



2025/26 CONCESSIONARY TRAVEL SCHEME NOTICE

The ENCTS scheme is enshrined in Primary Legislation through the Transport Act 1985 & 2000, as amended by the Concessionary Bus Travel Act 2007



‘WEST Concessionary Travelcard Scheme’

Draft notice issue date: 01/11/2024

Scheme Notice commencement date: 01/04/2025.

In accordance with Sections 93 and 95 of the Transport Act 1985 and Section 150 of the Transport Act 2000, the West of England Mayoral Combined Authority (comprised of Bath and North East Somerset Council, Bristol City Council and South Gloucestershire Council) in partnership with North Somerset Council, hereby give notice of their intention to reimburse Operators for revenue foregone plus net additional costs for journeys made under the Concessionary Bus Travel Act 2007 and any local discretionary enhancements agreed under the Transport Act 1985.

This Scheme Notice defines the WEST Concessionary Travelcard Scheme (**‘the Scheme’**) and permits holders of valid English National Concessionary Travel Scheme (ENCTS) passes to travel on all eligible local bus services in the West of England Mayoral Combined Authority and North Somerset Council regions, free of charge, as stipulated in paragraphs 2 to 3.

1. Scheme definition

1.1. Partners to this Scheme are:

- i. West of England Mayoral Combined Authority, 70 Redcliff Street, Bristol, BS1 6AL
- ii. North Somerset Council, Integrated Transport Unit, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ

1.2. Managing Authority refers to:

- i. West of England Mayoral Combined Authority, 70 Redcliff Street, Bristol, BS1 6AL

1.3. Roles and Responsibilities of the Managing Authority (in consultation with North Somerset Council):

- (a) Day to day administration of the scheme.
- (b) Undertakes annual reimbursement calculation.
- (c) Undertake periodic reviews of reimbursement rate.
- (d) Processing monthly passenger journeys data.
- (e) Monitoring of the scheme and ensuring compliance.
- (f) Reimbursement of Operators operating eligible local services.

1.4. The Scheme is defined and operate in accordance with the requirements of the following non-exhaustive relevant legislations:

- (a) Transport Act 1985,
- (b) Transport Act 2000,
- (c) Travel Concessions (Eligibility) Act 2002,
- (d) Concessionary Bus Travel Act 2007 and

(e) all other relevant and applicable statutory instruments and regulations.

1.5. The boundaries of the Partners to this scheme makes up **‘the Scheme Area.’** These areas include:

- (a) Bath and North East Somerset area
- (b) Bristol City Council area
- (c) North Somerset Council area
- (d) South Gloucestershire Council area

1.6. Subject to statutory and discretionary restrictions, the Scheme shall provide free travel to all eligible ENCTS pass holders on eligible local bus services (**‘Eligible Services’**) for journeys commencing within the Scheme Area.

1.7. Eligible Services are services defined under the Travel Concessions (Eligible Services) Order 2002, operating from and within the Scheme Area.

2. Statutory ENCTS to be provider by Operators.

2.1. At a minimum, the statutory requirement is to offer ENCTS pass holders the following:

- a. Free travel on any local bus between 09:30 and 23:00 Monday to Friday.
- b. Free travel on any local bus service at all times on Saturdays, Sundays and Bank Holidays.

2.2. Claims for reimbursement against West of England Mayoral Combined Authority and or North Somerset Council should only be made for trips originating within the Bath & North East council, Bristol City Council, South Gloucestershire council and North Somerset Council areas.

3. Discretionary Enhancements

3.1. In addition to the Statutory Minimum Requirement, the following discretionary enhancements under the Transport Act 1985 shall be available to eligible passholders in the Scheme Area. Operators are hereby, requested to participate in the provision of the following discretionary enhancements.

3.1.1. All ENCTS passholders of pensionable age are to be permitted free travel on journeys made on local bus services between the below hours:

i) 0900 to 0930 Monday to Friday

ii) 2300 to 03:59 Monday to Friday

3.1.2. All disabled passholders in the region are to be permitted 24 hours a day and 7 days a week free travel on journeys starting in the Scheme Area.

3.1.3. All platinum passholders in the region are to be permitted 24/7 free travel on journeys starting in the Scheme Area.

- 3.1.4.** When travelling with the primary passholder, the Scheme permits the Companion of holders of current ENCTS pensioner, disabled and or platinum passes free travel on local bus services within the Scheme Area.
- 3.2.** A reciprocal agreement with Monmouthshire County Council whereby holders of either Welsh Concessionary Travel Cards (WCTCs) or WEST Concessionary passes to travel between points in Monmouthshire and points in the Scheme Area on eligible services within the prescribe time restrictions in paragraph 3.1.1.
- 3.3.** Reimbursement for cross-boundary travel will be the responsibility of the Scheme that covers the boarding point of the trips that are being claimed.

4. Arrangements for reimbursement of participating Operators

- 4.1.** Reimbursement will be consistent with the principle set out in Regulation 4 of the Travel Concession Schemes Regulations 1986 and Regulation 6 of The Mandatory Travel Concession (England) Regulations 2011, so that Operators are financially “no better and no worse off” as a result of their participation in the Scheme.
- 4.2.** The Scheme will reimburse individual Operators in respect of journeys made from and within the Scheme Area, in line with advice and guidance provided by the Department for Transport (DfT).
- 4.3.** Where Eligible Services operates on a gross cost contract, reimbursement will be made directly to the contracting authority.
- 4.4.** The reimbursement is intended to reflect the reduced revenue and increased costs incurred by Operators (and/or their contracting local authority) as a result of their participation in the Scheme. This includes:
- i.** The revenue foregone from carrying passengers who would have otherwise paid to travel if the Scheme did not exist.
 - ii.** The net additional costs incurred as a result of the Scheme due to carrying additional passengers.
 - iii.** The reasonable additional administration costs incurred in providing data to the Managing Authority in compliance with the Scheme (this subclause does not apply to supported services).
- 4.5.** The costs of providing any additional vehicles in the peak period due to generated concessionary travel will be meet separately.
- 4.6.** Annually between October and November, Operators will be required to submit data to the Managing Authority as part of the rate calculation process.
- 4.7.** The per trip rates at which reimbursement will be made to Operators will be calculated on an operator-specific basis annual as stipulated in paragraph 4.6 above.
- 4.8.** Following the calculation and/or negotiation process, Operators will be notified of their rates in a separate reimbursement arrangement document supplied by the Managing Authority.

5. Operators' requirement

- 5.1. Operators in the Scheme must have ITSO-compliant smart readers in active operation, with fully functioning Class 2 messaging (including hotlisting) and full compatibility with the West of England HOPS. Operators must use the output of those readers as the basis for their reimbursement claim.
- 5.2. Where smart readers are not in use, or if they are not being used with full functionality as described in paragraph 5.1, the Scheme may make a proportionate deduction from the number of journeys claimed each month to account for the level of undetected fraudulent travel that is assumed to be taking place (unless the operator can provide verifiable evidence that all the journeys claimed for were made by holders of valid passes). This reduced number of journeys will then become the total to which the relevant per-trip reimbursement rate applies.
- 5.3. There are legitimate circumstances in which valid ENCTS passes cannot be scanned by the smart reader. In such instances, concessionary trips (which may also include a companion), can be manually recorded on the ticket machine. However, Operators must ensure the pass matches the identity of the passholder and that the pass is in date and has not expired.
- i. Manually recorded trips will be reimbursed in line with the terms of the Scheme. However, Operators must ensure that the value of manual trips make up less than 3-5% of the overall reimbursement claim each month.
- 5.4. Operators are required to provide monthly reports specifying the number of journeys made by all ENCTS passholders on their services. These reports should list the monthly total for each service, split by Local Authority boarding area. This will be further split between journeys where the passholder scanned their pass and journeys where passes were manually recorded.
- 5.5. On or before the seventh of every month or the first Monday of every month, whichever is the latest, all participating Operators in the Scheme must ensure that the monthly data is submitted to the Management Authority to ensure payment can be processed.
- 5.6. In submitting the monthly data stipulated in paragraph 5.5 above, it must be accompanied by one of the following:
- c. An invoice detailing the value of the amount claimed (*per journey rate x total journeys record*) or
 - d. A claim for payment email/letter which should include the amount being claimed (*per journey rate x total journeys recorded*)
- 5.7. Operators will be reimbursed based on the supply of relevant data accompanied by an invoice or claim letter which needs to be supplied in a timely manner. Failure to do so may result in payment being delayed and/or deferred.
- 5.8. Reconciliation will be continuous as and when any corrections are made.

6. WEST concessionary travelcard data

- 6.1. WEST ENCTS concessionary passes and Platinum Travelcards issued by North Somerset Council remain the property of North Somerset Council.
- 6.2. WEST Concessionary passes and Platinum Travelcards issues in Bath & North East Somerset Council, Bristol City Council and South Gloucestershire Council remain the

property of the West of England Mayoral Combined Authority.

- 6.3.** Where passes are issued by North Somerset council, North Somerset Council are data processor and control of ENCTS data.
- 6.4.** West of England Mayoral Combined Authority is the data controllers on passes issued by Bath & North Somerset, Bristol City and South Gloucestershire Councils.
- 6.5.** Bath & North Somerset Council, Bristol City Council and South Gloucestershire Council are data processor and acts as agents of the West of England Mayoral Combined Authority.
- 6.6.** Where an Operator find cause or reason to confiscate WEST Concessionary passes and or Platinum Travelcards in suspected case of misuse and or fraud, they must immediately inform the West of England Mayoral Combined Authority and return the pass promptly to either the West of England Mayoral Combined Authority or its constituent issuing Authority.
- 6.7.** Where the pass confiscated in issued by North Somerset Council, it should be return to North Somerset Council.
- 6.8.** The individual from whom the pass is confiscated must be told of the reason for the confiscation and who to contact to retrieve their pass or obtain a new/replacement Travelcard.
- 6.9.** On-bus sample surveys may be undertaken by, or on behalf of, the Managing Authority and Scheme partner to check the validation of passes being used or to verify claims for the provision of additional capacity or both. Operators must allow, free of charging boarding, on presentation of a letter issued by the Head of Integrated Transport, to conduct on board surveys.

7. Formal procedures

- 7.1.** With evidence, should an Operator form a view believes that they are or would be prejudicially affected by any variations to their reimbursement arrangements (either contained within this revised Scheme Notice or in the operator-specific reimbursement arrangements document), with supporting evidence, they have a right to request a review in the first instance.
- 7.2.** Following an unsatisfactory outcome of such a review, Operators may, under Section 150(3) of the Transport Act 2000 (as amended), apply to the Secretary of State for Transport for a variation of the arrangements on the grounds that there are special reasons why the provisions of the arrangements would be inappropriate with respect to one or more local services provided by them.
- 7.3.** Any such application in paragraph 7.2 must be made in writing no later than 56 days after the date on which the final Scheme comes into operation. An application may not be made unless the operator has given notice of its intention to make such an application to the Scheme Managing Authority.
- 7.4.** The Managing Authority may vary discretionary enhancements to the Scheme at any time as may be agreed between Issuing Authorities and the relevant Operators. Operators will be given at least 28 days' notice of any changes to discretionary enhancements prior to their implementation and or withdrawal date including any additional arrangements for reimbursement due because of any enhancement coming into place.
- 7.5.** Should agreement not be reached with Operators, the West of England Mayoral Combined Authority and North Somerset council reserve the right to:

- e. Introduce a revised local enhancement Scheme based on amended hours and/or charges for travel at times outside of the statutory Scheme and to serve any notices as required under Section 97 of the 1985 Transport Act or
- f. Only operate the ENCTS statutory minimum limiting free travel between the hours of 9.30am and 11.00pm Monday to Friday and at any time on Saturdays, Sundays, or Bank Holidays.

7.6. Operators have the following rights, responsibilities, and duties under the Scheme:

- i) The right under the Transport Act 1985 Section 98(2) to apply to the Secretary of State for cancellation or variation of the notice.
- ii) The right under the Transport Act 1985 Section 99(2) to apply to the Secretary of State for release from the obligation to provide travel concessions.
- iii) An obligation to notify the Managing Authority before making any application under Section 98(2) or Section 99(2) of the Transport Act 1985 (as the case may be).
- iv) A duty to provide the travel concessions required by the Scheme. Systematically failing to do so may result in prosecution and conviction with a fine of up to but not exceeding Level 3 on the standard scale.

7.7. Correspondence with the Managing Authority should be addressed to: -

Bob Scowen
Head of Integrated Transport
West of England Mayoral Combined Authority
70 Redcliff Street
Bristol
BS1 6AL

Email: concessionary.travel@westofengland-ca.gov.uk

7.8. Correspondence with the Secretary of State should be addressed to: -

Secretary of State for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR