



meeting CABINET

date 25 July 2007

agenda item number

REPORT OF THE CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES AND CABINET MEMBER FOR ENVIRONMENT

## Transport Provision for Children and Young People

### Purpose of report

1. The purpose of the report is to:
  - a) Present the "Nottinghamshire Sustainable School Travel Strategy 2007 – 2011" **Appendix A** for approval by Cabinet,
  - b) Present a proposed outline regarding a School Travel Pathfinder application, as requested by Cabinet Committee on 1 May 2007, with the recommendation from Cabinet Committee to Cabinet that a bid be progressed for final approval in October 2007. **Appendix B**,
  - c) Present the revised Home to School Transport Policy 2007 - 2008. **Appendix C**.

### Information and advice

#### Background

- 2.1 At its meeting on 7 March 2007, Cabinet:
  - (1) considered the key features of the Education and Inspection Act 2006 and noted associated School Travel Guidance
  - (2) agreed that the Home to School Transport Policy (September 2007) be amended to include additional duties contained in the Education and Inspections Act 2006
  - (3) agreed that an expression of interest be submitted regarding a potential future application to the DfES for a School Travel Pathfinder in Nottinghamshire.
  - (4) established a Committee of Cabinet to review the provision of enhanced travel opportunities including the development of

sustainable transport for children and young people across the county.

- 2.2 Cabinet Committee met on 1 May 2007 and 13 June 2007 to consider both the background and key issues. Cabinet Committee resolved that:

2.2.1 the final Nottinghamshire Sustainable School Travel Strategy 2007 – 2011 be submitted to Cabinet for consideration at its meeting on 25 July 2007.

2.2.2 Cabinet be recommended to approve preparation of a full Pathfinder application for submission to the DfES in November 2007.

### **“Nottinghamshire Sustainable School Travel Strategy 2007 – 2011”**

- 2.3 The Education and Inspections Act 2006 requires all Local Authorities to publish a Sustainable School Travel Strategy by 31<sup>st</sup> August 2007. In Nottinghamshire, an inter-departmental working group has been drawing together available data and information in preparation of the attached **Appendix A**. The DfES is aware that the timeframe for preparation of the first issue of the strategy has been particularly tight. The first Strategy document will mark ‘work in progress’, and can be consulted upon and developed incrementally over future years.

### **School Travel Pathfinder**

- 2.4 The Education and Inspections Act 2006 enables up to 20 Local Authorities to propose Pathfinder Schemes to test innovative approaches to Home to School Transport. A summary of Pathfinder Guidance has previously been considered by Cabinet and Cabinet Committee. **Appendix B** sets out a proposed shape for a possible Nottinghamshire bid, developing an innovative collegiate approach with other Local Authorities, focussing on key issues to explore within the county, and seeking to enhance the quality of provision for service users. As preparation of a bid requires extensive work and a commitment of funds as outlined in the report to Cabinet of 7<sup>th</sup> March 2007, Cabinet approval is required regarding the progress of a bid for submission.

### **Home to School Transport Policy 2007**

- 2.5 The current Home to School Transport Policy has been amended to comply with all the legislative changes described in the Education and Inspections Act 2006. The revised policy will be published by the end of August 2007.

2.5.1 The new schedule 35B to the 1996 Act (inserted by the Education and Inspections Act) includes an extension of rights to free school travel arrangements for children in low income groups, ie; those entitled to free school meals and those whose families are entitled to their maximum level of Working Tax Credit. These duties come into force

from September 2007 for primary age children and in September 2008 for pupils of secondary school age.

2.5.2 Children of compulsory school age who are under the age of eight are entitled to free school transport to their nearest qualifying school if 2 miles or more from home. In addition, children aged between eight and eleven from low income families are also entitled to free transport where they live two or more miles from their nearest qualifying school.

2.5.3 For pupils of secondary school age from low income families, the Act extends rights to free transport to a choice of one of their three nearest qualifying schools between 2 and 6 miles from their home.

2.5.4 Children aged eleven to sixteen from low income families may travel free to the nearest suitable school preferred on grounds of religion or belief, where the school is between 2 and 15 miles from their home.

### **Public Engagement Policy**

3. Engagement in the Pathfinder Scheme would fall within the scope of the County Council's Public Engagement Policy.

### **Statutory and policy implications**

4. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the service. Where such implications are material, they have been described in the text of the report. Attention is however drawn to the following:-

#### **Personnel implications**

5. Additional capacity within the LA will be required and funded by central government to enable the implementation strategy for sustainable transport to be shaped. Preparation of the Pathfinder bid if agreed will require additional capacity to be scoped and delivered see financial implications below

#### **Financial implications**

6. Funds will be made available to all Local Authorities to support the sustainable travel duty. The formula for deployment of £4m across LAs allocates £60,000 for Nottinghamshire. A further grant of £40,683.39 has been announced for Nottinghamshire to meet the additional expenditure pressure that will result from the extended rights to free travel arrangements for children aged eight but under eleven, from low income families, to have travel arrangements made where they live more than two miles from their nearest qualifying school. These rights are detailed in Section 77 and Schedule 8 to the Education and Inspections Act 2006 and Home to School Travel and Transport Guidance.

7. The Pathfinder scheme would be likely to attract £200,000 pump priming and a possible £600,000 per annum for the duration of the 4 year scheme. Costs of the bid would be at the expense of the LA. Indications are, however, that the costs previously estimated at between £30,000 - £50,000 and agreed by Cabinet in March 2007, may be considerably reduced to within £10,000, which can be funded through efficiency savings in the Home to School Transport Budget 2007/ 2008.

#### **Implications for service users**

8. These are broadly outlined in the text of the report and Appendices

#### **Human Rights Act implications**

9. The provisions of the Equality Act 2006 and the European Convention on Human Rights are recognised throughout and in particular in sections relating to SEN and Disabilities and Religion and Belief.

### **RECOMMENDATION**

10. That:-
  - (1) the "Nottinghamshire Sustainable School Travel Strategy 2007 – 2011" be approved,
  - (2) a School Travel Pathfinder application be progressed for final approval in October 2007 prior to submission to the DfES in November 2007,
  - (3) that the amended Home to School Transport Policy 2007 – 2008 be noted.

#### **COUNCILLOR JOYCE BOSNJAK**

Cabinet Member for Children and Young People's Services

#### **COUNCILLOR STELLA SMEDLEY**

Cabinet Member for Environment

#### **Reasons for recommendation**

11. A Sustainable School Travel Strategy is a statutory obligation of the Local Authority and must be published by August 2007.
12. Given the requirements of the Act and opportunities nationally in relation to the strategic development of school transport strategy, the Pathfinder programme presents a means of taking forward some emerging priorities for the county.

13. Amendments to the Home to School Transport Policy with effect from September 2007, are required to ensure compliance with the legislative changes in the Act.

**Legal Services' comments (HD/9.7.2007)**

14. The recommendations within the report fall within the delegation to Cabinet and the changes to the Home to School Transport Policy may be made by Cabinet pursuant to paragraph 6.1.2 of the Budget and Policy Framework Procedure Rules

**Strategic Director of Resources' financial comments (NDR)**

15. The financial implications are set out in the report.

**Background papers available for inspection**

Education and Inspections Act 2006  
Home to School Travel and Transport Guidance 2007 DfES

**Electoral division(s) affected**

Nottinghamshire

M19C1867