

CABINET

**Venue: Town Hall, Moorgate
Street, Rotherham. S60
2TH**

Date: Wednesday, 8 February 2012

Time: 10.30 a.m.

A G E N D A

1. To consider questions from Members of the Public.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Minutes of the previous meeting held on 18th January, 2012 (copy supplied separately)
5. Adoption of BDR Joint Waste Plan (Development Plan Document) (report herewith) (Pages 1 - 5)
 - Strategic Director of Environment and Development Services to report.
6. Revenue Budget Monitoring for the period ending 31st December, 2011 (report herewith) (Pages 6 - 15)
 - Strategic Director of Resources to report.
7. Localism Act 2011 (report herewith) (Pages 16 - 28)
 - Strategic Director of Resources to report.
8. Discretionary Home to School Transport Provision (report herewith) (Pages 29 - 77)
 - Strategic Director of Environment and Development Services to report.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1. Meeting:	Cabinet
2. Date:	8th February, 2012
3. Title:	Adoption of BDR Joint Waste Plan (Development Plan Document)
4. Directorate:	Forward Planning, Environment & Development Services

5. Summary

The Barnsley, Doncaster & Rotherham (BDR) Joint Waste Plan has been produced by the three authorities in order to provide policies to determine planning applications for waste management facilities until 2026. This is a formal Development Plan Document (DPD), which forms part of the Local Development Framework for the Metropolitan Borough of Rotherham. It also allocates four strategic sites to accommodate major waste facilities in the future:

- (1) Sandall Stones Road, Kirk Sandall, Doncaster
- (2) Hatfield Power Park, Stainforth, Doncaster
- (3) Bolton Road, Manvers, Rotherham
- (4) Reserve Site at Aldwarke Steel Works, Parkgate, Rotherham (in the event that the others are not developed).

The BDR Joint Waste Plan was formally submitted to the Secretary of State in July 2011, for the purpose of an Examination in Public completed by an independent Planning Inspector. The outcome of the Examination is that the BDR Joint Waste Plan has been found to be 'Sound' (fit for purpose and meets statutory requirements), subject to making a number of accepted changes.

This report seeks approval to adopt the Barnsley, Doncaster and Rotherham Joint Waste Plan (Development Plan Document).

6. Recommendation

That Cabinet recommend to Full Council the adoption of the Barnsley, Doncaster and Rotherham Joint Waste Plan (Development Plan Document).

7. Proposals and Details

Background

The BDR Joint Waste Plan is a formal Development Plan Document which has already been subject to statutory public consultation and other stages of consultation with public and private bodies, to assist in its development. In addition to providing policies to inform the determination of planning applications, it also proposes to allocate four strategic sites of up to 5 hectares (12 acres), for the development of larger scale waste management centres and to encourage the co-location of similar facilities from the waste industry.

Waste management is a significant issue facing Barnsley, Doncaster and Rotherham Councils. Approximately 1.3 million tonnes of waste are generated annually by households and businesses and we need to plan for future projections. A large proportion of BDR's municipal waste is currently sent to landfill sites but this cannot continue because:

- Landfill is generally harmful to the environment and human health because as it decays it releases greenhouse gases into the atmosphere.
- Valuable resources such as plastics, metals and liquids, that could potentially be recycled, are being lost.
- The government has set challenging targets to increase recycling and send less waste to landfill. Severe financial penalties will be incurred by Councils if these targets are not achieved.
- More environmentally friendly waste management practices are emerging, such as waste minimisation, recycling, composting and energy recovery.

Proposal

As a Local Planning Authority, we are required to develop policies to help deliver sustainable waste management by providing sufficient opportunities for new waste management facilities: of the right type, in the right place, and at the right time: (National Planning Policy Statement 10).

The Barnsley, Doncaster & Rotherham Joint Waste Plan has been developed by the three authorities working together to produce designated sites and policies to deal with planning applications for all types of waste management facilities. Central government encourages joint working in this matter, particularly where cross-boundary movement of waste occurs.

The BDR Joint Waste Plan provides criteria based policies for the determination of planning applications for all types of waste operations, including recycling, recovery, treatment and disposal up to 2026.

It also proposes the designation of 4 sites for strategic waste management facilities at the following locations:

1. Sandall Stones Road, Kirk Sandall, Doncaster. – This site already has planning permission for waste facilities.
2. Hatfield Power Park, Stainforth, Doncaster. – This site already has planning permission for waste facilities.
3. Bolton Road, Manvers, Rotherham. – The site is proposed by the BDR Waste Management Departments for the siting of a Private Finance Initiative funded (PFI) municipal waste treatment plant. This will require planning permission from the Council.
4. (Reserve site in the event that the others are not developed): Tata (formerly Corus) Engineering Steels, Aldwarke, Rotherham. – The total area of the Tata Steels Complex is around 150 hectares, and Corus have proposed an area of 5 hectares to the rear of the working plants, for a waste management facility. This will require a full planning application and be subject to planning permission from the Rotherham Council Planning Board.

The four sites have been chosen on the basis of their performance against a range of criteria, such as, proximity to urban areas, transport routes, deliverability and sustainability appraisal. These brownfield sites are located on industrial or employment land with access to the main transport network.

The BDR Joint Waste Plan also proposes to safeguard important existing facilities to protect them from being changed to other uses. The aim is to prevent the loss of waste management sites and to guard against the loss of treatment capacity in BDR, (e.g. Sterecycle Ltd at Templeborough which currently takes 70,000 tonnes of municipal waste from BDR).

Next stages

When adopted by all three authorities, the Joint Waste Plan will form part of the statutory development plan of each of the three authorities, and will sit alongside each of the Core Strategies. It is proposed that the Joint Waste Plan will be formally adopted at Full Council in each of the three authorities. The anticipated dates are: Barnsley 1 March 2012, Doncaster 8 March 2012 and Rotherham 7 March 2012. It is proposed that the agreed formal adoption date will be the date of the last Full Council approval, as this will be the date on which it is considered to be formally adopted across all three authorities.

The Joint Waste Plan takes a comprehensive view of the full range of strategic waste management developments to 2026. It covers all types of waste, not just municipal waste produced by households. The key points to note are the four strategic waste management sites: (1) Hatfield Power Park; (2) Sandall Stones Road, Kirk Sandall; (3) Bolton Road, Manvers; and (4) Tata Steelworks Complex, Aldwarke Lane, Parkgate. Whilst these four sites have been retained throughout the examination process, a significant change is that the Aldwarke site is now to be shown as a reserve site. Whilst the Inspector understood our wish to retain four sites to ensure flexibility, they could not all be referred to as strategic sites as the term 'strategic'

implies that all four must come forward in order to achieve the strategy set out in the Joint Waste Plan. In addition to the four strategic sites the Joint Waste Plan “safeguards” a number of important existing sites. It also has policies for waste related development, including development on non-strategic sites, against which future waste management proposals will be assessed.

Bolton Road, Manvers, located in Rotherham near the Barnsley and Doncaster boundaries, is the preferred site for the joint authorities’ municipal PFI waste project (Private Finance Initiative). The planning application for this site has been submitted to Rotherham MBC recently. The Joint Waste Plan does not carry full weight as a material consideration in determining the planning application until adopted. However significant weight can be given as the Inspector’s report has been received and is favourable.

8. Finance

There are no direct financial implications from this report.

9. Risks and Uncertainties

- (a) The adoption of the Joint Waste Plan is intended to update the Council’s policies for waste management planning applications, which currently rely on the saved policies of the Unitary Development Plan (UDP). It will also provide strategic sites for the provision of waste management facilities during the timeframe of the Local Development Framework to 2026. It will attempt to avoid the uncertainty of waste planning applications in other areas, by promoting the potential for waste facilities at the strategic sites, subject to the policies in the BDR Joint Waste Plan.

The waste management departments of Barnsley, Doncaster & Rotherham (BDR), have a history of working together and are currently involved in a project to deal with the municipal waste from the three authorities. This proposes to use Private Finance Initiative (PFI) funding, to procure the management of municipal waste by a commercial operator at the Bolton Road Site, Manvers, Wath-upon-Dearne. The BDR Joint Waste Plan will provide the framework for determining a waste planning application on this site, but if not adopted, any planning application would be determined in accordance with the UDP.

- (b) The government has embarked upon a review of the current planning system and the regulations for determining planning applications may be subject to change. However, recent guidance to local planning authorities is that: *“The abolition of Regional Strategies will provide a clear signal of the importance attached to the development and application of local spatial plans, in the form of Local Development Framework Core Strategies and other Development Plan Documents.”*

10. Policy and Performance Agenda Implications

The adoption of the BDR Joint Waste Plan will contribute to the Council’s cross-cutting theme of Sustainable Development by increasing the recycling and recovery

rates for waste and reducing the amount of waste going to landfill. This will ultimately reduce the amount of greenhouse gases being released into the atmosphere and reduce the negative impacts of greenhouse gas emissions.

Sustainability Appraisal has been carried out at each stage of the development of the BDR Joint Waste Plan.

11. Background Papers and Consultation

BDR Joint Waste DPD Issues and Options (Mar 2008)
BDR Joint Waste DPD Towards the Publication (Oct 2008)
BDR Further Consultation Report (Jan 2009 – Dec 2009)
BDR Joint Waste Plan – Pre-publication Consultation (June 2010)
BDR Joint Waste Plan – Submission (July 2011)

Contact Name:

Andy Duncan, Strategic Policy Team Leader
01709 823830, andy.duncan@rotherham.gov.uk

Neil Finney, Technician
01709 254744, neil.finney@rotherham.gov.uk

1	Meeting:	CABINET
2	Date:	8th February 2012
3	Title:	Revenue Budget Monitoring for the period ending 31st December 2011
4	Directorate:	Resources

5 Summary

In setting the 2011/12 Revenue Budget the Council had to manage an unprecedented level of savings (£30.3m) resulting from the withdrawal of Central Government funding and grant allocations.

This report provides details of progress on the delivery of the Revenue Budget for 2011/12 based on performance for the first 9 months of the 2011/12 financial year. It is currently forecast that the Council will overspend against its Budget by £3.066m (+1.4%). This shows a decrease in the forecast overspend of £4.271m compared to the budget monitoring report for the first 8 months of 2011/12. The main reasons for the forecast overspend are:

- The continuing service demand and cost pressures in looking after vulnerable children across the Borough;
- Additional, one-off property costs relating to the continued rationalisation of the Council's asset portfolio as part of the efficiency drive to reduce operational costs; and
- The extended timescale for realising the full forecast management and business support savings target of £1.45m and slippage in delivering the savings target for Shared Services (£500k).

In arriving at the revised forecast overspend of £3.066m, the above pressures are mitigated through the proposed closure of some reserves, additional income, use of contingency and in-year slippage against the Riverside House budget. (See section 7.3).

6 Recommendations

Cabinet is asked to:

- **Note the progress made to date in delivering the significant financial challenges presented in the Council's Revenue Budget;**
- **Determine further actions to be taken by Directorates so as to minimise the impact on the Council's medium term financial position**
- **Approve use, and where appropriate closure of the reserves included in Appendix 2, to mitigate the forecast overspend.**

7.1 Proposals and Details

This report presents details of spending against budget by Directorate covering the first 9 months of the 2011/12 financial year – April to December.

The net Central Services figures shown in the table below consists of a number of pressures (detailed under 'Other issues' in 7.2 below) netted down by the proposed closure and use of some reserves and other savings and income. (Identified in 7.3).

7.2 The Overall Position

Directorate/Service	Annual Budget 2011/12	Projected Outturn 2011/12	Variance after Actions (over(+)/under spend)	
	£'000	£'000	£'000	%
Children & Young People Services	35,789	41,271	+5,482	+15.3
Environment and Development Services	39,668	39,146	-522	-1.3
Neighbourhoods & Adult Services	79,911	78,869	-1,042	-1.3
Resources	22,924	23,430	+506	+2.2
Central Services	41,330	39,972	-1,358	-3.3
TOTAL	219,622	222,688	+3,066	+1.4
Housing Revenue Account (HRA)	76,787	76,665	-122	-0.2

Appendix 1 to this report provides a detailed explanation of the key areas of forecast over / underspend by Directorate. The summarised position for each Directorate is described below.

Children & Young People's Directorate (£5.482m forecast overspend)

The £5.482m forecast overspend position is largely due to pressures within Safeguarding and Corporate Parenting Service and is a continuation of the position from 2010/11. The position in Rotherham is similar to that being publicly reported by statistical and regional neighbours as well as nationally.

Last month's Budget Monitoring Report included 2011/12 benchmarking information which showed that Rotherham's Safeguarding and Corporate Parenting services has a £6.31m lower level of funding than the average across Metropolitan Authorities, £6.46m less than the average across statistical neighbours and £3.42m less than the average across Yorkshire and Humber Authorities.

This comparative lower level of funding contributes to the pressures being evidenced in our Children's Social Care services despite the services' proactive approach to drive down costs including:

- Management actions (predominantly through successful recruitment to vacant Social care posts) is expected to result in an equivalent staff/agency cost reduction of £353k compared with 2010/11. Temporary engagement of any

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agency staff from January 2011 on the basis that services are running with 50% of posts being vacant.

- A Multi-Agency Support Panel was introduced by the Director of Safeguarding & Corporate Parenting in April 2011 and has delivered in the past 9 months, **cost avoidance in the region of £2.9m - this represents costs avoided through effective multi agency management actions and decision making.**
- Successful work undertaken in commissioning and re-commissioning service provider contracts has led to significant cost reductions/cost avoidance (£0.7m)

The comparative data and the level of recurrent pressure in Children's services strongly indicates that the service is relatively underfunded and has a structural budget deficit, which needs to be tackled.

The various management actions and Early Intervention and Prevention work implemented by the service will reduce some of the pressures going forward but it is still estimated that £3.1m of additional funding is required in 2012/13, reducing to £2.0m in 2013/14 (i.e. a reduced additional budget requirement of £1.1m from 2012/13 to 2013/14)

Children's Services continue to look for ways to reduce spend.

Environment & Development Services (£522k forecast underspend)

The Directorate is forecasting an underspend of £522k due to some one off savings in Waste Management resulting from the deferred implementation of waste contracts, savings due to restructures in the Cultural Services, additional (non-recurrent) income recovery within the Transportation service and savings due to the moratorium on non-essential spend. Further details are included in Appendix 1.

Neighbourhoods and Adult Services (£1.042m forecast underspend)

Overall the Directorate is forecasting a £1.042m underspend. Within this, Adult Services are forecasting an underspend of £748k (including £500k additional income from NHS Rotherham) and Neighbourhood Services a £294k underspend. The forecast position is made up of a number of under and overspends, detailed in Appendix 1.

Resources Directorate - (£506k forecast overspend)

Overall the Directorate is forecasting a £506k overspend. The target level of savings (£1.141m) to be delivered through successful completion of the Council's Strategic Partnership with BT will not be delivered in full for 2011/12. £566k of the target will be achieved in 2011/12. Additionally, Legal services are forecasting an overspend of £200k and Human Resources are forecasting an overspend of £23k. These are partially offset by forecast savings on Asset Management (£73k) and Commissioning, Policy and Performance services (£17k) and Finance (£202k). Further details are included in Appendix 1.

Other Issues

In setting the 2011/12 Budget, the Council pledged **to protect services for those in most need.** To do this, the Council put forward a wide range of Council-wide savings or additional sources of funding – totalling £14.4m. It is currently forecast

that the Council may not fully realise this target this year by just over £2.443m (17%). The main reasons for the forecast variances (shown in brackets) are:

- **Management Review and Business Admin Reviews (£839k)** – Progress to date shows recurrent annual revenue savings of £1.087m against the annual target of £1.45m. (£363k shortfall). Due to timing effects, the saving for 2011/12 amounts to £611k as staff left part way through the year.
- **Commissioning Efficiencies (£104k)** – In 2011/12 £296k of the £400k savings target is forecast to be achieved.
- **Localities & Premises Review (£500k) and Land Bank Pressures (£250k)** – the Council is optimistic that over time it will be possible to deliver the savings target however, none of these savings will be delivered in 2011/12. Additionally there are pressures on the Land Bank due to costs incurred for maintaining security of buildings and for preparing properties for the market.
- **Shared Services (£500k) and Customer Services (£250k)** – The Council is now anticipating that these targets will be delivered from 2012/13.

7.3 Mitigation

The following savings and income sources mitigate the forecast pressures by £3.801m:

Additional NHS funding	£0.750m
Waste PFI capitalisation	£0.260m
Riverside House (In-year slippage against budget)	£1.091m
Use of Council Contingency	£0.600m
Proposed closure and use of some reserves	<u>£1.100m</u>
	£3.801m

Additional NHS Funding: - In January 2012 the Department of Health announced an additional one-off £150m would be allocated to Primary Care Trusts nationally for investment in social care services which also benefit the health system, recognising the significant pressures being faced during the winter periods. There is a requirement that this should be transferred to Council's under section 256 of the 2006 NHS Act. Negotiations are currently taking place with NHSR to determine the most appropriate way of utilising this funding in 2011-12 and beyond.

Waste PFI Capitalisation: - There is scope to capitalise costs in by £260k in excess of the budgeted level of capitalisation (£220k). This relates in the main to legal costs in respect of slippage to contract implementation. This additional capitalisation assists in mitigating the revenue pressures.

Riverside House: - Budget slippage due to a delay in taking over the lease – September rather than August, reduced running costs due to the phased decant of staff into Riverside and reduced capital financing costs.

Contingency: - In setting the 2011/12 budget Members set aside a £600k contingency to help mitigate any in-year pressures.

Use of Reserves: - Members will recall that the Directors 'Balancing the Budget Work Programme' commenced in November and one of the workstreams within that

Programme was a review of Reserves. This work is complete and has identified £1.1m of reserves which could be released to mitigate in-year pressures. Risks associated with reducing these reserves have been considered and all proposed use represents prudent financial management. It is recommended that Members approve use, and where applicable, closure of the reserves as set out in Appendix 2 to this report.

7.4 Housing Revenue Account (HRA) (£122k forecast underspend)

At this stage of the financial year the Housing Revenue Account is forecasting a £122k underspend. Any underspend at the end of the year will transfer to HRA reserves (ringfenced funding).

8. Finance

The financial issues are discussed in section 7 above.

9 Risks and Uncertainties

Management actions have been put in place to address some of the issues identified to date and work is being undertaken to identify further actions. As these take effect they will be monitored to enable the impact of the actions to be assessed. Careful scrutiny of expenditure and income across all services and close budget monitoring therefore remain essential.

10. Policy and Performance Agenda Implications

The delivery of the Council's Revenue Budget within the parameters agreed at the start of the current financial year is essential if the objectives of the Council's Policy agenda are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.

11. Background Papers and Consultation

- Revenue Budget Monitoring Report – Cabinet 21st December 2011
- Revenue Budget and Council Tax for 2011/12 Report to Council 2nd March 2011.
- Strategic Directors and Service Directors of the Council

Contact Name: Andrew Bedford, Strategic Director of Finance, ext. 22004
Andrew.Bedford@rotherham.gov.uk

Key reasons for forecast over / underspends**Children & Young People's Services (£5.482m forecast overspend)**

The key factors contributing to the forecast overspend are:

Children Looked After – Forecast overspend of £1.973m net of Invest to Save funding. The forecast overspend on Residential out of authority placements is £370k. The number of children in residential out of authority placements as at 31st December is 15.

The forecast overspend on Independent Fostering placements is £2.722m. The number of children in Independent foster care as at 31st December is 130 (an increase of 23 since the end of March 2011).

The number of looked after children requiring placements increased from 345 at the end of March 2008 to 391 at the end of March 2011. As at the end of December this number is 390, a reduction of 1 since the end of March 2011. The commissioning work to negotiate reductions in placement costs has already achieved a reduction in costs of £632K and an additional projected saving of £68K is included in the figures above.

Commissioning and Social Work – Forecast overspend of £2.116m due to staffing costs (£1.761m), interpretation costs (£30k), Section 17 payments (£34k), Section 23 payments (£4k), premises costs (£126k), Transport (£59k), supplies & services (£102k)

Other Children & Families Services – Forecast overspend £338k as a result of non-achievement of vacancy factor target (£95k), Special Guardianship allowances (£115k), Action For Children contract due to there being 27 care leavers to support & the budget was for only 15 (£350k) and offset by projected under spends on Adoption Allowances (-£172k), Inter Agency Adoption Fees (-£21k), Adaptations (-£29k).

Support Services & Management Costs – Forecast Overspend of £692k is mainly due to Legal costs relating to Looked After Children.

Strategic Management – Forecast overspend of £371k mainly due to £223k costs on central supplies & services, £124k on RBT Charges & £24k for non-achievement of vacancy factor.

School Effectiveness Service – Forecast over spend of £10k mainly due to staff savings not fully realised in year.

Special Education Provision – Forecast overspend of £19k mainly due to under recovery of income in the Education Psychology Service.

Youth & Community – Forecast Overspend of £125k due to a projected under recovery of income with the outdoor education service (£44k), an overspend on the Youth Service (£90k) due to higher than anticipated top-slicing and premises costs. This is offset by staffing slippage within Adult Community Learning (-£9k).

Pension/Miscellaneous – Forecast Overspend of £25k due to additional pensions costs.

Delegated Services – Forecast Overspend of £79k. (£69k) is due to the Schools Music Service not achieving full year savings as the new structure has only been implemented in September. £10k is due to an under recovery of income on the RBT Schools HR SLA.

Other Children Looked After Services - £141k forecast over spend which includes forecast overspends on Residence Orders (£133k), additional boarding out (£22k) & staffing costs on Residential Homes (£208k). This is offset by forecast under spends on the Fostering Team due to staff slippage (-£26k), fostering allowances (-£178k), Families Together packages (-£18k)

The above over spends are being offset by under spends of £407k from redistribution of grant (-£246k), staff slippage on Access to Education (-£19k) & slippage on Invest to save implementation (-£142k).

Environment & Development Services (£522k forecast underspend)

Streetpride – The service is forecasting an underspend of £215k which is due to some one off savings in Waste due to deferred implementation of waste contracts.

Regeneration and Planning – The service is forecasting an underspend of £247k, this is largely due to pay related savings due to restructures in the Cultural Services Service, and the Transportation service is reporting an improved (non-recurrent) position on income recovery. Markets and Transportation are also forecasting a saving as a result of the moratorium on non-essential spend.

Business Unit – Forecast saving of £60k as a result of the moratorium on non-essential spend.

Neighbourhoods & Adult Services (£1.042m forecast underspend)

Adult Services are forecasting an underspend of £748k, a number of pressures are being offset by a number of areas of forecast underspend. The key underlying budget pressures include:

Older Peoples' Home Care Service – forecast overspend of (+£437k) mainly due to increased demand for maintenance care within independent sector.

Physical and Sensory Disability Services – independent home care services forecast overspend (+£270k) due to a continued increase in demand. An additional increase of 97 new clients (+1277 hours) on service since April.

In House Residential Care - income shortfall in respect of client charges (+£235k).

Older People in-house residential care - additional costs to cover vacancies and long term sickness (+£163k).

Direct Payments – forecast overspend of (+£307k) across all client groups due to increase in demand, a net increase of 26 clients since April.

Transport - recurrent budget pressure on transport (+£283k) including income from charges.

These pressures are being offset by the following forecast underspends:-

Older People's service – forecasting a net underspend on independent sector residential and nursing care due to an increase in the average client contribution and income from property charges (-£388k).

Learning Disabilities – forecasting an underspend within supported living due to efficiency savings achieved on contracts with providers, slippage on developing a new scheme plus additional income from health (-£379k).

Physical and Sensory Disabilities - In year slippage on developing Supported Living Schemes (-£140k) plus slippage on developing specialist residential care placements (-£250k). These schemes will however be fully operational in 2012/13.

Rothercare Direct – forecasting an underspend (-£43k) due to slippage on vacant posts and a reduction in expenditure on equipment including leasing costs.

Supporting People – further efficiency savings on contracts (-£93k).

General Adult Services – forecasting an underspend on developing support to Carers (-£183k) plus impact of additional funding from Health for Carers Strategy (-£500k). One-off slippage on vacant posts across the Directorate as part of the restructure and corporate reviews (-£433k) plus additional savings on non pay as a result of council wide moratorium on non essential spend (-£34k).

Neighbourhood Services - £294k forecast underspend comprises:

Housing Access - There are small projected surplus balances within Adaptations Service (-£5k) and Housing Management & Admin (-£10k) as a result of vacant posts plus £2k savings on other Housing Access services. These are partially reduced by a small forecast shortfall of £4k on the Medical Mobility and Community Care budget due to the unmet vacancy factor on this small budget area and a small projected income shortfall of £2k on the Housing Mortgage cost centre due to reducing income from Mortgage Interest.

Housing Choices - projecting a surplus within the Homelessness budget (-£25k) as a result of a post being held vacant since the post holder's secondment to another service area within Housing Choices and savings achieved within supplies and services. Projected surplus on the Lighting of Staircases budget as a result of some refunds relating to previous year's payments (-£63k).

Safer Neighbourhoods - forecast underspend within Community Protection (-£139k) mainly due to vacant posts, slightly offset by pressures on ICT support costs. Additional underspends are projected within Community Safety (-£11k), Domestic Violence (-£6k) and Anti-Social Behaviour (-£18k) mainly due to vacant posts being held. These are slightly offset by a net pressure on Pest Control of (+£5k) leaving an overall projected surplus of (-£169k).

Business Regulation - forecast underspends in Health & Safety, Food & Drugs and Bereavement Services totalling (-£113k) as a result of vacant posts, tight controls on supplies and services expenditure due to council wide moratorium and increased fee income. These are reduced by projected overspends on Animal Health and Trading Standards (+£52k) mainly due to the services being unable to meet its vacancy management target and Licensing which is currently showing a projected pressure on income budgets (+£36k). The overall projected surplus for Business Regulation is (-£25k).

Neighbourhood Partnerships - forecasting a slight underspend of £1k despite a small

pressure due to external audit costs on the Local Ambition programme.

Neighbourhoods Investment – forecasting a balanced budget. The review of external funding is now complete. The costs incurred are to be met by Growth/Housing Market Renewal Revenue Programme, New Build Council Housing and Homelessness funding as a result of work undertaken by this team that links to the Homelessness service.

Resources Directorate (£506k forecast overspend)

Asset Management – Overall forecast is a £73k underspend due to staff and ICT savings within Facilities Management.

Legal Services – Forecast is a £200k overspend due to non-achievement of vacancy factor and only part year delivery of some budgeted staff savings. (Non-recurrent)

Human Resources - Forecast is a £23k overspend due to shortfall on recruitment advertising income.

Commissioning, Policy and Performance services – £17k forecast underspend due to staff slippage.

Finance – The forecast overspend of £373k includes in-year slippage against delivery of the £1.141m RBT contract savings by £575k, partially offset by savings in Finance of £202k from staff slippage, additional income and the moratorium on non-essential spend.

Proposed use of Reserves to mitigate 2011/12 forecast overspend

	Cost Centre & Description	Balance at 31 March 2011	Recommended Transfer to General Fund to support Revenue	Notes / Comments
1	TH3048 Invest to save	£149,779	£149,779	Use and close the reserve
2	TH3044 Statutory costs	£117,000	£68,500	Pressure of circa £50k pa to be picked up from revenue account
3	LH4453 C&L Insurance Reserves	£439,000	£72,500	Issue of Accreditation, look to use this fund instead of Capital for moves to Bailey & Riverside.
4	TH3029 Energy Conservation	£13,260	£13,260	Use and close the reserve
5	LH4441 Museum Acquisitions	£20,535	£20,535	Future use via General Fund. Risk of losing museum accreditation. Close the reserve.
6	SH3043 Maintenance of Buildings	£384,036	£350,000	Future Use via General Reserve
7	SH3042 Winter Maintenance	£250,000	£250,000	Severe winters would need to use general reserve. Close the reserve.
8	SH3057 Schools Maintenance Programme	£73,261	£73, 261	Close the reserve
9	SH4429 Managed Workspace R&R Fund	£144,000	£69,000	Revert to traded account
10	NH3052 Housing improvement Programme	£30,000	£11,446	Would need to use general reserve
11	PH3059 Equity Loan Scheme Reserve	£21,456	£21,456	Would need to use general reserve. Close the reserve.
	Total		£1,099,737	

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	8th February, 2012
3.	Title:	Localism Act 2011
4.	Directorate:	Resources

5. Summary

The Localism Act 2011 (c. 20) received Royal Assent on 15th November 2011. This report gives an overview of the final provisions of the Act together with an initial assessment of issues for consideration by the Council, and policy areas that the Council will either need to, or may wish to review as a result.

The report also sets out the proposed courses of action for the Council in moving forward towards commencement of the provisions of the Act and implementation in Rotherham. Detailed reports for Cabinet Members will be prepared in the relevant Directorates to take forward implementation of the Act.

The Overview & Scrutiny Management Board received the report at its meeting on 16th December and resolved that in addition to reports to Cabinet Members, that this report should be presented to Cabinet at the next available meeting.

6. Recommendations

That Cabinet:-

- a) Receives the overview of the Act and gives consideration to the issues identified; and welcomes the ongoing work of the Overview & Scrutiny Management Board in assessing and making recommendations on this legislation;**
- b) Encourages members to participate in the seminars detailed in the “addressing the Act in Rotherham” section of the report, recognising the important role of members as leaders in the community, taking forward a proactive drive to the change agenda for the benefit of Rotherham;**
- c) Note the proposed course of action towards implementation including specific detailed reports to Cabinet Members together with work with parish councils and the voluntary & community sector.**

7. Proposals and Details

The Localism Act 2011 (c. 20) received Royal Assent on 15th November, the Bill having started in the Commons on 13th December 2010. Details of the original Bill proposals have been set out in previous reports and briefings, however, a number have amendments have been made during the passage through Parliament. The main amendments include the following:-

- Extension of the general power of competence to Integrated Transport Authorities; Passenger Transport Executives; Economic Prosperity Boards; and Combined Authorities;
- Inclusion of provisions for the transfer of functions from other public bodies to local authorities. This follows the Government statements about transferring functions to elected mayors, but as drafted would include all local authorities;
- Changes to existing provisions for changing local authority election arrangements;
- Changes to the Bill's original proposals to now require every local authority, including parish councils to adopt a code of conduct, and to have arrangements for enforcing the code. There are also enhanced provisions for declaring interests;
- Changes to provisions for pay policy statements including the lowest paid employees;
- Expansion of the provisions relating to imposing EU sanctions. These amendments put on the face of the Act many provisions that the Government had intended to set out in Regulations;
- The provisions for petitions for the calling of local referendums have been withdrawn;
- More details included on processes for the Community Right to Challenge and Assets of Community Value;
- Further details on arrangements for and use of Community Infrastructure Levy;
- Various amendments to development control provisions including devolved decisions and enforcement;
- Several technical amendments relating to housing tenancies including amendments to other Acts of Parliament.

Localism Act 2011 Overview

The Localism Act is an extensive Act running to 483 pages of 241 Sections in 10 Parts and 25 Schedules. There are provisions that apply to London and Wales only that are not covered in this report. The overview focuses only on the provisions of the Act that are relevant to Rotherham.

Most provisions of the Act will come into force on a date to be decided by the Secretary of State. It is expected that most provisions of the Act will be in force by June 2012.

Many detailed provisions will be set out in Orders and Regulations that have not yet been published; however, these will be within the powers provided by the Act. The overview covers where detail will be set out in this way.

Part 1: Local Government

The power of well-being is replaced by a “general power of competence”, described as being able to do anything that an individual can do. The requirements of use of the power of well-being in relation to the Community Strategy are removed as is the requirement to adopt a Community Strategy.

There are however, limits to the use of the power arising from other legislation, and the Government can also prescribe other limits. Any use of the power for commercial trading will have to be undertaken through a company. The Government will be able to set out limits by Order.

The power also applies to “eligible” Parish councils. The Government will determine what qualifies as “eligible” in an Order. There are similar powers for Fire and Rescue Authorities; Integrated Transport Authorities; Passenger Transport Executives; Combines Authorities; and Economic Prosperity Boards.

In practice there is probably little impact for Rotherham imposed by the changes, however, the Council may wish to explore any new opportunities arising. It may be that Fire & Rescue and Integrated Transport Authorities will wish to explore the new powers provided to them.

There is provision for the transfer of public functions of other public bodies to local authorities. There will be a process for local authorities to propose transfers and for the Government to delegate functions with conditions. There is a condition that the transfer of any function is likely to promote economic development or wealth creation or increase local accountability. Any transfers and conditions would be set out in an Order and would not include any power to make Regulations.

This provision follows Government statements about providing additional powers and functions to elected mayors. Whilst the Act provides that any Council can propose transfers, the Government will set out detail in Regulations what will be considered in any proposal. It may be that the Regulations will provide that transfers would be to councils with elected mayors. The provision to make Orders came into effect on 3rd December.

The Act repeals the current arrangements for governance of local authorities as set out in the Local Government Act 2000, and inserts a new Part into that Act. Most of the provisions in the new Part are similar to the current arrangements. The main changes are:-

- Councils will be able to return to the committee system. Under these arrangements, the Government will be able to set limits on what can be delegated to committees. Councils that return to the committee system will have to establish an Overview & Scrutiny Committee to deal with those as issues that are prescribed as scrutiny functions;

- Scrutiny provisions remain largely the same with extended provision in relation to flood risk management;
- In the Leader & Cabinet model, the prescription of the Leader's term of office is removed, but the Government can prescribe this in Regulations;
- The Government will be able to prescribe a governance model different to the Mayor & Cabinet; Leader and Cabinet; or committee system set out in the Act. Local authorities will be able to propose alternative forms of governance for consideration by the Government;
- Whilst local authorities will be able to implement changes in their form of governance, the Government will have the power to order the holding of a referendum in areas of all councils; certain classes of council; or a particular council on a change in their governance arrangements, including the type of governance arrangement to be the subject of the referendum. There is specific provision for the holding of a referendum for an Elected Mayor. Regulations will make provisions about the holding of referendums; and
- The governance arrangements will be required to be set out in a constitution that includes the authorities' standing orders; code of conduct; and anything else that the Government may prescribe.

There is no requirement for the Council to review its current governance arrangements; however, Regulations may result in some minor changes. Whilst the Government have already announced that they will require the holding of referendums for elected mayors in some areas, it is not known to what extent they will use the broader powers to provide for referendums contained in the Act. The new provisions inserted into the Local Government Act 2000 came into effect on 3rd December.

Restrictions on timetables for moving to whole council elections are removed. The only restriction remaining is that in two-tier areas, a district election cannot be held at the same time as the county election.

Unless the Council wished to move to whole Council elections, these provisions of the Act will have no effect in Rotherham.

The issue of "predetermination" is addressed to provide that because a member has spoken about or campaigned on an issues before being involved in a decision on that issue, that that member is not considered to have had a "closed mind" when being involved in taking the decision.

Whilst this change in legislation is supposed to free up members to be able to campaign on issues and represent their constituents on issues affecting there area, it still requires that the member has a "open mind" at the decision making meeting. How this works in practice remains to be seen.

The Standards Board for England is abolished along with the model code of conduct and requirements for Standards Committees. Every authority will be under a duty to promote and maintain high standards of conduct. There will be a requirement for each authority to adopt a code of conduct and for arrangements to be in place to consider complaints and recommend actions. The arrangements will have to include the views of an independent person. Parish councils will be able to adopt the code of

the district council. Every Monitoring Officer will be required to maintain a register of interests. In district councils, this will include registers for parish councils. There are various provisions for declaration including on taking up office and in relation to specific decisions. Breaches will be able to lead to criminal conviction and disqualification.

The provisions to abolish the Standards Board for England and related actions came into force on the day of the Act. Any outstanding investigations will be returned to be dealt with locally. Discussions are already underway with parish councils on how the new standards requirement may work locally. The Council will need to decide its code of conduct and standards arrangements.

Every authority will be required to adopt a Pay Policy Statement. This will be required to set out the authority's policies on the remuneration of its chief officers, the remuneration of its lowest paid employees and the relationship between the remuneration of its chief officers and the remuneration of its employees who are not chief officers.

This provision in the Act follows Government statements about what have been described as excessive pay for local government officers. The requirement is that the first statement is approved by the full Council before the 31st March 2012, and then annually before the 31st March. In preparing the statement, the Council will be required to have regard to Government Guidance. This provision in the Act is likely to attract criticism of pay levels, which the Council will need to be prepared for.

Some provisions of previous legislation are repealed. These are the duty to promote democracy (never brought into force); requirements for handling petitions; and charge-and-reward waste reduction schemes.

The Council adopted and implemented a petitions scheme in accordance with legislative requirement. The Council could continue with, amend, or withdraw the current arrangements.

Part 2: EU Financial Sanctions

The Act gives discretionary power to the Government to require a public authority to pay all, or part, of a financial sanction imposed on the UK by the Court of Justice of the European Union. The Act sets out the requirement for the Government to issue a policy statement covering the operation of this Part of the Act and sets out processes and procedures. Part 3 of the Act covers EU Sanctions in relation to Wales.

The U.K. is at risk of E.U. sanctions for failing to achieve targets set out in Directives. Some of the targets have to be met by actions through local government. Currently, the Government have no means of passing on sanctions. Clearly, this provision is about securing payment from local authorities, however, it is not known what level of risk this poses to the Council.

Part 4: Non- Domestic Rates

This Part covers ballots for imposition and certain variations of a business rate supplements; discretionary relief; small business relief; and cancelling of liability to backdated non-domestic rates.

The provisions in relation to business rates implement some Government commitments that are not identified in the current circumstances to have implications for the Council's priorities. Provisions for discretionary relief came into force on 3rd December.

Part 5: Community Empowerment

The Act provides that each year, as part of announcing the local government provisional finance settlement the Government will set out principles and calculations that will determine an amount of Council Tax to be raised by each authority, above which the increase will be regarded to be "excessive". The Government will be able to apply different principles to different classes of authority. Where an authority proposes to adopt a budget that would require an "excessive" increase in Council Tax, that increase would require approval in a referendum. Where an "excessive" increase is proposed by a "major precepting authority (County; Fire; Police etc); or a local precepting authority (parish council) it would be for the Council as the billing authority to make arrangements for the referendum. In all cases, a reserve budget meeting the Government's principles and calculations would need to be in place to be implemented should a referendum reject an "excessive" increase in Council Tax. Regulations will make provisions about the holding of referendums.

The provisions for Council Tax are clearly designed to enable the Government to limit authorities' ability to raise revenue. The provisions on the face of the Act are supplemented by several provisions for Orders, Regulations and Directions. These provisions came into force on 3rd December

It is not yet known what the Government will see as an acceptable Council Tax increase in each year, but the issue for all local authorities will be to consider if the public would be likely to vote for what will be legally described as an "excessive" increase in a referendum, should the Government's effective "cap" be insufficient. The further prospect for the Council would be arranging referendums for major or local precepting authorities. In theory, there could need to be four referendums on the same day in parts of Rotherham if there were "excessive" increases proposed by:-

- ***The Borough Council;***
- ***Fire and Rescue;***
- ***Police; and***
- ***Parish.***

It is likely that local authorities will avoid referendums, meaning that the Government will effectively set a "cap" but will be able to say that the decision was local. There will be a need to view the provisions for Council Tax

alongside other proposed changes to local government finance. These are expected to be set out in a Local Government Finance Bill in the near future.

The Act provides that the Council will have to consider challenges from charities; community and voluntary organisations; any two members of staff; parish councils; and anyone else permitted through Regulations by the Government, to take over the delivery of services provided by the council. Challenges will be permissible at any time unless that council has set out a timetable for commissioning of the service subject to challenge. In each case, the council will have to consider the challenge and either accept or reject the challenge. Regulations will set out grounds for consideration. Should the challenge be accepted, a procurement process will have to be undertaken in accordance with procurement rules. The Act sets out maximum times for consideration of challenges and undertaking procurement.

The Council will need to consider the implications arising from these provisions as part of the strategic approach to commissioning.

It is not known what level of interest will be generated by these new provisions, however, there have been some national charities that have welcomed the changes and would appear to be ready to bid. The provisions clearly link to the Government's aspirations set out in the Open Public Services White Paper, published in the summer, which would divest the public sector of virtually all direct service provision.

There could be a detrimental impact for local voluntary organisations with a risk of them being squeezed out in the required procurement processes. There is also a risk of "stalking horses" being used to meet the criteria for challenge to get the procurement process started, only to be followed through by a national body or private company. Some detail in relation to these provisions will be set out in Regulations. These will include criteria that the Council will have to use in considering a challenge; and that the Government will be able extend the categories of organisations that can put in a challenge.

There will be a requirement for the Council to maintain and publish a list of "assets of community value". Regulations will set out what qualifies or otherwise for inclusion in the list. Parish councils and community and voluntary organisations with a local connection will be able to nominate land and buildings to be included in the list. Regulations will establish the definition of "local connection". Owners will be able to appeal against inclusion in the list. Assets will be included on the list for five years and may be removed after that.

Where land nominated crosses local authority boundaries, there will be a requirement for those authorities to co-operate.

A second list will be required to include land which was nominated, but failed to meet the criteria to be included on the list of "assets of community value".

Where an owner of an asset included on the list intends to dispose of the asset, they will be required to notify the authority. Whilst there are exceptions, a six week moratorium will apply to most proposed disposals pending a proposal to purchase by

a “community interest group”. The moratorium may be extended to six months at the request of the “community interest group”. What constitutes a “community interest group” is to be set out in Regulations. Regulations will also make provision for the payment of compensation under the Act including calculating how much and who will be required to pay.

To what extent this enables community organisations to protect community facilities; pubs and post offices remains to be seen, however, it could prove to be a bureaucratic burden for the Council. The issue of paying compensation could prove to be a risk if the Regulations provide that it is the local authority that pays.

The Government has taken powers in the Act to provide advice and assistance, including financial, to organisations taking forward the right to challenge and taking over assets.

Part 6: Planning

Regional Strategies are abolished with immediate effect. Local authorities with responsibility to adopt development plans will be under a duty to co-operate in developing their respective plans, which are to deliver “sustainable development”. There are also changes to the inspection process as part of adopting development plans. There will also be a duty to publish implementation of local development schemes and local development policies.

These changes enhance the importance of the Council's Local Development Framework, which is expected to be adopted in the near future. The LDF will provide the local policy framework within which other key planning changes will have to relate to.

The Act amends current provision for “Community Infrastructure Levy”. It provides for changes in the use of evidence in compiling the charging schedule and extends the permitted uses of levy receipts. Regulations will aim to ensure that the imposition of a levy charge in an area will not make the development of the area economically unviable.

Community Infrastructure Levy will be heavily prescribed by Regulations. Details of the Regulations will be needed to assess the implications.

A key component of the Planning changes in the Act relate to neighbourhood planning including “Neighbourhood Development Orders”. These will provide that such Orders may be developed by parish councils, or where there is no parish council, a “Neighbourhood Forum”. A “Neighbourhood Forum will need to open for membership to residents, business owners and elected members for that neighbourhood and will need a minimum of 21 members.

“Neighbourhood Development Orders” will be able to provide certain types of planning consent. Additionally, “Neighbourhood Development Orders” qualify as “Community Right to Build Orders” where they are proposed by a community organisation that is incorporated for the purpose and where at least half of its

members live in the neighbourhood. The provisions for “Community Right to Build Orders” apply the same to parished and non-parished areas.

“Neighbourhood Development Orders” will have to go through the process of inspection and adoption including approval by referendum. The local Planning Authority will be able to charge the parish council or community forum or organisation for costs. Regulations will make provision for levying charges and the Government will be able to make grants to meet these costs.

Neighbourhood Planning is one of the Government’s key policy objective’s delivered by the Act. It is seen as streamlining planning, replacing targets for housing and alike with locally driven motivation for new house building aligned to the new homes bonus and other developments. However, the Government have already had to respond to allegations that their proposals will bring about development of “green belt” land. In practice, “Neighbourhood Development Orders” that involve controversial plans for new development, including housing, are not likely to be less controversial just because they are promoted by a parish council or community organisation.

It may be that some proposals for neighbourhood planning come forward, however, notwithstanding the localism claim of the provisions of the Act, any parish council or community organisation will have to manage their way through a mass of Government Regulation and bureaucracy to get their “Neighbourhood Development Order” approved. They will also have to meet the costs, and there can be no certainty that any Government grant would meet the full costs.

The Act makes new provision about consultation on proposed developments. In particular prospective developers will be required to undertake public consultation prior to submitting a planning application.

The Act provides new powers in relation to planning enforcement including retrospective applications; unauthorised advertisements & defacement of premises; time limits; and penalties. The Act also provides that when deciding a planning application, “local finance considerations” will be able to be taken account of. It will be for the authority to determine what weight to give to each material consideration.

These should be welcome changes. Some details are still to be set out in Regulations.

The Act abolishes the “Infrastructure Planning Commission” and transfers powers directly to the Secretary of State in relation to national planning policy and nationally significant projects. There will be some implications for consultation with local authorities arising from these changes.

Part 7: Housing

The provisions of this Part of the Act apply to “Housing Authorities”. They will have differing impacts depending on if they are a direct supplier of social housing,

including through arms length management, and operating a Housing Revenue Account, or not.

The Act provides that authorities will be able to discharge their Homelessness Duty by providing accommodation in the private sector with a minimum 12 month tenancy without requiring the applicant's agreement. The Act requires that a "Housing Authority" must adopt a "Tenancy Strategy" setting out the matters to which all registered providers of social housing in the area should have regard in framing their own tenancy policies. It also requires that when formulating its homelessness strategy, it must have regard to its current allocations scheme and "Tenancy Strategy".

The Council will need to make changes to its current policies to provide that persons no longer deemed eligible can no longer be allocated social housing. Additionally, the Council will need to develop and adopt a Tenancy Strategy in accordance with the provisions of the Act. In both cases, Regulations may prescribe certain conditions to be complied.

The Act also provides that "Flexible Tenancies" can be introduced; and for standards facilitating exchange of tenancies to be set out by the Housing Regulator.

The provision for Flexible Tenancies is a power that the Council will need consider implementing. This provision is not compulsory. It will be for the Housing Regulator to set out the arrangements for exchanges, details of which are awaited.

In regulating social housing, the Act abolishes the "Office for Tenants and Social Landlords", transferring functions to the "Homes and Communities Agency". In addition, complaints by local authority tenants will be considered by the "Independent Housing Ombudsman" alongside complaints by tenants of private providers of social housing, instead of the Local Government Ombudsman.

For authorities operating a "Housing Revenue Account", the Act provides that each area will have its own self financed ring fenced account. This will involve transferring housing debt held at a national level to local authorities. A formula will be used to determine the allocation of the debt, which will take account of the ability of the local rent income to service debt. Local authorities will finance future capital investment through receipts and borrowing, however, the Government will place a cap on the amount of debt permissible in each "Housing Revenue Account". A portion of receipts, currently 75%, from "Right to Buy" sales will still have to be paid to the Government.

The Government is currently consulting on the final settlement figures for Housing Revenue Accounts.

Part 8: London

Not included in this overview.

Part 9: Compensation for Compulsory Acquisition

This Part makes amendment to legislation in relation to the status of planning permission when making Compulsory Purchase Orders.

Part 10: General

This part makes provisions in relation to tax and the coming into force of provisions of the Act.

Addressing the Act in Rotherham

Given the cross-cutting nature of this legislation, the Council has taken a co-ordinated approach to assessing the issues arising whilst the Bill was passing through parliament. This has involved a series of reports and members seminars to highlight the provisions and enable early discussions, including with parish councils and the voluntary & community sector.

There will continue to be a whole Council approach now that the Act has been passed, facilitating detailed reports and briefings to be made in the New Year in a co-ordinated way. Within a timetable of measures these will include:-

- Detailed reports to Cabinet Members on the issues arising within their portfolio;
- Reports to Standards Committee;
- Reports to Cabinet as required;
- Reports to Scrutiny as required;
- Information sessions for managers; and
- A further programme of members' seminars, this time each one focussing on part of the Act.

The programme of members' seminars will be particularly important for members to be able to assess the implications and opportunities presented by the Act and identify options for actions and developments in Rotherham. The first seminars will be held in March covering governance and housing.

The governance seminar will enable members to explore taking forward their community leadership role in light of the direction of the Act, meaning a move to challenge and adversity rather than the partnership approach set in previous Acts. It will also explore how other legislation and the Open Public Services White Paper interact with localism and the issues that these bring. Most critically, the seminar will enable members to address how they can use the provisions of the Act to proactively drive benefits for Rotherham, using their roles as leaders within the community; and what enhancements to the working of local governance will enable them to do this. The outcomes of this seminar will not only lead to further reports to Cabinet and scrutiny, but will set the framework for the remaining seminars covering detailed components of the Act and other new legislation, building on the new general power of competence.

The timing of some reports will be dependant on the publication of further details in Orders; Regulations; and Guidance.

8. Finance

There will be financial implications arising from the proposals in the Act. The most critical is likely to be the arrangements for any increase in Council Tax. The provisions for Council Tax have commenced from 3rd December but it is not yet clear when they will fully take effect. However, transition provisions are being made for the financial year beginning on 1st April 2012.

There could also be considerable costs if the Council were required to undertake several procurement exercises in accordance with the provisions under “Community right to challenge”. There will also be costs associated with maintaining of a list of “assets of community value” and associated functions. The Government has given a commitment to comply with the “new burdens principle” whereby they will fund additional costs arising from any new requirements placed on local authorities. There has not yet been any indication that additional money is likely to be received by the Council to fund additional costs arising from the Act.

9. Risks and Uncertainties

Whilst the Act sets out detail in respect of many of the provisions, and there is certainly far more detail than was set out in the original Bill, there are still a significant number provisions for the Secretary of State to determine the detail, and to make changes to the detail, by Orders and Regulations. This provides a degree of uncertainty until such Orders and Regulations are published.

The programme of reporting will mitigate any risks arising from the uncertainties by ensuring that fully detailed reports are made in a timely manner, providing for informed decisions in good time.

10. Policy and Performance Agenda Implications

The Act should not be seen in policy isolation from other government legislation that impact on the Council. These include:-

- Health & Social Care Bill;
- Protection of Freedoms Bill;
- Public Bodies Bill; and
- Welfare Reform Bill.

The Education Act 2011 (c. 21), which received Royal Assent on the same day as Localism, will also have an inter-related impact, as will governance arrangements arising from the Police Reform & Social Responsibility Act 2011 (c. 13). A Local Government Finance Bill is also expected in the near future following government consultations of localising Support for Council Tax; and in relation to future arrangements for Business rates.

The Government’s policy direction is driven by its statements about the “Big Society”, pushing powers to communities and doing away with big government. This is reinforced by the Government’s policies on public service reform, The Open Public

Services White Paper, setting out the objective for non-public providers to run schools, hospitals and council services such as maintaining parks, adult care, special schools and roads maintenance. The Government also clearly believes that local communities will drive the planning process, bringing forward proposals to shape their neighbourhoods; including the building of new houses, tempted by the receipt of “New Homes Bonus”.

The provisions of the Act do not directly impact on the objectives of the Council’s Corporate Plan. There are some policy and strategy requirements, especially in relation to Planning and Housing. The Council may also wish to review policies around community engagement; partnership working; and commissioning in light of the provisions of the Act. There will also need to be amendments to the Council’s constitution.

11. Background Papers and Consultation

Localism Act 2011 (c. 20)

The Localism Act 2011 (Commencement No. 1 and Transitional Provisions) Order 2011 (S.I. 2011 2896 (C. 103))

The Localism Act 2011 (Commencement No. 2 and Transitional and Saving Provision) Order 2012 (S.I. 2012 0057 (C. 2))

Contact Name:

Steve Eling, Policy Officer, Resources Directorate, ext 54419,
steve.eling@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet meeting
2.	Date:	8 th February 2012
3.	Title:	Discretionary Home to School Transport Provision Wards – All Wards
4.	Directorate:	Environment and Development Services

5. Summary

Following the Cabinet Report of 21st September 2011, Cabinet approved entering a period of consultation regarding various proposals to discontinue elements of discretionary transport provision in order to achieve budgetary savings. This report details the result of the consultation and makes recommendations on the actions necessary to achieve financial savings.

5. Recommendations

- a) That current provision of discretionary free transport for under fives and Post 16 learners is discontinued by the end of July 2012.
- b) That current provision of discretionary free transport for primary and secondary learners attending denominational schools is discontinued on a phased basis commencing September 2013.
- c) That under fives and Post 16 learners are assessed and reviewed for eligibility to transport assistance based upon mobility and medical needs, and that charges are introduced by September 2012 for those who qualify, with due regard to the Equality Act 2010. (See Para 7b of report).
- d) That Cabinet approve and adopt the Draft Home to School Transport Policy - April 2012 for publication in April 2012.
- e) That a new Post 16 Education Transport Policy is submitted to Cabinet at a later date for approval and adoption prior to publication in April 2012.
- f) That remaining statutory obligations are met.

7. Proposals and Details

a) Overall Policy

Following identification of three areas of Home to School transport assistance which are currently provided on a discretionary basis, Council agreed that consultation should be undertaken in regard to these being discontinued and financial savings realised.

These areas are:-

Discretionary transport for under fives.
Discretionary denominational transport.
Post 16 transport.

Consultation on all three areas commenced on 19th November 2011 and ended on 20th January 2012.

Details of the individual consultation exercises can be found at Section 11.

b) Client Groups Affected

As a result of the consultation exercise the proposed revisions to under fives transport provision has been amended to include charging.

None of the other responses have caused us to amend the recommendations within this report.

- *Children under five.*

It is proposed that only children under five who have physical and medical difficulties which prevent them accessing public transport will continue to be assessed for eligibility for transport provision (with due regard to the Equality Act 2010). Where transport is provided a charge will be introduced.

It is proposed that charges be introduced by September 2012 because they are attending non statutory education (i.e. not 5-16 years olds) or early years provision. Charges would be calculated according to existing means tested benefit entitlement.

- *Children attending Faith Schools.*

Pupils attending denominational schools on the basis of their religion or belief which is not their nearest appropriate school and who are not from "low income" families.

- *Post 16 Learners*

Post 16 learners in receipt of free transport assistance funded by RMBC.

It is proposed that only Post 16 who have physical and medical difficulties which prevent them accessing public transport will continue to be assessed for eligibility for transport provision (with due regard to the Equality Act 2010). Where transport is provided a charge will be introduced.

It is proposed that charges be introduced by September 2012 because they are attending non statutory education (i.e. not 5-16 years olds). Calculation of charges remains to be finalised but details will be included in the Post 16 Education Transport

Policy to be submitted to Cabinet for approval and adoption at a later date (See Recommendation e)).

c) Statutory Obligations

- *Children under five*

For such children there is no statutory entitlement to free Home to School transport except that if the LA names a school in the child's statement of SEN then under Section 509 (of the Education Act 1996) it is required to consider whether the provision of transport is necessary, if so it has to be provided "free".

- *Children attending Faith Schools*

There is a statutory duty under Section 509AD of the Education and Inspections Act 2006 to provide free transport "for secondary aged children from "low income" * families to attend their nearest school preferred on grounds of religion or belief where that school is between 2 and 15 miles from their home".

Provision of free transport for other pupils attending denominational schools is discretionary.

- "Low income" is identified as either pupils in receipt of free school meals or pupils from families in receipt of maximum working tax credit.

- *Post 16 Learners*

In the case of Post 16 transport, the only statutory duty is that the LA must publish annually, by 31st May, a Post 16 Education Transport Policy outlining what transport support is available in their area. The LA has been the lead member of the Rotherham Post 16 Education Transport Partnership along with other external stakeholders from the Rotherham Area.

The Post 16 Transport Policy would be subject to consultation with other stakeholders; however the duty remains with the LA to publish the policy and fund any transport support it feels is necessary irrespective of whether this is to a local or more distant provision.

d) Discretionary services proposed to be discontinued/amended

- **"It is proposed to discontinue discretionary free transport assistance for children under five by the end of July 2012.**

Transport has previously been provided for children in these categories where attendance was at an educational establishment some distance from the home address. For those reviewed as no longer eligible to free transport assistance, this will be discontinued by the end of July 2012.

- **"It is proposed to discontinue the discretionary element of denominational transport commencing September 2013".**

It is important that transport provision remains equitable to that of mainstream schools and so free transport to primary aged children should only be provided where they are attending their nearest school irrespective of whether this is denominational.

It is proposed that the discontinuation of the discretionary element of denominational transport for both primary and secondary aged pupils should be performed by a phased process. For example, pupils already in receipt of zero fare passes should continue to receive these. No new zero fare passes should be issued except for

those pupils from “low income” backgrounds attending secondary denominational schools, under which there is a statutory duty to provide it.

- **“It is proposed to discontinue the current provision of discretionary free transport for Post 16 learners by September 2012”.**

Free transport assistance is currently provided for Post 16 learners attending Rotherham Special Schools with Post 16 provision. It must also be provided for those Post 16 learners with special needs attending other educational provisions both within and outside Rotherham assessed as entitled. Whilst there is a duty to provide transport assistance to those who qualify, there is no requirement to provide this free and so it is intended to introduce charges for this provision.

We know that some students have physical and medical difficulties which prevent them accessing public transport. We are therefore proposing to continue to provide transport for these students (with due regard to the Equality Act 2010), following an assessment and relevant medical evidence but introduce a charge for this service to cover some of the costs. It is anticipated that the charge would be based on the concessionary rate and distance criteria. Existing means testing benefits will be used to calculate contributions to ensure a fair and equitable charge.

A new Post 16 Education Transport Policy will be prepared and submitted to cabinet for approval prior to being published in April 2012. All new and existing requests for transport assistance will be assessed individually, under this new policy, so that learners are able to make an informed choice of their Post 16 provider.

8. Finance

a) Transport for children under five.

It was originally identified in the September 2011 Cabinet Report that there was a potential saving of approx £40,000. However, much of this saving has already been achieved during the 2011/12 financial year due to the change in educational provision by the Early Years Team. It may be possible to achieve further savings of approx £7,000 during 2012/13.

b) Discretionary Denominational Transport

The initial savings would commence 2013/14 academic year anticipated to be £20,100 increasing annually thereafter, at a rate governed by the cost of concessionary fares, until 2017. Only 60% of the initial academic years saving could be realised in the 2013/14 financial year. At current concessionary fares rate this equates to a total saving of £100,500

c) Transport for Post 16 Learners

It is not possible to calculate potential savings for this group since they are not easily identifiable. There is a current budget of £14,200 for those attending FE Colleges although the projected spend for this in 2011/12 is expected to be £125,000 due to a loss of funding from Central Government. This shortfall is currently covered by savings elsewhere within the overall Home to School Transport Budget. Costs for Post 16 learners attending Special Schools are currently contained within the individual school cost codes.

9. Risks and Uncertainties

a) Transport for children aged under five

Proposed government legislation is due to be implemented in September 2012 which places a duty on local authorities to offer early years provision to children aged two years from impoverished families who meet specific criteria.

b) Discretionary Denominational Transport

There is likely to be some adverse reaction to any removal of denominational transport. This may involve complaints from school or the diocese regarding possible falling numbers of pupils. Both Barnsley and Doncaster Councils are in the process of removing discretionary denominational transport but neither has seen a reduction in the number of school places being applied for.

It should also be recognised that whilst older siblings continue to receive zero fare passes, younger siblings would not. This phased discontinuation is being implemented by other LAs. This is a consequence of achieving the required savings.

The current provision of discretionary denominational transport is only favourable to certain communities and its discontinuation will ensure a more equitable service is implemented for all other pupils.

Relevant extracts from the Transport Policy are published in the Admissions prospectus which is available to parents July 2012 onwards for admission to school in September 2013. If changes in the Transport Policy take place in April 2012 following consultation, financial savings could begin to be made from September 2013 but only 60% of the initial academic years savings could be realised in the 2013/14 financial year.

c) Post 16 Education Transport Policy

Unless a new Post 16 policy is published by the Local Authority by April 2012 changes cannot be implemented in preparation for September 2012 learners.

This Policy cannot state that no transport assistance is available and any support that is provided should be equitable between educational providers.

There have been major changes to the way that Post 16 learners are funded such as the 16-18 Bursary Scheme and increases in Learner Support Fund grants to schools and Colleges.

10. Policy and Performance Agenda Implications

RMBC continue to provide our statutory requirements in line with legal duties and responsibilities.

Adoption of the recommendations and proposals of this report will result in changes to the "Transport Policy for Children and Young People - July 2010" (to be renamed the Home to School Transport Policy – April 2012).

Any performance issues will be addressed by the Council's management framework and reported back to members.

11. Background Papers and Consultation

Three main areas within the Transport Policy for Children and Young People - July 2010 were identified which are provided on a discretionary basis, and which, if discontinued, would lead to a reduction in currently provided transport assistance and consequent budgetary savings.

Following approval by Cabinet to consult on proposals contained within the Cabinet Report dated 21st September 2011, formal consultation commenced on 19th November 2011 and ended on 20th January 2012. This time period exceeds national government guidance of minimum 28 school days.

Consultation was also referred to the Improving Lives Select Commission who met on 25th January 2012 to consider the Discretionary Home to School Transport Provision Cabinet Report dated 21st September 2011. Members had a useful discussion and supported the recommendations being proposed in the report.

Each of these three areas of transport assistance has been consulted upon and details of the method and summary of results are detailed below and in the attached appendices.

Individual consultation responses can be viewed if necessary.

Consultation on proposed revisions to the current Transport Policy for Children and Young People- Under Fives

Formal consultation via written and electronic communication was undertaken within the Rotherham Authority with Heads of 22 Children's Centres, 1 Early Years Centre, approximately 85 Infant and Primary Schools, 55 families with children registered on the disabled children's register, including a range of approx 300 Early Years Providers/Child Care Services.

Consultation has been made with Children & Young People's Services, Early Years Panel and other forums and neighbouring local authorities and no objections have been received and our proposals have been acknowledged. Sheffield, Doncaster and Barnsley all agreed and supported our proposals.

Limited responses have been received and this takes into account that limited numbers are in the affected group of children who will be under five before September 2012.

Comments included:-

That children who are disabled and receive disability allowances should contribute towards transport.

That discretionary transport creates inequalities, jealousies and animosity in the communities.

Bus fares are going up all the time and when on benefits this is hard.

The on line for the consultation on the Council Website attracted 9 respondents and postal respondents were 5. (**see Appendices 1&2**)

Consultation on proposed revisions to the current Transport Policy for Children and Young People – Discretionary Denominational Transport

Consultation was undertaken by letter to parents/carers of all Rotherham pupils attending denominational schools. A total of 4793 letters were issued via the schools. The five neighbouring Local Authority's, Catholic and C of E diocese, Boards of Governors of all Rotherham schools and All Saints School in Sheffield which is attended by some Rotherham pupils, were all sent the consultation letter via attachment to e-mail.

The letters also informed those wishing to respond that a copy of the consultation was available "on-line".

There have been 412 responses to this consultation representing 8.5% of those consulted, 5.8% by post and 2.7% "on-line"

Approximately 37% of responses had additional comments. Where these contained contact names and addresses these comments were responded to.

47% of the responses were from parents /carers of pupils attending St Bernard's Catholic High School. This was to be expected since the discontinuation of discretionary denominational transport would have the greatest effect on pupils attending this school.

Three neighbouring authorities advised that they had no objections to our action and Sheffield LA supported our move towards equality of provision.

Details of individual responses are attached at **Appendices 3 and 4**. Letters from St. Bernard's Catholic High School and the Church of England Diocese are also attached at **Appendices 5A,5B and 6** for consideration by the decision making body.

Consultation on proposed revisions to the current Transport Policy for Children and Young People – Post 16 Learners

Consultation was undertaken by letter to all year 11 students, who will be potential Post 16 learners from September 2012, and current year 12 and 13 students attending Rotherham Special Schools, Mainstream Schools, and Colleges. Also involved were the Post 16 learners who are attending schools outside the Rotherham area and receiving free home to school transport to these schools. A total of 4867 letters were issued via the schools and colleges. The five neighbouring Local Authorities, Boards of Governors and Headteachers of all Rotherham Schools, Colleagues within Connexions Service and Children & Young People's Services were also invited to participate in the Consultation and all received a copy of the letter, via attachment to e-mail.

The letters also informed those wishing to respond, that a copy of the consultation was available "on-line". Return of the majority of consultation letters was through the postal system.

Of the 4867 letters, we received only 255 responses, representing 5.24% of those consulted. Therefore, 4612 did not respond, representing 94.76% of those consulted. Please see **Appendices 7&8** for breakdown of numbers and percentages of responses.

As the majority of people consulted did not send a response, this would indicate that the overall number of stakeholders do not object to our proposals:

The majority of responses were against our proposal to cease free transport for Post 16 Learners from September 2012. However, the responses and comments received indicate that the majority of respondents had believed that we were to discontinue the student 16-18 concessionary fare passes.

We received a number of queries regarding the above, and we confirmed that these student bus passes are approved by the sixth form/further education providers and issued by South Yorkshire Passenger Transport. This is not something that Rotherham Council is responsible for, and stressed that there is no proposal to remove these student passes. We also confirmed this with Headteachers and Chair of Governors via e-mail.

The majority of responses were against introducing charges for Post 16 Learners with physical and medical needs who would still require transport assistance, but who would be charged a contribution towards their transport.

The majority of responses were against using existing means tested benefit entitlement (e.g. Free School Meals) to calculate contributions to travel costs for Post 16 Learners with Special Educational Needs. Entitlement to Free School meals is used to assess eligibility to zero fare bus passes for statutory aged pupils from low income families.

Our five neighbouring Local Authorities were also consulted and we received 3 responses. All were supporting our Proposals. Barnsley and Doncaster said they would not object to our proposals. Sheffield City Council fully support our proposals.

The majority of respondents offered no comments.

Some respondents requested a response to their concerns about the proposals and these were addressed immediately in accordance to the Council Customer Charter. Comments included concerns about discontinuing the student 16-18 concessionary fare passes, and suggestions for how the Council can make savings from other areas. We also received a letter from a college objecting to the proposal 'in the strongest terms (*see appendices 9A, 9B & 9C*).

Background Papers – attached:-

Appendix 1 - Under fives on-line responses

Appendix 2 - Under fives postal responses

Appendix 3 - Denominational on-line responses

Appendix 4 - Denominational postal responses

Appendix 5A&B – St Bernard's Letter

Appendix 6 - C of E Diocese Letter

Appendix 7 - Post 16 on-line responses

Appendix 8 - Post 16 postal responses

Appendix 9A, B&C – Freeman College Letter

Draft "Home to School Transport Policy – April 2012" – available at the meeting.

Other background papers.

- “Home to School Travel and Transport Guidance – 2007”.
(Guidance issued by DfES to accompany the Education and Inspections Act 2006).
- “Transport Policy for Children and Young People – July 2010”.
- Under five, Denominational and Post 16 consultation letters
- Under five, Denominational and Post 16 consultation planning forms (F1)
- Under five , denominational and Post 16 consultation results

- **Contact Name:**

Craig Ruding, Principal Officer – Education Transport
Tel: 01709 822527 Email: craig.ruding@rotherham.gov.uk

Online Responses

Appendix 1

Yes	Yes	Yes	Other (Please indicate)	
Yes	Yes	No	Nursery	
Yes	No	No	Other (Please indicate)	
No	No	Yes	Other (Please indicate)	
No	No	No	Other (Please indicate)	
No	No	Yes	Other (Please indicate)	
No	No	No	Day care	
Yes	Yes	Yes	Day care	children who are disabled are given disability allowances and this should be used for such costs as transport
No	No	No	Nursery	this is a needed service
				This is an essential service for young children with learning difficulties and disabilities. Home to school transport is an area of significant difficulty for some families of children with learning difficulties and disabilities (particularly
No	No	No	Other (Please indicate)	families wit

SOURCE: A-Agency Provider	P-Parent EYP-Early Years O-Other	Discontinuation of all discret. transport for under 5's	Intro. of charges for under 5's with phys/med needs which prevent access to public services	Existing means tested benefit entitlements used to calculate parental contribs to travel costs for under 5's?	Additional Comments (Brief Summary)
A		Yes	Yes	Yes	Discretionary advantages create inequalities & animosity within communities
P		Don't know	No	No	Unable to afford bus fare increases
A					No objections to proposed changes
A					No objections to proposed changes
?		Don't know	No	No	No comments recorded
?		No	No	No	No comments recorded
O		Yes	Yes	Yes	Sheffield City Council's CYP & FTS welcome the decision of Rtoehrham
					to consult on proposed revisions to the current Transport Policy and support the move towards equality in its provision

Q1	Q2	Origin	Comments	Appendix 3
No	No	Aston All Saints - Aston	Aston Comprehensive School 11- 16 and 6th Form.	
No	Yes	Aston All Saints - Aston		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
Introduction of this change will create inequality, since it will mean that only those who can afford the bus fares will be able to secure places for their children in the faith school of their choice (unless they are resident within close proximity of the school).				
No	No	Other	Please do not make it even harder for our young people to get an excellent education by restricting their options. At least a third of the pupils currently attending St Bernard's school will be affected. This is an outstanding school that these pupils would not get the chance to attend if this plan goes ahead.	
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other		
No	No	Other	My daughter does not yet attend school but she would have progressed onto St Bernard's. If this bus pass is withdrawn she will have to go to the local school as I would not be able to afford the bus fares (4 buses in total) to send her to the school of my choice and my religion. St Bernard's school is the only school affected by this change and therefore I would have to say the council is being discriminatory against christians and catholics.	
Yes	No	Other		
I don't have children at school any longer but feel that you are being very unfair to the parents of children of the catholic faith. You are taking away a choice to give their children a faith based education as many of them coming in from the Dinnington, Kimberworth and outlying areas will not be able to afford the bus fares. Some of the children would have to catch 4 buses in a day, currently adding Â£10 per week onto a family budget when finances are stretched already, and that is on the current bus fare rates.				
No	No	Other		
No	Yes	Other		
No	No	Other		
No	Yes	Other		
No	No	Other		
No	No	Other		
No	No	Other		

No	No	Other Our Lady & St. Josephs - Wath, St Bedes - Kimberworth, St. Gerards - Thrybergh, St. Josephs - Dinnington , St Josephs - Rawmarsh , St Marys - Herringthorpe, St Marys - Maltby, All Saints - Sheffield , St. Bernards - Herringthorpe, St Pius - Wath	this is a needed service Withdrawing bus passes will seriously undermine the fundamental nature of Faith schools. It will deprive many Catholic children of an authentic Catholic education to the detriment not only of the children, but ultimately to local communities as well. The financial burden falling on many of the affected families would be grossly unfair and would therefore be unacceptable. stopping free travel for school children will without doubt lead to more traffic around schools, with the possibility for more accidents
No	No	St Bedes - Kimberworth	
No	No	St Bedes - Kimberworth	I feel this is a direct attack on faith based schools and takes little consideration into the impact this will have for families who live in the wider community but wish their child to attend a faith based school. It would be interesting to see how many children this will affect and the financial impact this will have on families when compared to non-faith schools, it would appear that you are intentionally discriminating against those parents whose children attend faith based schools.
No	No	St Bedes - Kimberworth	
No	No	St Bedes - Kimberworth	This proposed change to discontinue free transport assistance will almost exclusively affect children attending St. Bernard's. It is yet again an example of the council attacking the minority and will cause extreme financial difficulty for a huge number of Catholic families who will feel, quite rightly, that they are being discriminated against on the grounds of their religion.
No	No	St Bedes - Kimberworth	
No	No	St Bedes - Kimberworth	I believe this proposal to be discriminatory to Catholics and would not even be considered if it involved an ethnic minority community.
No	Yes	St Bedes - Kimberworth, St. Bernards - Herringthorpe	
No	No	St Bedes - Kimberworth, St. Bernards - Herringthorpe	

As a parent of three daughters I would not qualify for travel passes under your proposed scheme, even though we only had one part time wage coming into the household, when my daughters attended the schools listed (They have since left both St Bedes & St Bernards). As committed Catholics who are actively involved in the life of St Bede's church, this proposed plan is a major blow to family life.

My daughters went onto tertiary education, RCAT, University of York St John & University of Huddersfield thanks to the massive headstart that their education gave them.

While I appreciate we need to consider the current financial climate a compromise solution could be found.

From September 2013 it is vital that all Catholic Children have access to a faith school (St Bernards) and this is not means tested..... You will probably find that if approached many of the 'high income families' will be prepared to pay into a fund voluntarily to 'subsidise the transport costs'... Many parish already have a similar long standing scheme for pilgrims to attend Lourdes and other shrines.

To prevent free travel will mean that families will need to live closer to the school creating a religious ghetto. In turn affecting property prices and diversity in the area. If parents do not decide to move closer then they will have to provide transport for their children increasing congestion around the schools which is already an issue outside most schools. I think this is appalling My Mother went to St. Bernards in 1966, I went to St Bernards, all my family have gone there, I currently have one child in year 10 at St. Bernards, and will have twin boys due to go up to St. Bernards in Sept 2012. If this proposition goes ahead it will cost me Â£30.00 A WEEK!!!! Which there is no way I can afford! Surely cutbacks can be made in other ways why should our children have to suffer in their education it is appalling. The council have just built all new offices on Main Street the lighting is on full at night whenever I go past surely this is a waste of money not to mention global warming!!!!

Regards

Mrs J Porter

No	No	St Bedes - Kimberworth, St. Bernards - Herringthorpe	This proposal is unfair to all parents who choose to send their child to a faith school (which is always for a sound and solid reason - not for convenience), but is particularly unfair to St Bernards School. These proposals will impact upon this school more than any other. It is a truly excellent school and parents should not have to consider cost when choosing a school for their child
			St Bernard's School takes in children from such a wide area the impact of these changes will have a deeper and unfair impact on parents and students wishing to attend a school deemed by OFSTED as outstanding.
			251 from a total of 333 is the disproportionate number of students who would be affected.
No	No	St Bedes - Kimberworth, St. Bernards - Herringthorpe	The cost of travel approx Â£10.00 a week per child would be a major factor in choice of school To deny children from some of the most deprived areas of our town the chance of an outstanding education leading to better outcomes in relation to savings made seems a short sighted approach. This move will lead to unfair socio-economic use of an outstanding school by parents who can afford the fares. The council needs to support and work with such a successful school not break a fifty year old agreement for the sake of a relatively small saving, as the returns of investment in outstanding education for ALL will be much deeper and widely felt within the town.
No	No	St Bedes - Kimberworth, St. Bernards - Herringthorpe	We are a Catholic family and St. Bernard's is our nearest catholic comprehensive school. Our children have to get two buses to school each day and if we have to pay for their transport the choice of which school to send them to could be taken away from us, I'm sure this could be the same for many families.
Yes	Yes	St Bedes - Kimberworth, St. Bernards - Herringthorpe	
No	No	St Bedes - Kimberworth, St. Bernards - Herringthorpe	
No	No	St Josephs - Rawmarsh	My children are in Catholic Primary and practising catholics. When the time comes for them to attend St Pius they cannot walk from their home in Rawmarsh to Wath, it is too far. If the school bus service is withdrawn they would have to catch two busses or I will have to go by car with them. I believe they would be discriminated against because of their religion.
No	No	St Marys - Herringthorpe	
No	No	St Marys - Herringthorpe	
No	No	St Marys - Herringthorpe	If the council is to consider the removal of free transport for children of faith schools on financial grounds, then I should think it is fair and equitable for the council to also consider the removal of the mayoral car and other related perks for this non-taxpayer elected role.

No	No	St Marys - Herringthorpe	Faith schools instill high moral values. In view of the fact that there is not a faith school in every catchment area we have an obligation as a caring society to offer the opportunity to practicing Christians' children, access to faith education at no extra cost. We pay our council tax and expect the council to spend it wisely. Do not bar Christian children from Christian schools on the grounds of transport cost!
No	No	St Marys - Herringthorpe	No
			I find this both distasteful and disgusting and actually wonder if you are being discriminatory towards religious beliefs.
No	No	St Marys - Herringthorpe	I am a taxpayer, voter and member of the labour party and I assure you that you will lose my vote and the labour party a member if you proceed with this.
No	No	St Marys - Herringthorpe	
No	No	St Marys - Herringthorpe, St. Bernards - Herringthorpe	
			As St. Bernard's school has been recognised as outstanding by Ofsted, it would seem counter productive in the extreme to threaten the future of the school by denying its pupils the right of concessionary transport to a school of their choice.
No	No	St Marys - Herringthorpe, St. Bernards - Herringthorpe	It is a basic right in a free society to be able to choose one's religion and to support that faith by attending a school which promotes high standards of both social and moral behaviour.
No	No	St Marys - Herringthorpe, St. Bernards - Herringthorpe	
			If you bring in the changes to the policy, you will not 'bring greater fairness and equity in transport provision.' Quite the opposite. You will be introducing a policy which discriminates against a group of people based on their faith. Children who are Catholics have the right to continue their education in a Catholic school. Therefore just as children attending non denominational schools would be expected to attend their nearest non denominational school, then Catholic children would be expected to attend their nearest Catholic school. If you then discontinue the discretionary element of denominational transport you are then penalising children of denominational schools because of their faith. This would therefore mean you would be introducing a policy which would discriminate against a group of individuals, because of their faith, and sending them to schools which do not meet their needs. The policy would therefore be open to challenge in the courts and from from saving you money would cost you a lot more in court costs, plus the cost of having to abandon the policy, and continue providing transport as under the current agreement.
No	No	St Marys - Herringthorpe, St. Bernards - Herringthorpe	
No	No	St Marys - Maltby	

No	No	St Marys - Maltby	i believe that it is the councils obligation to provide a free school bus .and families with 2/3/4 children would find it financially impossible to have to pay for this service
No	No	St Marys - Maltby, St. Bernards - Herringthorpe	
			By withdrawing this bus pass you are effectively discriminating against my child on the grounds of his religion. He would no longer be able to attend the school of his faith. We would not be able to afford the cost of bus fares from Kimberworth (currently Â£2 per day without any increase fares) and would therefore have to withdraw our child from this school putting added pressure to the local school.
No	No	St. Bernards - Herringthorpe	Parents already have to pay a contribution for sending their children to a faith school, it is unfair to penalise them further by refusing to provide bus passes and is, in my view, discriminatory to people of faith by the secular community.
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	
Yes	Yes	St. Bernards - Herringthorpe	
No	Yes	St. Bernards - Herringthorpe	
No	Yes	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	I think that removing transport to and from our schools would have a detrimental effect on the education of our young people,and cause some hardship to their families.
			St.Bernards for instance has a large number of pupils who attend from some distance and require transport.
No	No	St. Bernards - Herringthorpe	The recent ofsted report describes this school as 'outstanding'.Our childeren are the future and as such we should do our best for them.
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	

Proposal to withdraw free transport for St Bernards Catholic school is in contradiction to a letter issued and a response given by Michael Gove and in contradiction to Article 2 of the First Protocol: Right to Education

In September, a group of charities and teaching unions wrote an open letter to Education Secretary Michael Gove expressing concerns about the cuts to school transport.

A Department for Education spokesman said: "Local authorities already have a legal duty to provide free school transport for pupils to attend their nearest suitable school, provided the school is beyond the statutory walking distances."

This Legal Duty is also clarified below as part of Article 2 of the First Protocol which guarantees a right of access to education.

Article 2 of the First Protocol stipulates:

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

By removing the "function" (transport) of being able to attend a school which is in conformity to religious beliefs it could be conceived that a) this is in direct conflict with the Department of Education statement and is also a breach of Article 2 of the Human Rights Act.

In addition it is clearly stipulated with precedents set in case law the following must be adhered to:

Section 76 of the 1944 Education Act (replicated in Section 9 of the 1996 Education Act), Principle 7 of the UN Declaration on the Rights of the Child and Article 2 of the First Protocol of the European Convention of Human Rights reinforce the principle that no child shall be denied the right to education in accordance with the wishes of the parents, especially with regard to their own religious and philosophical conventions.

To remove the right for our children to attend a Catholic School will not be taken without action against those responsible

No	No	St. Bernards - Herringthorpe	Any withdrawal of the bus pass would result in my children having to leave the school they are at and attend the local catchment area school.
No	No	St. Bernards - Herringthorpe	By withdrawing this bus pass you are taking away my freedom of choice. I would have no choice but to remove my son from St Bernard's to send him to the local catchment area school due to transport costs.
No	No	St. Bernards - Herringthorpe	This would cause financial difficulties for all students travelling the distances they do to their chosen 'faith' school.
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	If this bus pass is withdrawn I could not afford to keep my son at the school he's at as I don't have the money to pay his bus fares.
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	The government want parents to be able to make choices about their children's education and you are depriving them of this choice that has been available previously. these bus passes are needed to ensure safe travel to and from school - parents will no longer be able to afford to send their children to an outstanding school of religious choice which is not right.
No	No	St. Bernards - Herringthorpe	Keep the free bus pass

No	No	St. Bernards - Herringthorpe	Stopping transport to any of the above schools will disadvantage many students and parents. These schools provide high standards of education and moral behaviour and it is narrow sighted for the Council to even consider stopping this discretionary transport. Come on Rotherham Borough Council sometimes you have to spend money to achieve high!
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	I find it hard to understand that the council are willing to charge upto Â£10 a week for the use of transport to school in such a desperate time as it. It will restrict peoples chances of attending such an affluent school.
No	No	St. Bernards - Herringthorpe	I think that it is disgusting that in this current economic climate parents would have to pay for their children to commute into school. Iâ€™m sure that you will appreciate that it is very expensive when it comes to things such as uniforms, books, resources etcâ€™ and this proposal will not help struggling families in the slightest! Come on RMBC â€™ we pay enough in Taxes etcâ€™ Just give us a break!!!
No	No	St. Bernards - Herringthorpe	I do not agree to these changes proposed. I think it is disgusting that charges for children going to school are even being considered. Children and their families should not be charged this high ammount to be educated.
No	No	St. Bernards - Herringthorpe	I have 3 children who wil need to take the bus from Dinnington to St Bernards and the monthly costs would be horrific - this discrimates against Catholics who have to travel to secondary school.
No	No	St. Bernards - Herringthorpe	Our family would be severely affected by removing these buses.To have to find Â£30 per week for three children to travel to school be a struggle to ours and many other families. The council can save money in many many other ways. Office furniture being just one way !! Savings can be made in other areas of RMBC, reduce the number of elected members, cap the pay of very senior officers, reduce the number of very senior officers, the list goes on.
No	No	St. Bernards - Herringthorpe	The removal of transport will impact on those families who fall just outside the criteria for support.
No	No	St. Bernards - Herringthorpe	Irrespective of creed or race, children whose parents wish them to attend a particular school for religious reasons should not be penalised fancially,there are I am sure much easier and quicker ways of the council managing and reducing costs than this.
No	No	St. Bernards - Herringthorpe	Working class people on low incomes of which they are many will be hit the hardest with these proposed changes. Unfortunately we all cannot live near the school of choice or our faith. Rotherham Labour council should be seeking to save money elsewhere and not at the expense of our children and their education.

No No St. Bernards - Herringthorpe

Although this would not affect my family, it will affect a lot of children and families across the borough and feels unnecessarily discriminatory. I am sure there are many other areas that the local authority could consider in terms of realising the savings we all need to generate.

No No St. Bernards - Herringthorpe
No No St. Bernards - Herringthorpe
No No St. Bernards - Herringthorpe

My two children would not have been able to attend St Bernard's if they had not been in receipt of the discretionary pass as they had to catch two buses each way to school and we would not have been able to afford the increased costs.

Removing these passes could have a knock on effect on the take up of school meals, if parents have to find extra money then the first thing they will do is save the cost of a school meal and send their child/ren with sandwiches.

I strongly object to the proposals.

No No St. Bernards - Herringthorpe

My son is currently at st Bernard's, and my daughter will start in September 2013. As a catholic school that has no catchment area, I can't understand why you would want to stop the funding. The buses are well used, and are a valuable service for a single parent who is working but is not able to claim free dinners or housing benefit, so money is tight. An extra Â£10 a week or Â£20 a week when my daughter attends might not seem much to some people, but to me, it's alot.

No No St. Bernards - Herringthorpe

It will cost me a further 50 pound a month if the free bus passes are stopped as well as already paying a fortune every month in school meals. Please consider parents who only have one adult working at the minute who are already struggling to make ends meet. If bus passes are stopped lots of parents will be removing their children from schools as it is too expensive. I think that would disrupt children who have managed to settle into the school. And apply more pressure to them which they dont need. Also i think people pay enough in taxes and everything which children benefit from is being taken away from them by local councils. These children are our future and have no benefits at all its disgusting.

No No St. Bernards - Herringthorpe
Yes Yes St. Bernards - Herringthorpe

No	No	St. Bernards - Herringthorpe	The cost of transport is miniscule when compared to wastage in other areas. Costs could easily be saved without effecting trhe education of our children> Rotherham already has a poor record compared to the national averages and this will only add to this.
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	My son travels from Kimberworth Park to Herringthorpe and so will my younger son in 2013. I cannot believe that I will have to pay up to Â£4.00 to enable my children to get to school.
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	Equality does not mean doing dumb stuff just because other authorities do. My child does not get this but plenty of children would have long expensive trips to and from school without it, and not from well off areas.
No	No	St. Bernards - Herringthorpe	to discontinue the current free bus passes given to those children who need it to get to school would be extremely unlawful and wrong. it is crucial that those children who currently receive bus passes continue to be awarded them as it is necessary to the child's education which is their right. No free buses would mean that children could potentially not be able to get to school which would have a negative effect on their education which is vital.
No	No	St. Bernards - Herringthorpe	All children should be provided with a free bus pass to school especially when the chosen school is 2 and sometimes 3 bus rides away. For a lot of families the loss of these passes would mean they would not be able to attend the school of choice which from a religious point of view is a very important part of some families education. Considering the amount of money Rotherham council have sqwandered on unescassary buildings ie.Football stadium,new council building and failure to complete the 2010 project sucessfully,free bus passes for our future, is small change.
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe	Denomiatonal schools offer a unique and outstanding education that families from this denomination are willing to travel to. The economic impact on families means that CHOICE to practise faoth in a denominational school is taken away.
No	No	St. Bernards - Herringthorpe	No
No	No	St. Bernards - Herringthorpe	
No	No	St. Bernards - Herringthorpe, Other	
No	No	St. Bernards - Herringthorpe, St Pius - Wath	It is a very serious threat to the survival of both Catholic secondary schools in Rotherham if this support for transport costs is withdrawn. Both schools add considerably to the reputation of education in Rotherham and help their local communities is a huge varity of ways. Can you feel comfortable about threatening their existence? By their very nature they will serve much wider areas than other secondary schools in the borough and so special arrangements should be made for transport.

No	No	St. Josephs - Dinnington	<p>This is yet another example of charges being passed on to working families. At a time when the cost of living is rising and families are working hard to bring in enough money to pay the bills it is disgusting that our children's education will suffer. When families like ours are faced with the prospect of paying the cost of bus travel to and from school for our children they will have no option but to send their children to local schools within walking distance which do not actively support their beliefs. The only children who will be able to travel to denominational schools are those whose families are on a low income and who already receive benefits to help them cope with the costs of living. We pay taxes from our wages to improve standards of living and facilities available to EVERYONE. My taxes will be supporting a better education for other people's children whilst my children have to settle for, in our opinion, second best. It would be better if we stopped working so hard and took a lower paid job because after qualifying for some benefits we'd be better off and our children would access the education they deserve.</p>
No	No	St. Josephs - Dinnington	<p>My Two children at present attend a primary school, but will eventually attend St Bernards RC school in rotherham. If your propose plans go ahead i would have to pay out Â£80 a month which would cripple me financially. Being catholic i would be very upset if my children were unable to attend this school.</p> <p>I have every wish for my children to attend the linked Catholic school, ST bernards, so the school bus provided is a SAFE WAY FOR THEM TO GO!! This factor alone should account for the decission to keep the bus going.</p>
No	Yes	St. Josephs - Dinnington	
No	No	St. Josephs - Dinnington	
No	No	St. Josephs - Dinnington	
No	No	St. Josephs - Dinnington , St. Bernards - Herringthorpe	<p>Proposal re School passes/transport will inhibit children going to the school which their siblings attend. People cannot afford the costs of bus fares when you have more than one child. There must be other areas where the council can find savings.</p>
No	No	St. Josephs - Dinnington , St. Bernards - Herringthorpe	
No	No	St. Josephs - Dinnington , St. Bernards - Herringthorpe	<p>The discretionary bus service is an essential service without this service my children would not be able to attend the school of their choice. Attending a good school and obtaining a good education is a basic human right and is the foundation on which young people can move on to get gainful employment and therefore avoid become a burden on the benefit system. Thus removing the bus service is in fact a long term false economy</p>

No	No	St. Josephs - Dinnington , St. Bernards - Herringthorpe	A withdrawal of transport would mean that many pupils would not be able to have their choice of education, and therefore would mean the closure of St Bernard's school. There was no room last time I enquired at the local comp for my son. Catholic schools educated 10% of the UK's teenagers (mainly non-catholics) and have to find 10% of their own building & maintenance funding. So RMBC are already not fully funding catholic schools 'on their books' as other schools in the LA, so it seems unfair to look to catholic schools to make further 'savings'. St Bernards is an outstanding school and turns out well educated kids who will make find jobs and make a contribution to society and become the next set of RMBC tax payers, which is so needed when we have so many people on benefits in Rotherham. Please re-consider. Thank you.
No	No	St.Gerards - Thrybergh	i think this is a totally unfair proposal childeren from poorer familes will be put at a disadvantage ,childeren should be able to attend the school of there choice on whatever grounds ,this will take away free choice and bring about an unfair system .money can be saved by other means .
No	No	St.Gerards - Thrybergh	
No	Yes	St.Gerards - Thrybergh	I support that free bus passes should only be available for children from low income families. Free bus passes should not be available to anyone else and parents should factor in the cost of travelling to a school when selecting which school they want their child to attend.
No	No	St.Gerards - Thrybergh, St. Bernards - Herringthorpe	
No	No	St.Gerards - Thrybergh, St. Bernards - Herringthorpe	Without the education I received from St Bernards I would not have been able to progress in my career as a teacher. I feel that you will be depriving my daughter of the same experience as I cannot afford to move closer to her school for her to be within walking distance.
No	No	St.Gerards - Thrybergh, St. Bernards - Herringthorpe	
No	No	Treeton C of E - Treeton	Don`'t put children at risk as that is what will happen when they have to walk because of the cost of fares!
No	No	Treeton C of E - Treeton	
No	No	Treeton C of E - Treeton	
No	No	Treeton C of E - Treeton	
Yes	Yes	Wath C of E - Wath	
No	Yes	Wentworth C of E - Wentworth	We would struggle to get our daughter to school without this service, because of our work commitments. We would pay for her pass to maintain this facility.

SOURCE: P-Parent S-School O-Other	Discontinuation of all discret. transport on denominational grounds in Sept 2013	Phased removal of transport on denominational grounds from Sept 2013 to Sept 2017	School Attending	Additional Comments (Brief Summary)
O	No	No	St Bernard's	"Where Everyone Matters" would not appear to be the case. In the present climate of declining moral standards schools which support good standards should be supported as fully as possible
?	No	No	2nd page not included	2nd page not included
P	Yes	Yes	St Bernard's & St Mary's, N	A large family on low income with children attending different schools
P	No	No	St Bernard's & St Mary's, N	After seeing what is being spent on the new offices (see Advertiser) this is a drop in the ocean
P	First page not included		St Bernard's	All children should be provided with bus passes regardless of it being a faith school
O	No	No	St Bernard's	All family members have attended St Bernard's, hopefully my grandchildren's children will also go there.
P	No	No	St Bernard's	All in favour for the no change in policy.
P	No	No	St Bernard's	Are faith schools being deliberately targeted? St Bernard's was also told before the money ran out that we would be last to have any refurbishing works carried out. Are we being discriminated on grounds of faith?
P	No	No	St Bernard's	As Catholics we contribute enough finance to maintain our schools without this added problem.
P	No	No	Not stated	Both my son and daughter went to St Bernard's and received a very good education - it is their right.
P	No	No	St Bede's	Children's bus fares should not be affected. Cut Councillors' expense budgets and fancy dinners instead of children's educational rights to go to a decent denominational school.
P	No	No	St Bernard's	Christian values and education is paramount and should be available by choice. Travelling costs will inhibit this.
?	No	No	Not stated	Council can save money in other ways first, eg reduce number of Councillors and encourage children to use libraries rather than imagination library
P	No	No	St Bede's	Denominational schools are being penalised again, they don't count on the local authorities for full funding, yet the children's bus fares are going to be affected, an absolute outrage!
P	No	No	St Bernard's	Discontinuation of free transport will be discriminatory as I won't be able to afford sending my two children to St Bernard's, yet I believe in Catholic education as we are practising Catholics.
?	No	No	Not stated	Do not take away the chances of a great school from pupils who live a long way away from the school.
P				Email from J Appleyard - is this acceptable in terms of equality. The authority's flagship school should be applauded not dismembered, I oppose the transport proposals!
P			St Bernard's	Email from K Kimpton - various comments including how much it would cost if had to pay, more parents taking children to school will cause more air pollution, people on benefits will still qualify etc. - see print out.
P	No	No	St Bede's/St Bernard's	Family travel over three miles to school, would not have the funds to pay for bus fares
P	Not answered	No	Wentworth CE	Felt the language used could have been simpler - unsure if all free school transport would be stopped. Middle income families will be put under greater financial pressure. Lower fares should be implemented, rather than the extortionate fees currently charged.
P	No	No	St Bernard's	I do not agree with withdrawal of transport
P	No	No	St Bernard's/St Bede's	I feel this is discrimination against faith schools
P	No	No	St Bernard's	I have two children at St Bernard's and it would cost me a bomb just to send them to school as they catch 2 buses there and 2 back.
P	Not answered	Not answered	St Bernard's	I object to the proposal on the grounds that it will restrict access to Rotherham's top performing school.
?	No	No	Not stated	I strongly disagree and disapprove of considering to deny children of their bus passes for free travel to school, it's outrageous. All children have a right to free travel as all schools in fact.
S	No	No	St Bernard's	I think all students should have a free bus pass and a student card so you get discounts in shops.
P	No	No	St Bernard's	I think it's a disgrace to remove the discretionary bus pass system, as this would cause further hardship on families already struggling financially. Carry on as it is.
P	No	No	St Bede's & St Mary's, Maltby	I think it's disgusting a child has to pay to get educated
P	No	No	St Bernard's	I think it's dreadful to phase out free travel. I will have to pay £10 a week to send my child to school and that will be very hard for me to afford.
P	No	No	St Bernard's	I would like to know why faith schools are being targeted.
?	No	No	Not stated	If discontinuation is allowed, the school greatly affected is a Catholic school which has an outstanding report from OFSTED
P	No	No	St Mary's, Maltby	If free school transport is discontinued it will limit my child's choice of school which will affect their education and future.
P	No	No	St Bernard's & St Bede's	If the free bus service is removed I cannot afford to send my children to St Bernard's
P	No	No	St Bernard's & St Bede's	If there is removal it would need to be phased. Would like younger child to attend same school as older child. Not sure if we would be to afford both our children attending St Bernard's, which is nearest denominational school for our our beliefs.
P	No	No	St Bernard's & St Mary's, N	In September 2013 will have two children at St Bernard's, some parents may have more. To abolish free transport will result in some pupils being unable to travel. Safety issues re roundabout at Stag. Christian values paramount in Catholic education as taught at St Bernard's.
P	No	No	St Bede's/St Bernard's	It is the right of future generations to have the educational support of a Catholic School. Withdrawing passes would greatly effect a lot of families who attend St Bernard's
?	No	No	Not stated	It is very sad the Council are going to cause hardship to families by denying their children the right to transport to a top class school when the Council waste large amounts of money on unnecessary things in many other areas.
P	No	No	St Bernard's	It would be unlikely that my child could attend St Bernard's if the transport provision was removed.
S				Letter from HT, St Bernard's (requested that points raised are placed before the decision making body).
O				Letter objecting to proposed removal of free passes for faith schools
P	No	No	St Bernard's & St Mary's, N	Long list of objections - see paper marked with red * (includes points re discriminating against Catholic faith).
P	No	No	St Bernard's & St Mary's, N	Middle income families with 2 or more children will find it difficult, if not impossible, to pay travel costs. Their children will therefore be deprived of Catholic education at the school of their choice.
P	No	No	St Pius X	Neither option should be considered, it will force children into having to go to the nearest school, removing choice. Will make life really hard for some parents.
P	Not answered	Not answered	St Bernard's	No - bus passes are totally necessary for all pupils
P	No	No	Treeton CE	No comments recorded
P	Not answered	Not answered	Wath CE	No comments recorded
P	No	Yes	Wath CE	No comments recorded
P	Yes	Yes	Wath CE	No comments recorded
P	No	Yes	St Pius X	No comments recorded

SOURCE: P-Parent S-School O-Other	Discontinuation of all discret. transport on denominational grounds in Sept 2013	Phased removal of transport on denominational grounds from Sept 2013 to Sept 2017	School Attending	Additional Comments (Brief Summary)
P	No	Yes	St Mary's, Herringthorpe	No comments recorded
?	No	No	Not recorded	No comments recorded
P	No	No	St Joseph's, Dinnington	No comments recorded
P	No	Yes	Brampton Ellis Junior	No comments recorded
P	Yes	No	Brampton Ellis Junior	No comments recorded
P	No	No	St Pius X	No comments recorded
P	No	No	St Bede's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	Yes	Aston All Saints	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	Our Lady & St Joseph's	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
?	No	No	Not stated	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	St Mary's, Herringthorpe	No comments recorded
?	No	No	Not stated	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	Not answered	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded

SOURCE: P-Parent S-School O-Other	Discontinuation of all discret. transport on denominational grounds in Sept 2013	Phased removal of transport on denominational grounds from Sept 2013 to Sept 2017	School Attending	Additional Comments (Brief Summary)
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
?	No	No	Not stated	No comments recorded
P	Not answered	Not answered	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Mary's, Maltby	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
P	No	Yes	St Pius X	No comments recorded
P	No	No	St Bernard's & St Bede's	No comments recorded
P	No	No	All Saints, Sheffield	No comments recorded
P	No	No	St Bede's	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Bernard's	No comments recorded
P	No	No	St Gerard's	No comments recorded
P	No	Yes	St Alban's	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
?	No	No	Not stated	No comments recorded
P	No	No	St Bernard's & St Mary's, M	No comments recorded
P	No	No	St Bernard's & St Gerard's	No comments recorded
?	No	No	Not stated	No comments recorded - signed C. Boyd
?	No	No	Not stated	No comments recorded - signed J. Boyd
P	No	No	St Bernard's & St Mary's, M	No costs for those on benefits. Travel costs can be met by high paid families. Those in the middle will suffer.
O				No objections to proposed changes
O				No objections to proposed changes
P	No	No	Aston All Saints	No safe walking route to this or any other school from Ulley
P	No	No	St Bernard's	Not fair to stop bus passes, if so it will make it very difficult for people to send their children to school.
P	No (should continue for	Yes (should not be removed b	St Gerard's	Phased removal seems fairer in my opinion and happy that low income families get free transport. For anyone not classed as low income I do not see why they should get free transport - they should contribute to enable transport to be provided for all.
P	No	No	St Joseph's, Dinnington	Plain English needed, plus an example of how each action would affect different students
P	No	No	St Bernard's	Please do not withdraw transport

SOURCE: P-Parent S-School O-Other	Discontinuation of all discret. transport on denominational grounds in Sept 2013	Phased removal of transport on denominational grounds from Sept 2013 to Sept 2017	School Attending	Additional Comments (Brief Summary)
P	Not answered	Not answered	Wentworth CE	Please don't stop these services as my child wouldn't be able to get to school - what a bad idea.
P	No	No	St Bernard's	Providing a travel pass to allow free travel to students in further education should be maintained. Not sure how a scheme operated by Transport Executive effects Council finances. Are Senior Citizen passes to remain free or return to concessionary fare?
P	No	No	St Bernard's & St Bede's	Rising fuel costs and economical climate proves this would not benefit any child travelling a fair distance. This would lead to more parents dropping children off at school, therefore increasing their carbon footprint!
P	No	No	St Bernard's/St Mary's, He	RMBC made an agreement with St Bernard's 50 years ago and should stick to this regardless of the financial situation
?	No	No	?	Second page not included
?	No	No	-	Second page not included
P	No	No	St Bernard's	Sell all new and unneeded village & footpath signs. Introduce an across the board minimum termly charge for all schools. Look even more carefully at <u>all</u> borough expenses, a good budgeter might find savings.
O	Yes	Yes	N/A	Sheffield CC's CYP & F Travel Service welcome Rotherham's decision to consult on discretionary denom transport and support the move towards equality in its provision.
?	Not answered	Not answered	Not stated	Signed SD Green
P	No	No	St Gerard's	Since it helps families with low income I would like it to continue as it is.
P	No	No	St Bede's/St Bernard's	St Bernard's has just been judged to be outstanding by Ofsted, why would RMBC make it difficult for pupils to attend?
?	No	No	Not stated	St Bernard's is recognised by the Authority to be outstanding. To take away the choice of so many pupils who seek the educational outcomes of such school experiences will be of benefit to them and their communities is unacceptable.
P	No	No	St Bernard's	Taking away this privilege is absurd, please think again
O	No	No	N/A	Taking the bus pass off students will cause a lot of misery and hardship to a lot of families
P	Yes (except low income fa	No	St Bede's	The Council has a right and responsibility to provide transport required by children to safely attend school. Not providing an adequate bus service is harmful to children. Children should have a choice about which school they go to, they shouldn't be forced to attend their nearest school because of transport problems.
P	No	No	St Bernard's	The minimum should be to provide a travel pass to allow students to travel free of charge, to allow the majority of pupils opportunity to attend a school by choice not postcode.
?	No	No	Not stated	The proposal is completely unfair as it discriminates overwhelmingly against Catholic students. The heading "everyone matters" has become a nonsense.
P	No	No	St Bernard's	The questions are confusing. I do not wish discretionary transport for denomination schools discontinued because of the impact it will have on the school's intake.
P	No	No	St Mary's, Maltby	The transport is very much needed especially for families who have not much money.
P	No	No	St Mary's, Herringthorpe	These proposals will have a detrimental affect on those who need the services the most and hinder freedom to choose where to be educated. Signed S Wray
P	No	No	St Bernard's	These proposed changes would affect the ability for me to send my children to St Bernard's. (Name and address supplied - two forms completed)_
P	No	No	St Bernard's	This is a classic case of discrimination as it's only Catholics who are affected.
P	No	No	St Bernard's	This is an example of religious and ethnic discrimination. Please reconsider - DON'T REMOVE THE SUBSIDY!
P	No	No	St Bernard's & St Joseph's	This is positive discrimination against faith schools and is against public policy. Under the proposals children could be forced to attend non-faith schools. This is wrong and could even be a human rights issue, I will oppose this.
P	No	No	St Bernard's	This proposal discriminates against people who wish to send their children to a faith school
P	No	No	Wentworth CE	This service is vital to rural communities especially with rising fuel costs. Rural communities are already at a disadvantage.
P	No	No	Our Lady & St Joseph's	This would be very unfair and we do not support any changes to the current system
?	No	No	Not stated	To renege on an agreement made some years ago seems totally outrageous.
P	No	No	St Bernard's	Totally unfair discrimination against Catholic ethos. Parents who work to provide for their children are again being targeted.
P	No	No	Aston All Saints	Transport runs from home to school due to unsafe walking route. Distance to child's school does not cause Council any extra expenditure. (Name & address supplied).
P	No (but did not understa	No	St Bernard's	Very unfair to the children to remove free bus passes - if it was a Muslim school you would not get away with it.
P	No	No	Not stated	We consider that the policy now in place should remain to allow children to travel to school free of charge
P	No	No	St Bernard's	Where everyone matters ???
?	No	No	Not stated	Why should church schools be penalised? This is segregation and should not happen. 'Church' schools have always had a very good reputation and good or outstanding Ofsted's. It's an outrage!
P	No	No	St Bede's/St Bernard's	Will put great financial pressure on families Should be a free bus there and back to free traffic at rush hour
P	No	No	St Bernard's	Withdrawal of bus passes would seriously make us having to consider moving out children from St Bernard's to a more local school.
P	No	No	St Mary's, Maltby	You wouldn't try this with an Islamic school!!
?	Nil response			
?	Nil response			
?	Yes	No	St Alban's	No comments recorded
?	No	No	Not stated	No comments recorded

11 JAN 2012

SAINT BERNARD'S CATHOLIC HIGH SCHOOL

SPECIALIST SCHOOL FOR THE ARTS & APPLIED LEARNING

9th January 2012

Mr C Ruding
Principal Education Transport Officer
RMBC, Hellaby Depot
Sandbeck Way
Hellaby
Rotherham
S66 8QL

Dear Mr. Ruding

I enclose the responses to the transport consultation that have been returned to St Bernard's. I would also like to present the following points for consideration as part of the consultation process.

- Intentionally or not the impact of the change is focused almost entirely on St Bernard's. Currently 333 students are in receipt of a bus pass. 251 students would lose it under these proposals.
- St Bernard's serves a wide area: Dinnington, Maltby, Thrybergh and Kimberworth as well as the surrounding area, requiring many of our students to travel long distances.
- For some students the cost of the change will be up to £10 per week, for families with more than one child in this school this will be a major challenge.
- This breaks an agreement dating back fifty years to the opening of the school. St Bernard's exists to serve the Catholic community in Rotherham and other families who wish for an education rooted in a faith ethos. This decision will change the nature of the school by changing the families who will be able to access the school.
- Although students on free school meals would retain this pass, those families who just fail to meet the criteria will be under most pressure from this move.
- Students whose parents cannot afford the fares will effectively be excluded from the outstanding educational experience St Bernard's offers

Herringthorpe Valley Road

Rotherham S65 3BE

Telephone: 01709 828183

Fax: 01709 372609

Email: st-bernards@rotherham.gov.uk

Headteacher: David Butler

- Our concern is not that numbers in the school will fall. St Bernard's is consistently oversubscribed. Places that become available will be filled either by students whose parents can afford the fares, which is inequitable, or who live nearby. This will put pressure on other local schools admission numbers at a time of falling numbers of secondary age students.
- If numbers using a school bus fall, experience tells us the bus will be removed. This will mean students will be reliant on scheduled services, increasing travel times and raising safeguarding issues.

I would be grateful if you would place these points before the decision making body.

Yours sincerely



David Butler
Headteacher



**THE DIOCESE
OF SHEFFIELD**

Heather Morris BEd (Hons) MSc
Director of Education

Diocesan Church House
95-99 Effingham Street
Rotherham S65 1BL
Tel: 01709 309100
Fax: 01709 512550
Email: heather.morris@sheffield.anglican.org
www.sheffield.anglican.org

6 December 2011

Mr C Ruding
Corporate Transport Unit- Passenger Services
Hellaby Depot
Sandbeck Way
Rotherham S66 8QL

Dear Mr Ruding

**Consultation on proposed revisions to the current Transport Policy for
Children and Young People – Discretionary Denominational Transport.**

I write in response to the consultation on discretionary denominational transport.

I have consulted with all the Church of England schools in the Diocese of Sheffield which are maintained by Rotherham MBC regarding this matter and am advised that a number of children attending Aston CE Primary School, Lodge Lane Aston currently make use of this transport provision. They would be seriously affected by its withdrawal.

While understanding the Authority's financial position and the need for equity in transport provision, the request of the Diocese is that discretionary transport on denominational grounds is removed in a phased way eg from 2013 to 2017 as suggested. This would enable families to have a planned approach to the education of their children in the near future.

Please be in touch if further information is required

Yours sincerely

Heather Morris

Heather Morris
Director of Education

Online responses

Q1	Q2	Q3	School/College/Other	Comments
No	No	Don't know	School	My daughters currently attend Aston All Saint School at Aston and we live in Ulley. There is no safe walking route to school ie no footpaths or street lighting. I feel strongly that my children should still receive free transport to school due to this and also
No	No	Don't know	School	No child should suffer by losing their transport to school, just because the authority is required to make cut backs ! Look elsewhere to make the cuts !
No	No	Don't know	School	faith schools such as St Bernards would suffer and children wishing to use that school would be disadvantaged.
No	No	Don't know	School	There is little opportunity for 16-18 yr olds at present and expecting them to pay to study increases the vhanche of them not studying
No	No	Don't know	School	n/a
No	No	No	College	There are a number of factors that you the authority must consider, my son who already accesses post 16 transport has met the criteria therefore this has established his vulnerability, to withdraw transport at this stage of his education would be extremely detrimental as he has not yet completed his course. RMBC made a commitment when it agreed transport would be available to my son and the placement at college was only an option because of this. RMBC like all organisations working with children and young people up to the age of nineteen have to work to the five every child/learner matters outcomes, discontinuing and charging for this service would have a negative impact on all those outcomes, one of the aims to achieving economic well-being is to have access to transport. Without this service my son would not have access to transport because due to the effect his disability has on him he is unable to access public transport and paying for the service is out of the question. It appears that RMBC are punishing and charging people for being disabled which is totally immoral and more so when the authority are not providing appropriate post 16 provision within the borough.
No	No	No	College	No
No	No	No	College	No
No	No	No	College	is it fair for a student to pay full fare when they have no income it will be yet anothor bill for the working parent my daughter is at wickersley 6th form and has to travel on two buses to get there we pay Â£10 a week now
No	No	No	College	This is most unfair to disabled/learning difficulties young people who find it difficult to get out anyway. It will cause them to be even more restricted in their choices which are restricted anyway. It is often difficult enough to find a suitable course without the restriction of no transport. Help the vulnerable!!
No	No	No	College	My daughter travels to college on the bus each day currently costing Â£5 a week, if the discretionary bus pass is withdrawn this will more than double the cost. She has yet to secure herself a part time job and therefore has no income other than that we as parents provide. As a family our income is already considerably stretched due to the current economic climate and funding the bus fare would stretch this even more. I understand that the Council is also stretched financially and need to consider all options, but would it not be possible rather than withdrawing this facility to charge pensioners a nominal fee towards their journey, say 20p? It is appreciated that pensioners are also stretched financially but 20p is a small cost. My daughter does at least contribute towards the cost of her journey. □
No	No	No	College	I have spoken to other people about your proposal and many seem unaware of this. We found out through receiving your correspondence dated 11 November distributed via Wickersley College, I do know of a student at Thomas Rotherham College not being given the same information. Have you actually made every effort to inform anyone who may be affected by

No	No	No	College	In the CYP plan 2010-2013 it shows that the number of LD and disabilities leavers who are NEETs is 14.5%. this is going to get worse if the young people have less choice of courses because they cannot get to the college of their choice that runs the course they want. It also states "within the borough of Rotherham the options for post 16 learning are currently limited" and yet you are aiming to limit the options even more.... this doesn't make sense. Transport is needed by very few young people but it is a gateway to give them the post 16 education they want and deserve. these young people have spent their lives struggling with the curriculum don't restrict their choice now they have one post 16.
No	No	No	Other (please state:)	This is an essential service for young people with learning difficulties and disabilities. Home to school transport is an area of significant difficulty for some families of children with learning difficulties and disabilities (particular families with children in different mainstream and special schools). The discretionary service should continue.
No	No	No	School	it would be unfair to charge 16-18 year olds full fare whilst they are not earning.
				As a society we should be encouraging our children to further their education, not penalising them for attending 6th form/college. <input type="checkbox"/>
				<input type="checkbox"/>
No	No	No	School	If this is introduced it could be the deciding factor on whether a young person continues with their education or not. As there are limited job opportunities for young people will this not drive up the number of NEETs in Rotherham and cost the public sector more in the long term?
No	No	No	School	N/A
No	No	No	School	leave the travel concessions as they are
No	No	No	School	St Bernard's school has had top marks from Ofsted most children who attend need a bus pass. otherwise some parents will not be able to afford bus fares
No	No	No	School	Parents are having to fund children more than ever these days as they can't get jobs and can't save to leave home so the burden rests on parents all the time. With jobs as they are with no pay rises, yet rising inflation we are finding it harder and harder to make ends meet and this will only add to the financial burden.

				<p>Proposal to withdraw free transport for St Bernards Catholic school is in contradiction to a letter issued and a response given by Michael Gove and in contradiction to Article 2 of the First Protocol: Right to Education</p> <p></p> <p>In September, a group of charities and teaching unions wrote an open letter to Education Secretary Michael Gove expressing concerns about the cuts to school transport.</p> <p>A Department for Education spokesman said: "Local authorities already have a legal duty to provide free school transport for pupils to attend their nearest suitable school, provided the school is beyond the statutory walking distances."</p> <p></p> <p>This Legal Duty is also clarified below as part of Article 2 of the First Protocol which guarantees a right of access to education.</p> <p></p> <p>Article 2 of the First Protocol stipulates:</p> <p>No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.</p> <p></p> <p>By removing the "function" (transport) of being able to attend a school which is in conformity to religious beliefs it could be conceived that a) this is in direct conflict with the Department of Education statement and is also a breach of Article 2 of the Human Rights Act.</p> <p></p> <p>In additon it is clearly stipulated with precedents set in case law the following must be adhered to:</p> <p>Section 76 of the 1944 Education Act (replicated in Section 9 of the 1996 Education Act), Principle 7 of the UN Declaration on the Rights of the Child and Article 2 of the First Protocol of the European Convention of Human Rights reinforce the principle that no child shall be denied the right to education in accordance with the wishes of the parents, especially with regard to their</p>
No	No	No	School	
No	No	No	School	no
				no
No	No	No	School	
No	No	No	School	No
				Transport costs are a major factor in planning further education and I would hope the choice to continue in education is not affected by the financial burden of transport costs.
No	No	No	School	The local authority should consider other ways to generate savings.
No	No	No	School	stop messing about and leave the school free bus passes alone!
No	No	No	School	i think it would make life very hard for families if the system was changed
No	No	No	School	No
				in this economic climate things are difficult for parents, especially at school holiday times with everywhere charging double because they know you will have to pay it, with all the tax we pay i think the free school travel for children should not be even considered to be discontinued, yet another kick in the teeth for parents trying to make ends meet and extra bus fare to pay would certainly end in more children skipping school
No	No	No	School	
No	No	No	School	Please do NOT remove the discretionary transport for St Bernards.
No	No	No	School	leave it as it is, it will affect parents already struggling financially
				how do you apportion cost - same bus fare as a non disabled person needs to go on a bus - but lots of disabled children need adapted vehicles and additional staffing and equipment. Rotherham cannot currently meet the needs of severely disabled students in Rotherham so how do you think removing transport or making prohibitively inflated costs is a step in the right direction of educating young people locally (which I disagree with any way)
No	No	No	School	

				As parents of disabled, vulnerable children and in light of the 2013 compulsory post 16 education we along with other families are researchign out of authroity placements whre our young people will be safe, happy and not at risk resulting from travel to and from colleges/provision in rotherham. The only other alternative is to give up work again and this apart from impacting economically on our faimly would be a step back in terms of idependence for our 14yr old who travels with an escort. Priority has to be the safety of our vulnerable young person. It appears ludicrous that colleges are providing quality education and our young people will be excluded becasue they cannot get there safely and independently.
No	No	No	School	
No	No	No	School, College	No.
				I feel that the removal of the free school bus for St Bernards RC Comprehensive is discriminatory to children of the Catholic faith. Ofsted have classified St Bernards performance as 'Outstanding' and children who are high achievers but from less financially stable homes will be denied a chance to take up a place at a school that teaches 1: Their faith and religious beleifs and 2: matches the childs high achievements and expectations. With the care and attention that St Bernards offers and Ofsted have highlited children's talents and education can be nurtured and developed. The removal of the free bus can effectively damage not one but many childrens futures. I am wholeheartedly against this action!
Yes	No	No	School	
No	Yes	No	School	I think that people with special needs get allowances etc these should be used to pay transport costs.
				some children like my daughter would be unable to access public transport due to saftey issues regarding roads, my daughter has had travel training but wouldn't be able to catch the 2 busses she would need to access newman school. I feel it would be a saftey issue for her to catch 2 buses and cross east bawtry road to catch the bus back. I think it would be unfair to use the criteria of free school meals to means test fees for this service. I would not be against a charge for this service if it was a realistic charge
No	Yes	No	School	
Yes	Yes	No	School	
				It seems totally unfair that children who live away from the main school area eg Thurcroft who attend Wales High school will have to undertake 2 bus journeys to go to school, travelling out to Dinnington to come back around to arrive at Wales High School. This will cost more than the already imposed 50p per journey and will take considerably longer. Our children are trying to progress their qualifications to help towards a suitable career and are being penalised. Perhaps the council ought to look at saving money by other means for example not spending on Christmas lights across the borough and use that money to help our young people and their families. Many families are already struggling to make ends meet in this uncertain economic climate and you are now trying to impose more financial problems. School buses already run from Thurcroft to Wales High, removing the sixth form pupils is not going to enable the bus company to remove a bus from the schedule each day. I would continue to pay the 50p or perhaps increase to Â£1 if absolutely essential to keep my child travelling to school on the 'school bus'. Also it has always been the ethos that 6th form pupils 'keep an eye' on younger pupils and stop any 'problems' which may arise. Who will this fall to?? How does the corporation bus company feel about the possible influx of
Yes	Yes	No	School	
No	No	Yes	College	All young people should have access to an education not just able bodied. Denying transport will also mean denying education in a lot of instances and surely that is discriminating against these young people.
No	No	Yes	Other (Please state:)	I don't currentlu use any.
No	No	Yes	School	Children with disabilities should be able to access whatever transport their disability requires when still in full time education.
No	No	Yes	School	no
				I have 2 children at Wales comp, we have always paid bus fare{we live at north anston}, but have always thought it unfair how ALL{ ie not means tested}children from Thurcroft have never had to pay bus fare.My oldest is now in 6th form, in september we are going to have to pay above Â£20 a week in bus fares just to get them to school if he has to pay adult fare,,surely this can't be fair when they are stll at school and not working! My youngest son will have to stay on at school, they dont have an option now, so will it be the same for them?
No	No	Yes	School	

No	Yes	Yes	School	How can you say that the changes would bring greater fairness and equity in transport provision for this group of people? Whilst I have indicated that I wish you to consider introducing charges for Post 16 learners who have physical and medical needs, what about those who do not, and would have to catch 2 buses to get to school? My son is due to start in Sept at Wales High school and his older sister would need to get 2 buses on public transport - we are willing to pay for her to get on the same bus as her brother, but this does not appear to be an option, so how is this fair? She is now having to consider 6th form education at Wickersley where she would only need to catch one bus. She would need to catch 2 buses from Thurcroft to Dinnington and then Dinnington to Wales, and she already catches 1 school bus at 7.40 - what time would she need to set off to catch 2 buses, and why can't she travel with her brother and pay if the reasons are due to "major financial challenges" as you state? It is not fair that children with Special may be considered with an option of paying - what about everyone else? Have you considered how few may be remaining in 6th form from Sept 2012, compared to future years when the school
No	Yes	Yes	School	Other groups of post 16 learners have learning difficulties which prevent them from accessing public services (eg young people with severe learning difficulties or autism). These young people's needs should be considered alongside the needs of young people with physical or medical needs. The council should consider alternative approaches eg. providing independent travel training and personalised support so that young people can use public transport. This would be a more sustainable and inclusive approach.
No	No		School	1. Why is the on line survey different to the paper survey ? 2. You are not providing free transport for post 16 learners, they already pay Â£1.00 per day. 3. You speak of fairness and equity ! The people who need transport to school should have it provided, if they are at a location where it is not required why would you presume that it is not fair or equitable ?
No	No		School	If the people who were either unwilling to work or could afford to pay for public transport had not been provided with free public transport, then genuine tax payers who are struggling financially would not find themselves in this position. Yet another example of the mis-use of public money!
No	No		School	A significant number of pupils leaving special education at 16 have significant needs other than medical or physical; many are behaviourally, socially and emotionally very vulnerable. I fear that the progress and safety of this type of pupil would be significantly compromised should LA transport entitlement be withdrawn and an increase in NEETS may result.
No	Yes		Other (Please State)	Means testing against benefits and student bursary for special schools
No	Yes		School	ONCE AGAIN YOU ARE HITTING THE VENERABLE PEOPLE WHO CANNOT ANSWER FOR THEMSELVES, WE ARE WORKING PARENTS OF A CHILD WITH SPECIAL NEEDS AND RELY ON THIS SERVICE FOR OUR DAUGHTER, MAKE A CHARGE FOR EVERYONE MAKING SURE THAT IT IS FAIR WHETHER YOU WORK OR NOT.....

[illegible]

[illegible]

SOURCE: S-Student P - Parent FE - Further Educ. School/College A- Agency O-Other	School/C ollege Attending	Discontinuation of all discret. transport for Post 16 Learners	Intro. of charges for post 16 learners with phys/med needs which prevent access to public services	Existing means tested benefit entitlements used to calculate contribs to travel costs for Post 16 learners with SEN
O	Newman	No	No	Yes
S	OC	Yes	No	Yes
S	OC	Yes	No	Yes
S	OC	No	No	Yes
S	OC	Don't Know	Yes	Yes
S	OC	No	Yes	Yes
S	OC	No	Yes	Yes
S	OC	No	Yes	Yes
S	OC	No	Yes	Yes
S	OC	No	Yes	Yes
P	OC	Yes	Yes	Yes
S	OC	Yes	Yes	Yes
O	Sheffied Ci	Yes	Yes	Yes
O	Donc	Yes	Yes	Yes
O	Barns	Yes	Yes	Yes
S	?	don't include - response from us not stakeholder		

Additional Comments (Brief Summary)

No comments recorded

No comments recorded

No comments recorded

Build something in Whiston for teenagers!

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

Please stop raising bus fares, a 25% increase is already enough thank you.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

Ridiculous idea - won't be able to afford 4 buses per day

Medical evidence from professional organisations should be considered.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

How do the Government expect our parents to pay £1.95 per bus ride every day?

No comments recorded

People who receive Free School Meals should only be allowed them if they or a member of their family works.

No comments recorded

No comments recorded

No comments recorded

Shouldn't have to pay full fare, we should still be paying 50p.

No comments recorded

No comments recorded

People who are going to college 1-5 days a weeks shouldn't have to pay full fare.

No comments recorded

Should depend on severity of aforementioned medical condition.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

I think it's ridiculous

Young people in school learning should still have discount fares on public transport.

Additional Comments (Brief Summary)

Costs a barrier to continued learning. Have 3 teenage girls with special needs, would not be able to pay for transport to 6th Form/College.
If option to stay on at a special school is available so should the transport. Some post 16 children are not comfortable with public transport.
Students who choose to improve their education should not be penalised. Feel the questions are confusing and unclear what we are being asked to vote for.
RMBC under statutory duty to provide education for students with learning difficulties up to 25, therefore under a duty to provide transport to that provision (letter attached)

Many comments including long-term prospects of Rotherham residents will be hit. Education being put out of reach of young people. Free bus fares for all post 16 year olds in full-time education, no child under 18 should pay to go to school. Considering organising a rally in protest. Take away the mayor's transport.

No comments recorded
Unreasonable for the LA not to provide SEN children with transport to school/college. In many cases the distance will be considerable and often parents unable to afford the cost/time involved.
Son may choose not to go to the college of his choice due to proposed changes. Feel there is no incentive to work.
Salary should be taken into consideration, even if people are not on benefits they may be borderline.

No comments recorded
No comments recorded
Don't think the Government should increase the prices because people haven't got the money.
No comments recorded
No comments recorded
No comments recorded
Bus drivers need to have a positive attitude and let students on if they are in uniform but haven't got their passes.

No comments recorded
No comments recorded
No comments recorded
No comments recorded
Due to under 16's not earning they should only have a small fee along with people with disabilities.
People under 16 shouldn't have to pay full fare on a bus etc because they are not earning any money.

No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
Leave the transport alone, we need it!!
No comments recorded
No comments recorded
No comments recorded
Keep it how it is and don't raise bus fares to 60p please, I'm poor.

No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
If children receive FSM it is because their parents are on a low wage & cannot cope with financial burden of school dinners. If you charge extra for bus fares it contradicts having FSM.
Don't stop it.

No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
No comments recorded
I think everyone should not have to pay!
No comments recorded
No comments recorded
No comments recorded
No comments recorded

Additional Comments (Brief Summary)

No comments recorded

No comments recorded

No comments recorded

No comments recorded

Due to child's severe mental and physical learning difficulties it would be impossible for him to travel to college on public transport - alternative travel arrangements would have to be made.

If a young person finds it difficult to access public transport and post 16 transport is stopped how do you propose they attend college, do we as parents stop work?

All transport should be maintained for post 16 students at no cost to individuals. This should be met by the Council.

No comments recorded

Second page not included

Having a disabled child is difficult enough without having the worry of how they are to access appropriate provision. We haven't contributed to the current mess , we work and pay tax. Send invoice to Fred Goodwin and others like him who have taken all the money.

16-18 year olds at college cannot afford bus fares at full rate - make pensioners pay

All students in the Borough should be provided with a travel pass to allow free travel to and from their place of education.

No comments recorded

No comments recorded

People with benefits claim and sit at home and are very lazy.

No comments recorded

I respect them but what do they do for us?

Poor service since bus times changed. Buses should remain free to all students in full-time education. Spend budgets on tax payers, control immigration.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

How much more money do you want to take?

No comments recorded

No comments recorded

Don't do it, you'll go out of service. Why do people who already have a low income want to spend more on bus fare?

Providing a travel pass to allow free travel to students in further education should be maintained. Not sure how a scheme operated by Transport Executive effects

Council finances. Are Senior Citizen passes to remain free or return to concessionary fare?

No comments recorded

No comments recorded

No comments recorded

No comments recorded

Time & Motion study should take place.

People are struggling with money etc these days, the less to be paid out the better

People are already facing rising food bills, heating clothing, etc. Tories should stop making cuts.

People who have a lot of money should pay more.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

Possibly yes for question 3, not the full expense.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

Teens post 16 should have the chance to go to whatever college they want. Financial issues should not restrict them and force them to go to another college they don't want to go to.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

Don't do it.

No comments recorded

Why should we pay more?

Young adults struggle to get off the ground with deposits for houses but they want us to pay for further education.

No comments recorded

Additional Comments (Brief Summary)

I would rather parents/carers make a contribution to travel costs over discontinuing any transport at all, but feel strongly free discretionary transport should continue (J B Mott, Newman HT)

What is the Council doing for Rotherham? - in my view nothing at all. Rotherham has no decent shops . Take action!

No comments recorded

Young adults may not be able to afford full fare.

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

No comments recorded

People with a disability should have a special bus pass which entitles them to a small discount.

I believe the possible costs for transport for post 16's should be minimal, as this would help relieve pressure for parents.

Build activities for young children because there are many teenagers on street corners which is no good. Please take action or riots will begin.

Sheffield City Council's CYP & FTS welcome the decision of Rotherham to consult on proposed revisions to the current Transport Policy and support the move towards equality in provision

No objections to proposed changes

No objections to proposed changes

email correspondence in response to letter sent to post 16 colleges re changes to Transport Policy. Email reply sent to student from JMR.

Response Analysis**4867 Distributed**

255 Responses	5.24%
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204 Returns received through post **4.19%**

51 Completed on line **1.05%**

Not responded 4612	94.76%
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Returns received through post	(80%) of total responses	
Not Stated	4	1.96
Colleges	6	2.94
Special Schools	3	1.47
Secondary Schools	188	92.16
Other Local Authorities	3	1.47
	204	100

Online Responses	(20%) of total responses	
	number	%
School	40	78.43
College	8	15.69
Other	3	5.88
	51	100.00

Responses per question

Q1. Discontinuation of all discretionary transport for Post 16 Learners from September 2012.

	%	number
Yes	26.67	68
No	66.67	170
Don't know	6.66	17
	100	255

Q2. Introduce charges for Post 16 Learners who have physical and medical needs which prevent them from accessing public services from September 2012.

	%	number
Yes	15.29	39
No	73.73	188
Don't know	10.98	28
	100	255

Q3. Do you agree that existing means tested benefit entitlement (e.g. Free School Meals) should be used to calculate contributions to travel costs for Post 16 learners with SEN?

	%	number
Yes	20.78	53
No	41.57	106
Don't know	23.92	61
Not responded	13.73	35
	100	255



Elise Squires
 Passenger Services
 Corporate Transport Unit
 Rotherham Metropolitan Borough Council
 Hellaby Depot
 Sandbeck Way
 Rotherham
 S66 8QL

Sterling Works
 23 November 2011
 88 Arundel Street
 Sheffield
 S1 2NG

t 0114 252 5940
f 0114 252 5996
e info@fmc.rmet.org.uk
w www.ruskin-mill.org.uk

Dear Ms Squires

Consultation on Post 16 Transport Policy

You sent to us the attached consultation document proposing the withdrawal of transport for post-16 learners from Rotherham. I am responding formally to the consultation document and request that this letter and this College's response is brought to the attention of Elected Members in Rotherham who will take decisions on this proposal.

Freeman College **objects in the strongest terms** to the proposal in the consultation document, since the proposed withdrawal of funding of post-16 transport will impact directly on the students from Rotherham who attend this College.

We object because:

- (i) Our students have a range of complex learning difficulties and require transport to enable them to get to College – they are not independent travelers and are vulnerable. Without transport, these students would not attend and would be likely to end up out of education altogether.
- (ii) If Rotherham Council agrees a placement at Freeman College, paid for by the Young People's Learning Agency, it necessarily follows that the Council should also ensure that the student can physically get to Freeman College - otherwise the promise of a place is false.
- (iii) If Rotherham Council will not fund transport for post-16 students with learning difficulties, it necessarily follows that you expect parents/carers and/or Freeman College itself to pay for taxis. We think that is unfair on parents carers, particularly parents of current students when transport has been agreed to be funded this year. As far as the College is concerned, our funding is given to us after a detailed assessment and is clearly given and audited on the basis that we provide education, therapy and, in some cases, residential care. We do not get funding for home to College transport.

We are a charity and an independent specialist college providing education, therapy and care for 16-25 year olds with a range of learning difficulties, disabilities and developmental

delay. The learning difficulties of our students include typically an individually complex diagnosis encompassing Autistic Spectrum Disorders, Moderate Learning Difficulties, ADHD, mental health issues and a range of other specific physical and medical conditions. All of our students are vulnerable in terms of safeguarding and may present a risk to themselves and/or to others. Many of our students are unable to travel independently. A number require 1:1 support workers. It would discriminate against young people with learning difficulties to withdraw transport to College for them.


One of our main objectives for all our students is to provide education and care that enables students with learning difficulties to progress to more independent living and to independent travel during their three years at Freeman College. We succeed with this for many students, although for some, independent travel is not a realistic prospect and will never be achievable.

Your letter also stated that post-16 transport funded by the Council is discretionary and there is no statutory duty on the Council to provide this. In our view, that argument is fundamentally flawed. The Government has placed Local Authorities under a duty to provide education and care to 16-25 year olds with learning difficulties and disabilities. The relevant statutory provisions are Section 2 and 3 of the Learning & Skills Act 2000, as amended. There is also a duty to ensure all young people up to age 18 are in continuing learning, as part of raising the participation age, as required by the Education & Skills Act 2008. Section 41 of the Apprenticeships, Skills, Children & Learning Act 2009 goes on to place an explicit duty on local authorities to ensure there is education provision for young people under 25 with learning difficulties.

Rotherham Metropolitan Borough Council is therefore necessarily under a clear duty to provide the means to enable students with learning difficulties up to age 25 to access the educational placement provided. The Council is also under a duty to publish a post-16 transport policy and is under an obligation to observe Government statutory guidance on that policy. If the Council takes action by withdrawing transport for some learners which effectively denies them access to appropriate education, then, in our view, the Council would be in breach of a range of statutory provisions. That position is certainly legally challengeable and may be subject to judicial review.

I am copying this letter to Fiona Featherstone and Helen Barre at Rotherham MBC.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Helen Kippax', with a stylized, cursive script.

Helen Kippax

Principal, Freeman College

Students who attend specialist provision may be able to take advantage of some available spaces on some contracted vehicles but may have to pay a charge for this service.

Why to we need to consult?

Current national guidance on Home to School Transport states that 'Local Authorities should consult widely on any changes to their local policies on school/college travel arrangements with interested parties. Please find below a questionnaire which you should complete and return so that you can contribute to this Consultation. Please return completed questionnaires to the address overleaf by **20 January 2012**, or alternatively, you can access this online at <http://www.rotherham.gov.uk/info/200024/consultations> from **19 November 2011**.

Yours sincerely

Elise Squires
Passenger Services
Corporate Transport Unit

FREEMAN COLLEGE

Consultation on proposed revisions to the current Transport Policy for Children and Young People – Post 16 Transport

Consultation Start Date: 19 November 2011

End Date: 20 January 2012

The proposal is to discontinue the discretionary element of Post 16 transport commencing September 2012. Whilst the main reason for proposing revisions to the Policy is financial, the changes would bring greater fairness and equity in transport provision for this group of young people. The Council does not have a legal duty to provide free transport assistance to pupils who are above statutory school age.

Please see below and circle the answers with the options you wish us to consider:

1. Discontinuation of all discretionary transport for Post 16 Learners from September 2012.

Yes

☒ No

Don't know

2. Introduce charges for Post 16 Learners who have physical and medical needs which prevent them from accessing public services from September 2012.

Yes

☒ No

Don't know

3. Do you agree that existing means tested benefit entitlements (e.g. Free School Meals) should be used to calculate contributions to travel costs for Post 16 learners with SEN?

Yes

☒ No

Don't know

4. Any further comments you wish to provide for us:

Rotherham Council is under a statutory duty to provide education for young people with learning difficulties up to age 25. It is therefore under a duty to provide support and the means for young people to access that provision at Freeman College.

You may access an electronic version of this questionnaire on the Council website at <http://www.rotherham.gov.uk/info/200024/consultations> from **19 November 2011**.