Learners who do not meet the standard qualifying criteria (see paras 2.3 and 2.4) and live within the statutory walking distance from school and live near or on an existing dedicated home to school transport route can apply for a place under the Vacant Seat Payment Scheme on payment of the appropriate fee. The Vacant Seat Payment Scheme will only be available on contracted vehicles i.e. it will not apply on public service vehicles. Transport will be withdrawn if the seat is required for a qualifying learner. A minimum of one week's notice will be given. The Vacant Seat Payment Scheme fee will be waived in certain circumstances e.g. for learners of statutory school age living within the County boundary who qualify for free school meals.

The charge for vacant seats will be reviewed annually and will be increased in line with Council policy.

Annex A

Eligibility for learners of statutory school age with SEN, permanent disabilities or mobility problems (including Post-16 learners)

- 1.0 Local authorities have a duty to provide assistance with travel where they consider this necessary to secure a learner's attendance at school. The law does not treat children with special educational needs (SEN) or a disability differently from other children in this respect.
- 1.1 Local authorities have a legal duty to assist with the cost of transport to and from school if a child with SEN or a disability is unable to attend the catchment or nearest suitable school for his/her age and needs, unless that transport is provided. Entitlement should be based on a child's needs. Local authorities are only under a duty to provide free transport to a child's catchment or nearest suitable school, provided it is beyond the standard qualification distance from their home, unless the child cannot reasonably be expected to walk to school. Within the assessment period, all key stakeholders are consulted including Children's Service, Health, schools, parents/carers, etc.
- 1.2 There are additional measures set out in the SEN Code of Practice headed 'Transport Costs for Children with Statements'. This recommends that local authorities should have clear general policies relating to transport for children with SEN or a disability and that these should be made available to parents/carers. There may be additional responsibilities on the Authority where a child has identified Special Educational Needs defined through a statement of SEN as defined by the SEN Code of Practice (2004).
- 1.3 With respect to those aged 16 to 19 years with learning difficulties and or disabilities, Section 509 AB(1) of the Education Act 1996 says that the Authority should set out in its policy to what extent the arrangements specified regarding overall post-16 transport include arrangements for facilitating the attendance at schools and learning providers of learners with learning difficulties and/or disabilities.
- 1.4 For all ages, the Equality Act 2010 is important and incorporates the Disability Discrimination Act. The Authority may also provide free home to school transport as a 'reasonable adjustment' to a child's disability in cases where the child lives within the standard qualification distance of the school and parents/carers are unable to transport the child to school. NB: A person has a disability (Equality Act 2010) if he/she has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities. This definition is usually interpreted as follows:
 - Mental impairment - one which is a clinically well-recognised condition. This means that a child with an emotional and/or behaviour difficulty (BESD) is unlikely to be recognised as disabled unless their behaviour arises from an underlying mental impairment
 - Long term - one that is likely to last for at least a year or for the rest of

the life of the person affected. This can include intermittent or sporadic conditions such as epilepsy or multiple sclerosis.

- Substantial - more than minor or trivial.
- Adverse - referring to the effect of the impairment, not the severity of the impairment.
- Normal day to day activities - the ability of the person to carry out normal day to day activities, including mobility, ability to understand and perception of the risk of physical danger.
- Effect of medical or other treatment, on the ability of the person to carry out normal day to day activities.
- Progressive conditions, such as cancer and multiple sclerosis, may in certain circumstances be regarded as disabilities.

1.5 The Equality Act 2010, which subsumes the Disability Discrimination Act as amended by the SEN and Disability Act 2001, makes clear that children with a disability have special educational needs if they have any significant difficulty in accessing education and if they need any special education provision to be made for them, that is, anything which is additional to, or different from, what is normally available to schools in the area. The SEN Code of Practice expects that transport should only be recorded in a child's Statement of SEN in exceptional cases (usually in Part 6) where the child has particular transport needs.

2.0 Statutory age children with a special need, disability or mobility difficulty

2.1 Children/young people covered by this heading of the policy are children of statutory school age who have a disability or SEN and/or:

- Attend specialist provision or attend a named school beyond the standard qualification distance of the home as named in a Statement of Special Educational Need, (including those attending specialist provision under emergency assessment)
- Are identified as being at School Action Plus, in line with the SEN Code of Practice, and have needs that necessitate support in getting to school
- Access other provision such as Education Other Than At School (EOTAS),
- Are children and young people placed by the LA at independent special schools, out of LA establishments and so are beyond the standard qualification distance from the home
- Attend further education establishments and meet the criteria for support.

2.2 Transport for those requiring special arrangements is defined as home to school transport provided from defined pick-up and setting down points (not necessarily door-step), at the start and end of the child's school day (formal education sessions). This is by whatever mode is most suited to the individual travel needs of the pupil/s or learner/s with identified additional needs, to the nearest educational establishment appropriate to his/her needs, or to the school determined by the Authority in his/her statement of SEN to be the school where his/her needs can be met where this is over the standard qualification distance.

2.3 Home to school transport for children/young people with special educational

needs or who have a disability and for children/young people who are receiving education other than at school, and/or those permanently excluded, is commissioned by the Passenger Transport Unit and provided on their behalf by a third party supplier and is based on an assessment of their need for special arrangements within the framework of the entitlement criteria.

- 2.4 Any journeys outside normal home to school transport times will normally only be considered where no additional costs are involved. If there are added costs, these are met by the school's delegated budget, college funds, 16+ Support Funds or parents/carers.
- 2.5 Journeys to termly or weekly boarding placements in maintained and independent out of county schools will be funded by the Authority. This provision will be limited to fixed term periods through the school year e.g. weekly, half-termly or termly. Transport to respite care/short breaks is funded by the Children's Social Care Service. Transport will be provided for parents/carers of those in residential special schools who, without support to get to Annual Reviews of Statements of SEN, would not otherwise be able to attend.
- 2.6 Modes of transport may include mainstream school buses or minibuses, public transport, taxis, private hire cars, vehicles from the Authority's own fleet, voluntary drivers' vehicles, or the provision of specialist/adapted vehicles, and in some cases the provision of a passenger assistant (previously known as an escort). Safety restraints to ensure safe transport will be provided according to the child's needs. The Authority reserves the right to refuse to carry a wheelchair user travelling in a wheelchair which has been proven to be unsafe during transit in standard crash testing procedures or if the wheelchair is in an unfit condition for transit e.g. tyres are not fully inflated.
- 2.7 Where parents/carers are able and willing to provide transport for their own eligible child/ren, payment of an agreed fuel allowance rate will be made.
- 2.8 Wherever possible, opportunities for maximising the independent mobility and healthy lifestyle of children and young people will be explored and a graduated approach to the level of support needed will always be used and reviewed on an ongoing basis.
- 2.9 The Authority deploys resources and identifies special arrangements on the basis of established need. This includes the provision of free transport where the need is such that it is the Authority's responsibility. In Powys, pupils on School Action Plus will also "trigger" consideration of the Authority's additional responsibilities as defined by the SEN Code of Practice for Wales (2004) and the transport policy for Powys. For those with a statement of SEN, the Authority has a statutory decision making body (called the SEN Statutory Panel) for all statutory SEN matters relating to Special Educational Needs as determined by the SEN Code of Practice for Wales. Decisions for those at School Action Plus will be made by the Authority's Senior Manager for ALN and Inclusion after discussion with parties and consideration of the evidence.

- 2.10 The Senior Manager for ALN and Inclusion is responsible for agreeing support for those without statements, but works to the same underlying legal framework as it is an assessment of needs.
- 2.11 The Authority will provide individual home to school transport in the case of pupils with a disability and/or a special educational need in accordance with the following criteria:
- (a) When a child has a physical disability that would prevent him/her from making the usual type of accompanied journey made by children of his/her age without any SEN/ALN needs. Examples of this might be cases in which the child has:
 - (i) Long term severely restricted mobility - for example, circumstances requiring the daily use of significant physical aids such as a wheelchair.
 - (ii) Where clear medical advice is to have the shortest possible journey.
 - (ii) Long term medical condition resulting in severely restricted mobility due to pain and/or extreme tiredness - for example, juvenile arthritis.
 - (iii) Long term medical condition resulting in restrictive mobility due to serious health and safety risks - for example, epilepsy or life threatening heart defects.
 - (iv) A sensory impairment resulting in severely restricted mobility - for example, where a child is effectively without the use of sight.
 - (b) When a child has a significant disability or difficulty with social, and/or emotional issues, in comparison with other children of his/her age, he/she may be extremely vulnerable in social settings. For example, a child with Asperger's Syndrome who has very little awareness of personal danger, or a child with severe learning difficulties who has an inability to manage the complexity of the process with safety or demonstrates constant challenging behaviour. Some may have social and emotional needs resulting in aggressive or destructive behaviour, and therefore need to have individual arrangements made.

With both (a) and (b) above, the Authority will need to be provided with written evidence (detailed in the initial Transport Application Form) about the everyday functioning of the pupil and/or medical opinion, in order to determine the significance of the pupil's disability or difficulty in relation to the home to school journey.

- 2.12 Where admission to specialist provision or a mainstream school named in a statement of SEN is being discussed, parental preference will be given consideration. Free transport is not provided (even where a particular transport need has been established) to the parents'/carers' preferred school if this is further away from the child's home than another school that can meet the child's special educational needs. In such a case the Authority may agree to name the parents'/carers' preferred school in the statement, but only on the condition that parents/carers accept all travel costs for the duration of their child's attendance at the preferred school and that if at a

later date the parents/carers find they are no longer able to provide transport, the Authority will review the school placement.

- 2.13 Free transport is provided for children of statutory school age who live beyond the walking distance to their catchment or nearest suitable school as defined by the Authority (please refer to Section 2.3 and 2.4 of Part 1 of the Standard Qualification).
- 2.14 Free transport is also provided where it has been assessed that, due to identified SEN and/or disability, the child will be unable to attend the nearest catchment or suitable school unless transport is provided.
- 2.15 The assessment of transport needs for individual children of statutory school age requiring additional support will be undertaken by (as a minimum) the SEN Statutory Panel (if a statement of SEN applies), the Senior Manager for ALN and Inclusion with the appropriate member(s) of Schools Service personnel for a pupil at School Action Plus and the Passenger Transport Officer, who will seek medical and educational guidance as necessary.
- 2.16 Assessment for each learner will proceed on the basis of least possible intervention, progressing to greater levels of independence depending on established evidence of need. Guidance will be sought as necessary from medical and educational professionals including the learner's current placement if appropriate.
- 2.17 The criteria taken into account to assess transport need are: distance, suitable school, level of need.
- 2.18 Clear details of specific conditions/issues that govern the identified need for transport will be recorded at the time of initial assessment for transport. For example children may have:
- significant mobility difficulties;
 - significant visual or hearing impairment;
 - profound multiple learning difficulties;
 - severe/specific learning difficulties;
 - autism spectrum disorders/communication difficulties;
 - severe speech and language difficulties;
 - severe emotional and behavioural problems;
 - be a wheelchair user;
 - a chronic medical incapacity.

Decisions on transport are taken at the time of initial assessment and will be recorded on the learner's initial Transport Application Form. They will also form part of the Individual Travel Care Plan Records for eligible children and young people with Statements and those at School Action Plus for whom individual transport has been agreed.

- 2.19 All schools and FE establishments are encouraged (in consultation with parents/carers) to consider the independence and life skill benefits for older pupils/learners who might, with appropriate support, be enabled to

walk to school or make use of public service buses or trains.

- 2.20 Guidance is sought initially through either the statutory assessment process on which a statement is based, the Annual Review or School Entry Plan and from medical and educational specialists to assess particular transport need, and this may be recorded in Part 6 of the child's statement of SEN, or on the Annual Review records for those pupils at School Action Plus. This will include:
- a clear definition of what criteria have been taken into account to determine the need at the initial assessment and subsequent reviews;
 - the range of appropriate modes of available/accessible transport;
 - consideration of appropriate pick-up and setting-down point;
 - any specific requirements, e.g. passenger assistant essential or advisable, or the need to travel apart from other children or maximum journey time or sibling arrangements or parents'/carers' exceptional circumstances; and
 - an indication of the review schedule (if this is more frequent than annual).
- 2.21 Every child/young person requiring special transport arrangements travelling on education transport has an Individual Travel Care Plan which is compiled in consultation with the child/young person, their parents/carers, school and medical specialist (where appropriate). This includes details of medical considerations; appropriate harnesses or restraints and wheelchair details, where relevant. Individual risk assessment analyses the defined needs of the child and puts into place strategies and mechanisms to reduce the likelihood and outcome of potential hazards.
- 2.22 A young person's transport need is re-examined at regular intervals by the school, in liaison with other professionals as appropriate and in conjunction with the child's Individual Travel Care Plan, through the Annual Review Process, as follows:
- (1) Annual review of statement of SEN or Annual School Action Plus Review; plus
 - (2) When a pupil changes school
 - (3) On transfer from KS2 to KS3 (Year 6 to Year 7);
 - (4) 14+ review including Careers and Skills Advisors input;
 - (5) 16+ review including Careers and Skills Advisors input.
- 2.26 The elements to be considered initially and at every subsequent review will include:
- Status of initial entitlement and any subsequent changes
 - Passenger assistant requirements (essential/advisable)
 - Wheelchair provision (and control protocols)
 - Special seating/harnesses
 - Loading/unloading procedures
 - Special assistant requirements e.g. moving a child into and out of the vehicle and wheelchair including consideration of weight, size and physical mobility
 - Special needs/medication

- The requirement for door to door transport
 - Other information such as behaviour or specific issues that drivers and passenger assistants should be aware of
 - Emergency contact numbers
 - Any altered domestic situation e.g. sibling travelling or ceasing to travel
 - The child's growing abilities reflected in opportunities for greater independence
 - Parent/Carer/Child's views
- 2.27 Post-16 learners with a Special Need, Disability or Mobility Difficulty will continue to receive support in accordance with their need as appropriate.
- 2.28 The Statement of Special Educational Needs continues to the academic year in which young people are 19 for learners attending a maintained post-16 special or mainstream school. The Statement of SEN will no longer apply for learners over 19 or for those attending an FE College. Continued transport assistance post-16 for SEN learners who do not qualify under the LA's discretionary post-16 transport policy is based on similar criteria to those taken into account to assess transport need for statutory age pupils with SEN and likewise learners are assessed annually.
- 2.29 When the Authority receives an application for transport to the relevant establishment, it considers the following information:
- Whether the learner is a Powys resident;
 - The age and needs of the learner;
 - The nature of the available route to the relevant establishment and any reasonable alternative route;
 - The length of the journey;
 - Whether the learner can use public service vehicles. Lack of public service vehicles in an area is not in itself a reason to provide individual transport;
 - The benefit that the learner will get from the course. Here the Authority will take into account any previous post-16 education and must decide if the course will really make a difference to the life and future prospects of the learner. Reports are requested from Careers officers and other relevant agencies in order to help the Authority to make this decision;
 - Whether the learner is applying for transport to the relevant establishment. This means to their nearest college, or school offering their chosen or a comparable course. In the case of a pupil of sixth form age with a Statement of Special Educational Needs it means the school, if any, identified in Part 4 of the Statement.
 - The cost of the transport to be provided against any alternative means of facilitating attendance e.g. could the learner go into lodgings close to the college or be conveyed by parents/carers if they have a mobility vehicle for the learner etc;
 - Learners will have the opportunity to choose between establishments provided it is reasonable to do so. However, the cost of providing specialised transport to a college, or school and the suitability of the course will be factors that the Authority must consider when making

decisions about support with transport. Where the Authority agrees to meet the full cost of transport, learners should attend the nearest relevant college or school offering the same or a comparable course.

- In some cases the Authority may decide that a young person would benefit from a different type of setting to aid their development such as attendance at a Day Centre or employment within the Adult and Social Care Service rather than further education at a college or school.

2.30 Clear details of any specific condition/issue that governs the identified need for transport will be recorded at the time of initial assessment for transport. For example:

- significant visual or hearing impairment;
- profound multiple learning difficulties;
- severe/specific learning difficulties;
- autism spectrum disorders/communication difficulties;
- severe speech and language difficulties;
- severe emotional and behavioural problems;
- being a wheelchair user;
- chronic medical incapacity;
- confirmed inability to lodge independently near to the 16+ establishment;
- confirmed inability to use public transport.

2.32 The aim of the policy for post-16 SEN transport is to encourage personal independence and the development of social and life skills by promoting personal mobility wherever possible.

2.33 Advice will be sought from the young person, school and college staff as well as parents/carers to determine whether or not it may be possible, in due course, for a learner to progress to independent transport on a public service bus. Where this is the case, assisted travel will be provided for an interim period to allow focused training to be undertaken by the Bus Buddy in collaboration with school or college staff, before the learner becomes confident and fully independent in his/her use of the bus service. At this stage financial assistance for young people who have successfully graduated to travel independently will be withdrawn, or reduced to the level available to mainstream FE learners i.e. those who following training are able to make their own way independently by public transport, having previously travelled on contracted taxi or minibus, will be provided with a bus pass to the nearest suitable establishment if they meet the standard qualification for school transport.

2.34 Similarly, requests from learners to transfer from existing public service bus routes to car travel will not be considered, unless exceptional circumstances are evidenced. Exceptional circumstances would include a significant deterioration in the learner's medical condition for example, loss of mobility leading to reliance on a wheelchair.

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**Education Scrutiny Working Group
Scrutiny Observations to Cabinet on: Home to School/College Transport Policy**

The Education Scrutiny Working Group met on the 13th March 2018 and considered the draft revised Home to School Transport Policy (undated).

The Group made the following observations to Cabinet/Management Team in respect of the draft revised Home to School/College Transport Policy on 20th March 2018.

The Education Scrutiny Group noted that the Draft Policy was due to come to Cabinet for approval to go to consultation. This policy has been long in coming forward and it is to be welcomed that this is now being brought to Cabinet.

Scrutiny wish to support the application of equity of provision by way of transport to access education via language of choice.

Scrutiny support the application of equity of provision with regard to transport to religious education.

Scrutiny understand the intention to have a single catchment school for each pupil which may be different for English or Welsh speaking provision.

With regard to non-statutory Post-16 Home to School/College Transport scrutiny understand that, given the financial pressures faced by the Council, it may be necessary to revisit a decision not to charge. Rather than have a second round of consultation shortly after the introduction of a new Policy consideration should be given to discussing the charging issue in parallel with the current consultation. Again, equity to all learners is paramount.

Scrutiny welcome the work outlined by the Portfolio Holder on the transformation of the transport network in Powys combining routes for schools, social care and public services to best effect.

Scrutiny welcome the opportunity for further examination of this subject post public consultation.

Membership of the Education Scrutiny Group on 13th March 2018
County Councillors **D Jones (Lead Member)**, A Jenner, S McNicholas, L Roberts, R
Williams, Parent Governor Representatives A Davies and S Davies and Church
Representative M Evitts

CYNGOR SIR POWYS COUNTY COUNCIL.**CABINET EXECUTIVE****10th April 2018**

REPORT AUTHOR: County Councillor Phyl Davies
Portfolio Holder for Highways, Recycling & Assets

SUBJECT: Car Parking at Corporate Offices

REPORT FOR: Decision

1. Summary

- 1.1 The Council currently has seven corporate office buildings and a car park at Antur Gwy. Health and Safety concerns have recently been raised by the fire and emergency services surrounding the car parking arrangements at County Hall, there are also known Health and Safety concerns at the majority of Council office car parks.
- 1.2 A working group (comprising officers from corporate property and the parking team from highways) has been set up to review possible solutions to the Health and Safety problems and this report discusses the options reviewed and seeks approval of the recommendations put forward.
- 1.3 Car parking spaces are limited in some of the Council buildings, an assessment of spaces against industry guidelines has been undertaken and shows there is an under capacity of spaces at the following car parks; Gwalia, Park Offices, County Hall, Neuadd Brycheiniog, Hendreladus Offices and Antur Gwy.

2. Proposal

- 2.1 This report seeks to improve the provision of car parking at our corporate buildings, below are the outcomes sought from implementing the recommendations of this report:
- 2.2 The proposal aims to meet the need for improved Health and Safety arrangements at our corporate car parks, in particular the issues raised at County Hall by the fire and emergency services at County Hall. This includes providing a clear access route for fire and emergency services and the prevention of inappropriate parking such as parking on pavements and non-marked bays.
- 2.3 The report aims to ensure there is adequate car parking provision for staff and visitors at our corporate buildings. The level of car parking required will be measured against industry guidelines.

- 2.4 To raise the awareness of staff and visitors of the implications of parking inappropriately and causing Health and Safety issues.

3. Options Considered / Available

- 3.1 A number of options were reviewed and are outlined below:

3.2 Option 1

Introduce an off-street Traffic Regulation Order (TRO): A TRO could be implemented covering all corporate car parks. The introduction of a TRO will not however solve issues surrounding capacity of the corporate car parks.

The introduction of a TRO along with double yellow lines in prohibited areas would allow the Council to issue a penalty charge notice to any vehicle contravening the TRO.

The duty for making and enforcing a Traffic Regulation Order rests with the traffic authority.

The cost of obtaining the TRO will be funded from existing property revenue budgets

See attached Appendix showing the marked out areas.

3.3 Option 2

Introduce barriers: A Car Parking barrier would restrict access to persons not permitted to park in our corporate car parks. However the installation of barriers is difficult to achieve without major infrastructure being installed. Additionally, in many of the corporate car parks limited space and issues with health and safety restrict the installation of barriers.

3.4 Option 3

Use of existing Pay and Display Car Parks: Where there is a known need to increase parking capacity and there is little or no potential to increase the car parking provision within the office grounds, consideration could be given to the use of underutilised Pay and Display car parks by Council staff at a reduced rate. Consideration could be made in providing staff with specific site permits where no alternative car parking is available. This consideration is potentially sensitive and would require a further report and consultation.

3.5 Option 4

Car Parking Management Company: Commercial companies are increasingly using external car parking management companies to manage their car parks.

Private car parking management companies typically receive a management fee by receiving a percentage share of the income

received from the car parks they manage. As the Council does not charge for staff parking at the current time, this option is not feasible.

3.6 Option 5

Increase Car Parking Capacity: Increasing car parking capacity will help prevent Health and Safety issues and prevent inappropriate parking. However there is a considerable cost to this option. In addition in some of the corporate buildings there is no room to increase the capacity of the car parks.

It should be noted that the Corporate Property team has already successfully implemented improvements to the staff car park at County Hall, namely the introduction of bollards, which has helped solve Health and Safety issues due to incorrect parking on and around the designated pedestrian routes and near the school entrance. Additionally there has been a temporary increase in parking at County Hall following the demolition of Southfields, however this is only temporary pending a further project to investigate a housing development.

4. **Preferred Choice and Reasons**

- 4.1 The review of the options to improve the parking at our corporate buildings shows that not one option fits all. Below are the recommendations:
- 4.2 It is proposed to make an off street Traffic Regulation Order (TRO) that covers all our corporate car parks. The TRO, if it successfully satisfies the legal process, will cover car park areas, access routes and areas where inappropriate parking could take place. A TRO will allow the Council to issue penalty charges for incorrect parking. It should be noted that a TRO, can take several months to achieve due to statutory notices and periods required to be completed.
- 4.3 It is proposed to review the Car Parking capacity of the corporate car parks once the TRO has been enforced. If no reduction in car parking demand is found then Capital investment in the corporate car parks may be required in order to meet current Health and Safety concerns. This review will be carried out internally by officers in the corporate property team.

The car parking capacity issue is particularly relevant for the car park at County Hall. Initial investigations have been made to identify the capital costs of increasing the car parking capacity at County Hall. Two options have been explored to increase the parking provision, both options would increase the capacity by 45 spaces, options outlined below:

Indicative costs indicate an investment of c.£120,450 will increase the current visitors car park capacity to 72 spaces, providing the works do not impact on the adjacent SSSI. The second option is to increase the

parking provision in the archives area after the planned demolition of the archive and former DSO buildings. The indicative cost of this option is c.£175,392 (excluding demolition costs). Either of these two options would help prevent the Health and Safety issues observed by the Fire and Rescue service. In addition the planned demolition of Southfields will yield extra spaces in the staff car park.

Further work needs to be carried out to explore the viability of the respective options, obtain firm costings and to see whether further benefits to Health & Safety can be achieved by having a separate car park for visitors away from the building (perhaps to include a one-way system) and reserving a “members only” car park.

To reduce the car parking demand in our corporate car parks a review of the provision of allocated car sharing bays will be undertaken and where required marked car sharing bays will be introduced to incentivise car sharing at the corporate car parks.

4.4 The ability to increase the capacity of our car parks is not available at all our car parks, it is therefore proposed to use alternative parking at these offices to ensure alternative parking for staff and visitors when car parks are full. The alternative car parks available are outlined below:

- Park Offices: An overflow car park at the Back Lane car park is available for staff to use on a pay and display basis.
- Gwalia Offices: An overflow car park at the High Street car park is available for staff to use on a pay and display basis.
- Neuadd Brycheiniog Offices: The Watton ‘Bus Station’ car park is available 300 meters away on a pay and display basis.
- Hendreladus Offices: Ysgol Golwg y Cwm car park is underutilised and is available as an overflow car park if required.

NB – annual/seasonal permits are currently available within the councils long stay car parks offering up to a 50% reduction in charges for regular users (ie. for a worker parking 5 days a week 46 weeks per year and buying an annual permit).

4.5 It is proposed to undertake a further report focusing on how Pay & Display car parks may allow for staff parking as outlined in 4.4 above.

Consultation will take place into the issuing of free/ reduced fee permits to staff for working hours and the implications of this will need to be fully examined and appropriate impact assessments carried out.

4.6 It is proposed to launch an internal awareness campaign highlighting the implications of inappropriate parking on Health and Safety and potential enforcement.

5. Impact Assessment

5.1 Is an impact assessment required? Yes/No

5.2 If yes is it attached? Yes/No

6. Corporate Improvement Plan

6.1 This will contribute to the Council being able to fulfil its aspiration to be an organisation that demonstrates good practice as we address health and safety concerns and make our car parks safe for staff and visitors.

7. Local Member(s)

7.1 This proposal does not have any particular effect or significance on an electoral division.

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes/No - Highways

If so please provide their comments

Highways Transport and Recycling – there are no additional resources being set aside for provision of enforcement by the Highways Civil Enforcement Officers for any contraventions of the TRO. Any enforcement would therefore need to fit in with existing patrols. Any receipt of monies through the issue of PCNs will be retained by the Parking Service and utilised in accordance with section 55 of the Road Traffic Regulation Act 1984.

9. Communications

Have Communications seen a copy of this report? Yes/No

Have they made a comment? If Yes insert here.

The report is of public and internal interest and requires use of news release/internal communications action to publicise the decision.

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal- the recommendation can be supported from a legal point of view provided that the TRO process is correctly carried out.

10.2 Finance – Among the many proposals enumerated above, the preferred option and recommendation include, a Traffic Regulation Order (TRO) consultation and implementation, a review of the capacity

of the corporate car parks once the TRO has been introduced and to review the allocation of dedicated car sharing parking bays. The report does not say how much these exercises will cost, though the service has indicated that any cost will be borne from Service's Revenue budget. None of the implementations proposed will qualify as a Capital expenditure.

The Parking Services has some £36k budget for maintenance of Parking Machines in 2018/19 financial year and similar amount for subsequent years. The cost of these proposals, must be considered alongside the obligation to maintain the parking machines, to ensure that there is sufficient funding.

- 10.3 Corporate Property- The Professional Lead supports this proposal. There is no suggestion to put in parking machines at this time. This proposal is aimed at improving health and safety in our car parks by giving Highways the ability to ticket those who park incorrectly or illegally.
- 10.4 HR- HR advice and support will be provided in respect of the recommendations outlined in this report, should they be taken forwards.

11. Scrutiny

Has this report been scrutinised? ~~Yes~~/ No?

If Yes what version or date of report has been scrutinised?

Please insert the comments.

What changes have been made since the date of Scrutiny and explain why Scrutiny recommendations have been accepted or rejected?

12. Statutory Officers

12.1 The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

12.2 The Head of Financial Services (Acting Section 151 Officer) notes the comment from Finance.

13. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
To initiate the Traffic Regulation Order consultation procedure, in the car parks located at our Corporate buildings listed in the Appendix, in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. And if no substantive objections are made, to make and implement the TRO.	To enable the named off street car parks to be controlled to reduce/remove inappropriate car parking which is a Health and Safety risk.
To review the capacity of the corporate car parks once the TRO has been introduced and to review the allocation of dedicated car sharing parking bays.	To provide adequate parking for visitors and Councillors at County Hall and reduce the H&S issues surrounding car parking at County Hall.
To note the use of Council Pay and Display car parks as alternative parking arrangement for staff and visitors to our Corporate office buildings.	To ensure there is adequate car parking spaces available for Council Staff and Visitors at our Council office buildings.
To note a further report that will look at the use of Pay and Display Car Parks for staff parking and possibility of issuing staff permits.	To ensure equality of provision of car parking to staff working in corporate offices.
To note the launching of an internal awareness campaign focusing on appropriate parking in office building car parks.	To ensure staff park appropriately and do not cause a H&S hazard.

Relevant Policy (ies):	
Within Policy:	Y / N N/A
Within Budget:	Y / N

Relevant Local Member(s):	N/A
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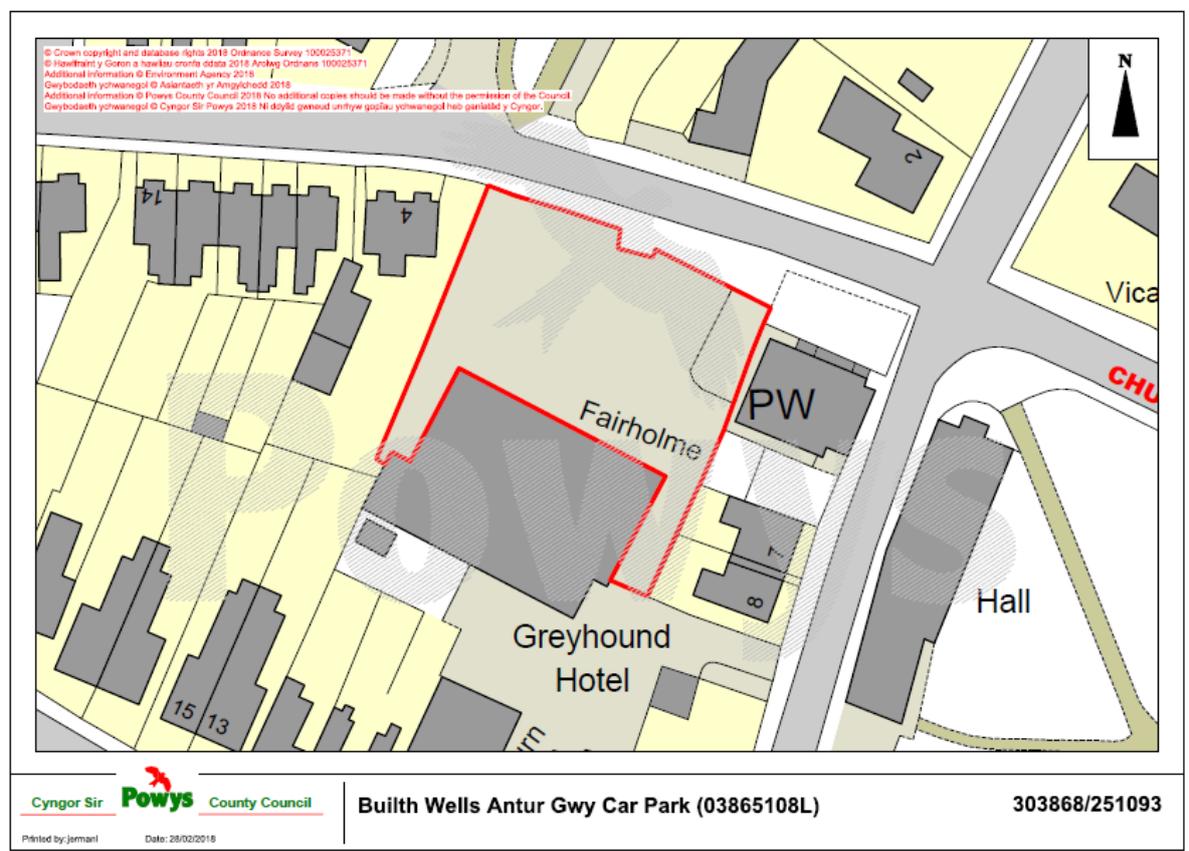
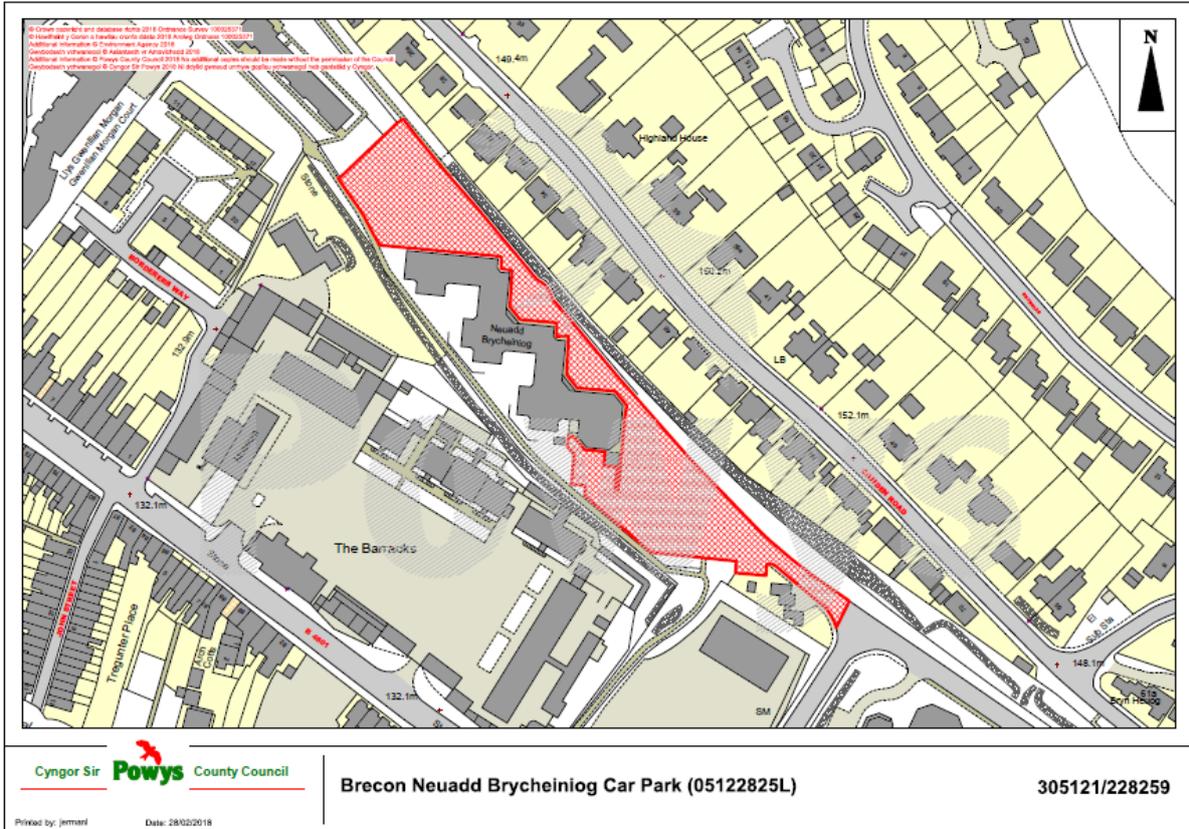
Person(s) To Implement Decision:	Natasha Morgan
Date By When Decision To Be Implemented:	Asap

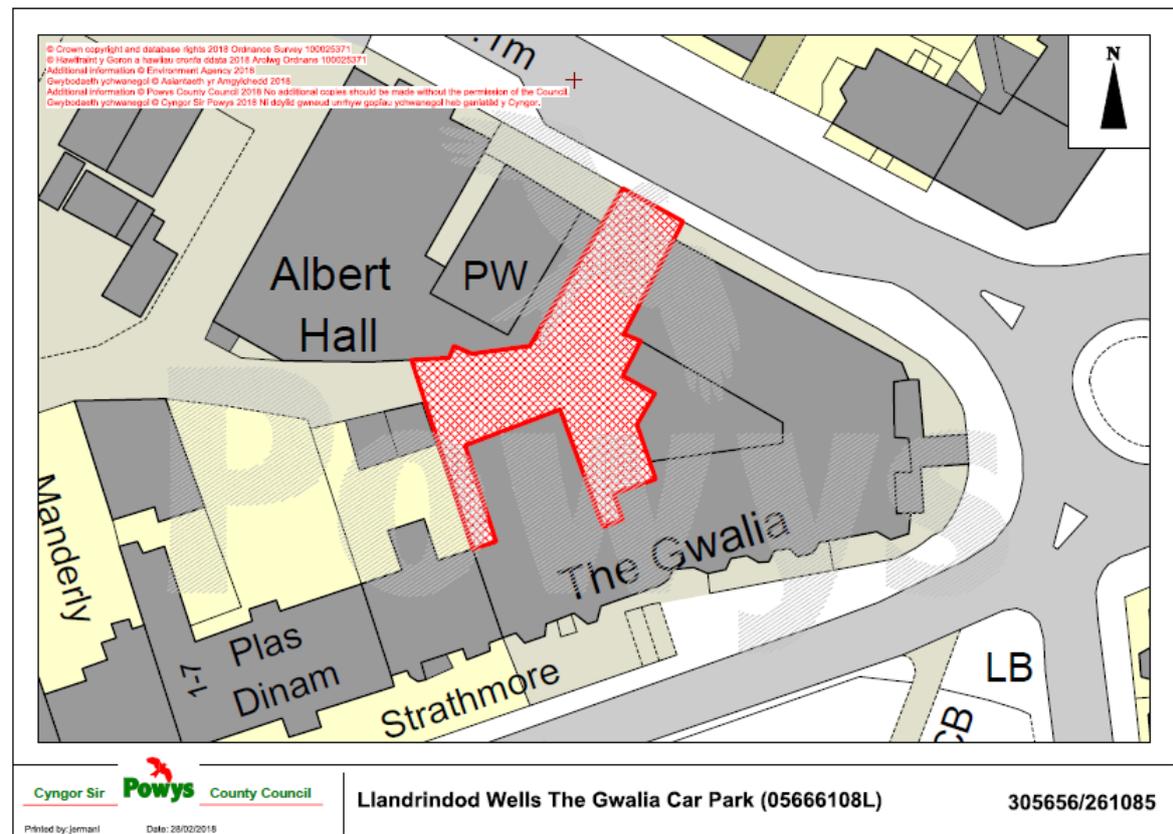
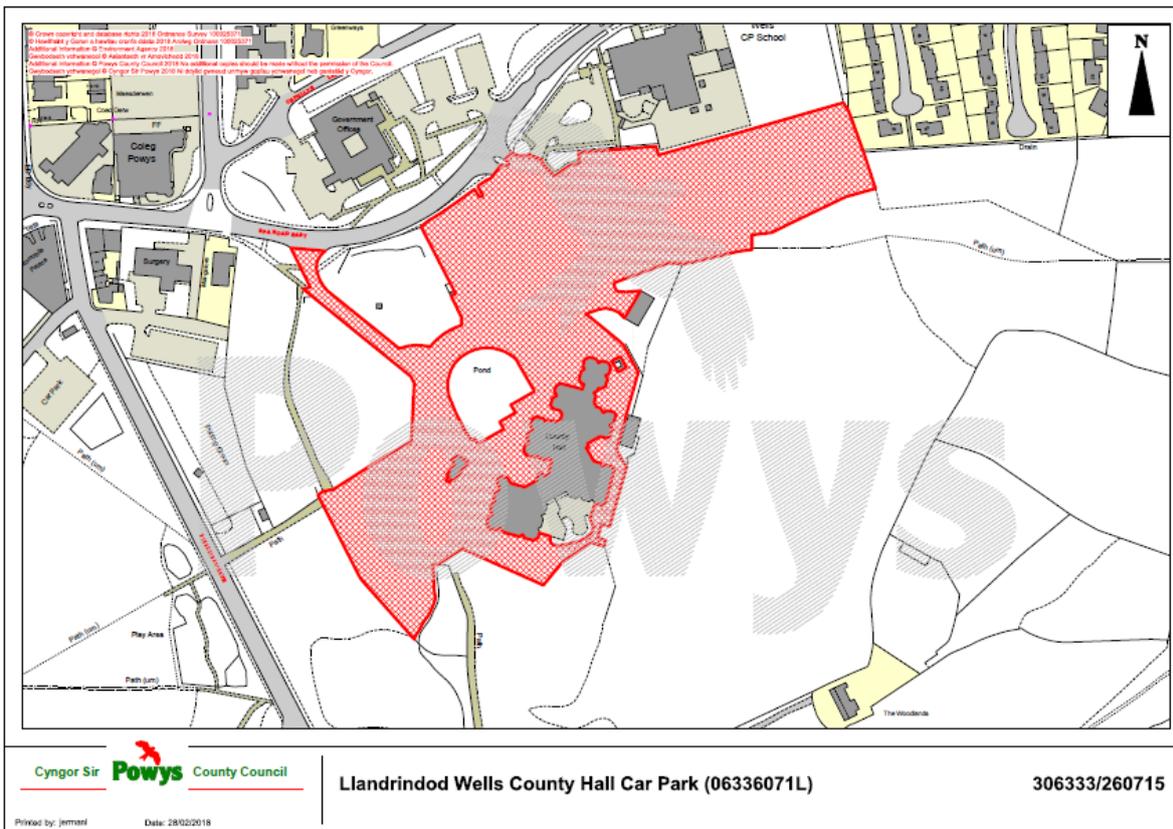
Contact Officer:	Neil Clutton
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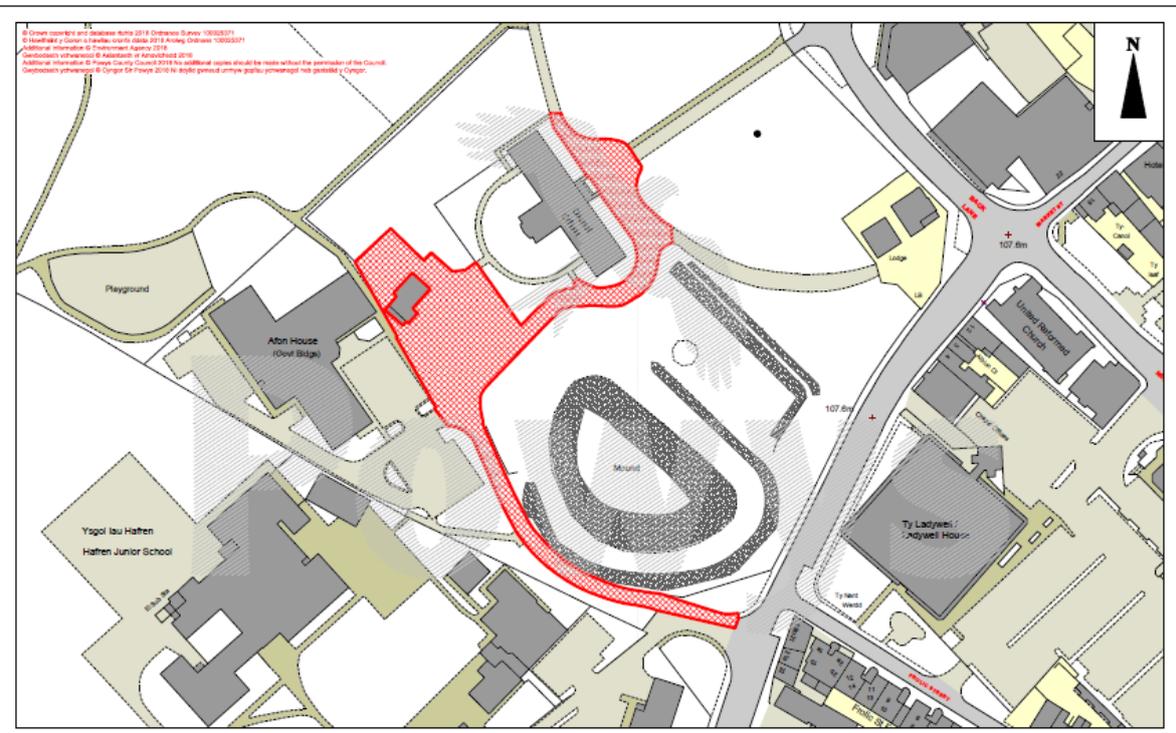
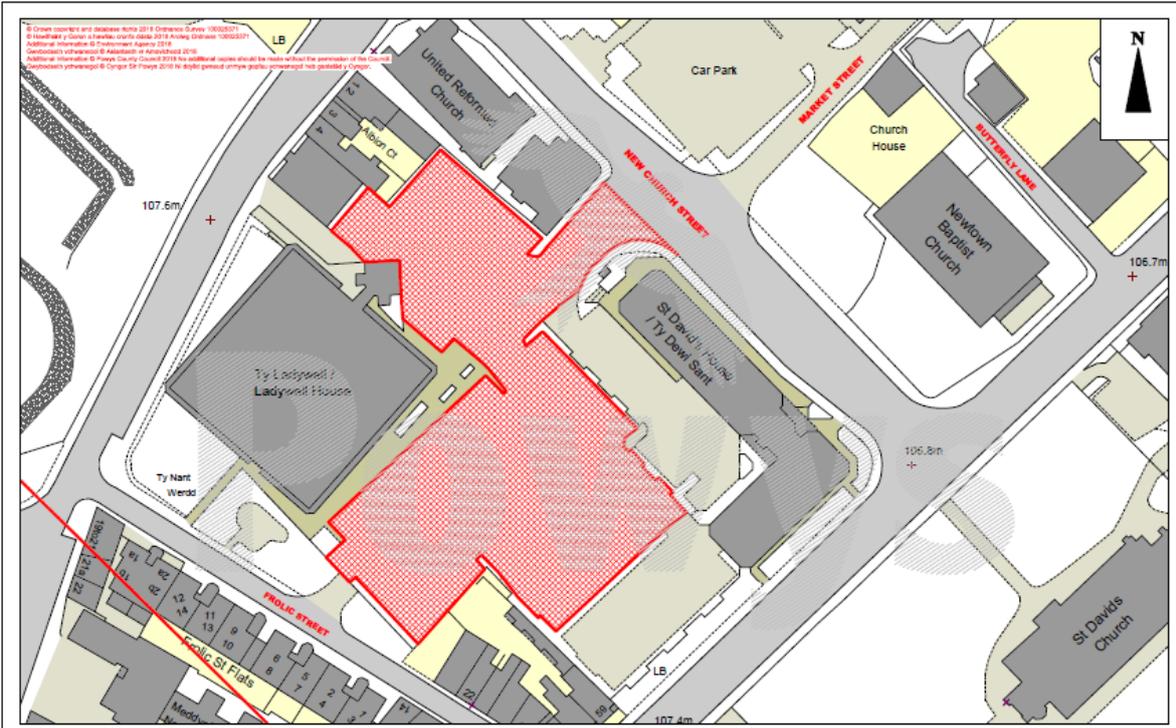
Background Papers used to prepare Report:

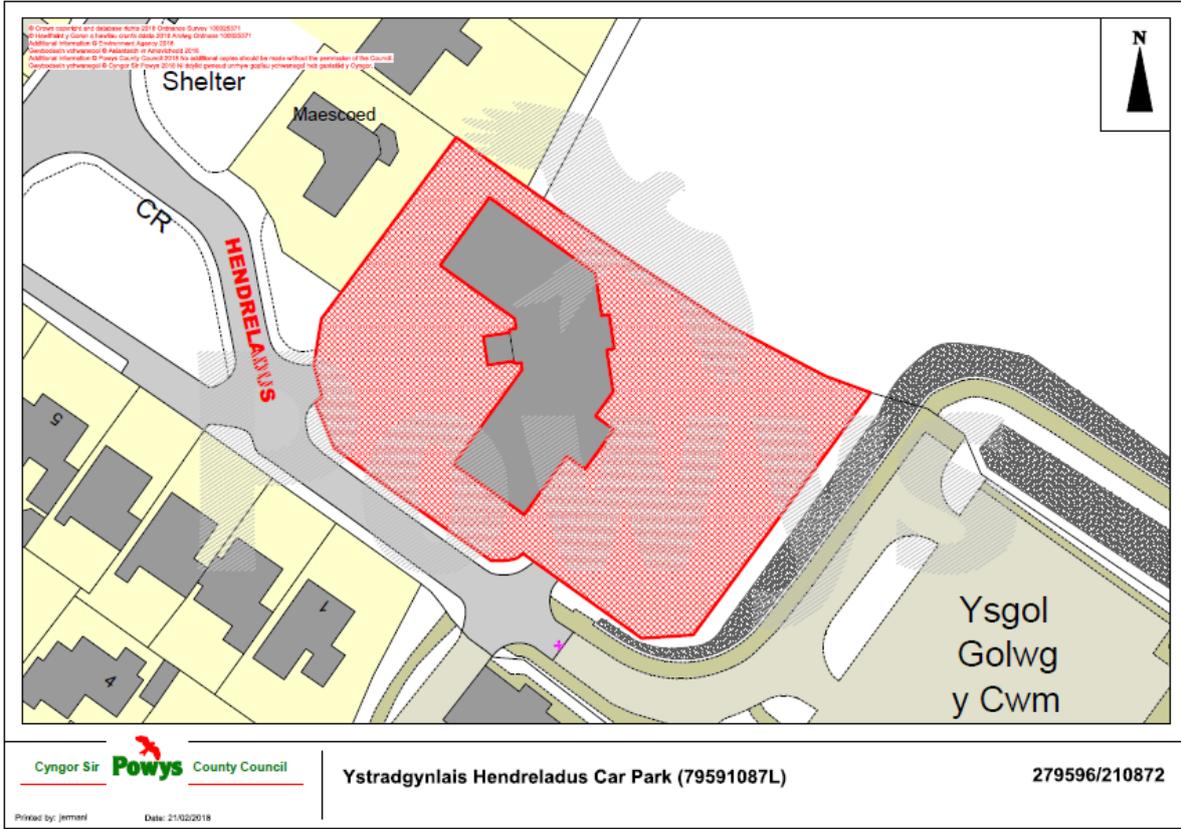
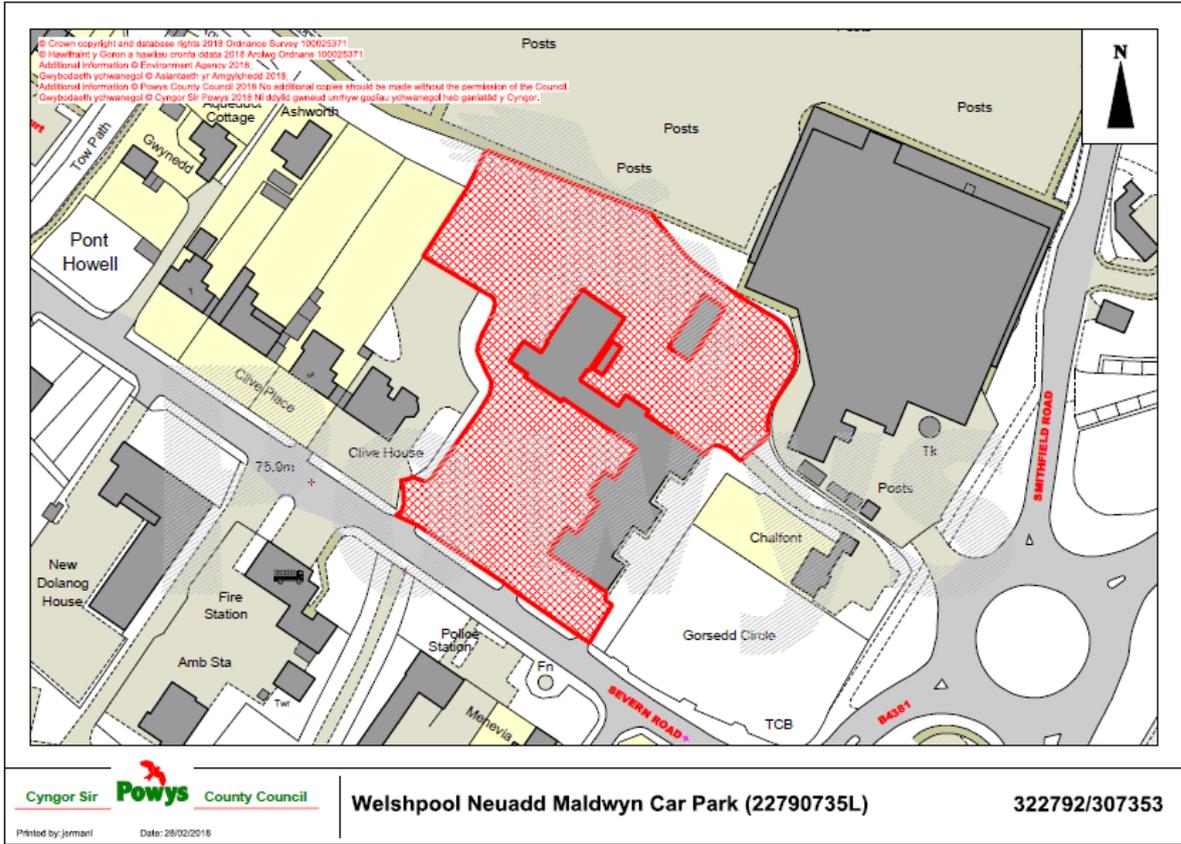
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Appendix









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