



# **COMMUNITY TRANSPORT: PROVISION IN ENGLAND, SCOTLAND, WALES AND THE REPUBLIC OF IRELAND**

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This paper describes the provision for Community Transport (CT) in the United Kingdom (UK) and Republic of Ireland (ROI) providing a discussion of the legislative framework in these jurisdictions as well as an examination of funding sources for community transport. In addition to the UK's provision of Community Transport this paper looks at the Republic of Ireland where the Government takes a very active role in the development of community transport through long term funding of projects aimed at eliminating social exclusion.

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## EXECUTIVE SUMMARY

The voluntary sector has emerged over the last number of decades as a possible solution to the problem of poor accessibility caused through poor access to transport

Voluntary sector transport which is commonly referred to as 'community transport' was the first to offer solutions to rural transport problems and to those marginalised in society, in particular groups such as young people; minority groups; elderly; and the mobility impaired.

The provision of inclusive transport services has always been the goal of the community transport movement since the first voluntary community transport scheme was set up in the United Kingdom (UK) in 1966, in Birmingham.

The main pieces of legislation affecting community transport in the United Kingdom are:

- The Transport Act (1960)
- The Minibus Act (1977)
- The Transport Act (1985)
- Disability Discrimination Act (DDA) 1995 as amended 2005
- Local Transport Act (2008)

Funding is the most pressing concern for community transport providers in the UK

In the UK local authorities have a significant transport planning capability – defining public transport policy and planning and procuring services. As such, local authorities have complete discretion over what services they support, how they plan services and what levels of financial support they provide.

The lack of central funding across the UK for community transport has meant that for many community transport organisations, becoming a social enterprise is the only way to protect their future.

The indication that becoming a social enterprise could offer community transport organisations the possibility to become self sustaining initially came from the success of a number on London based (urban) community transport initiatives.

Research shows that the majority of rural community transport organisations display the necessary characteristics to at least apply the social enterprise business model with many able to become self sustaining social enterprises.

Unlike the UK where central funding has been cut the Government in the Republic of Ireland have committed to a substantial funding package for community based rural transport over the next number of years.

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## COMMUNITY TRANSPORT – A BACKGROUND

The voluntary sector has emerged over the last number of decades as a possible solution to the problems of poor accessibility and social exclusion caused by poor transport provision. Traditionally the voluntary sector has provided services that have been regarded as ancillary or additional to statutory provision but increasingly it has been funded (either wholly or partly) by government to deliver key frontline services.<sup>1</sup> Voluntary sector transport which is commonly referred to as 'community transport' was the first to offer solutions to rural transport problems and to those marginalised in society, in particular groups such as young people; minority groups; elderly; and mobility impaired people who may struggle with issues such as gender; ethnicity; isolation; poverty; and low incomes.<sup>2</sup>

Community transport, which has been defined as:

*“local passenger transport provision which is not provided through scheduled bus or rail services, which is organised on a non-profit basis by voluntary organisations, community transport groups, and other non-statutory bodies”<sup>2</sup>*

is a response to the transport needs of individuals or groups not met by private, statutory or conventional public transport services; effectively it is transport for the people provided by the people. The main characteristics of CT are<sup>3</sup>:

- being third sector organisations embedded in the local community;
- Providing safe, accessible and affordable transport solutions to meet local needs;
- Being community owned and managed by local people;
- Being inclusive and non-statutory.

### COMMUNITY TRANSPORT IN THE UK

The provision of inclusive transport services has always been the goal of the community transport movement<sup>4</sup> since the first voluntary community transport scheme was set up in the United Kingdom (UK) in 1966.<sup>12</sup> Since then it has grown dramatically, so much so, that it is now a vital component in the delivery of social welfare services.

Many of the early community transport schemes were set up ad hoc to deal with problems when and where they arose and it was noted that these schemes did not always reach those in real need, i.e. those people on the extreme periphery and suffering the greatest levels of exclusion. However as community transport developed largely due to: increased demand for transport; a decline in conventional bus and rail services and a growth in the politicisation and recognition of disabled and elderly people<sup>2</sup> so too did the degree of professionalism in the way CT was managed.

The shift towards greater professionalism within the movement was helped by the successful launch of the Community Transport Journal in 1982 which subsequently led to the formation of the Community Transport Association (CTA) in 1986. The CTA started as a national association for CT operators providing advice and guidance to

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<sup>i</sup> The first officially recognised CT operation was set up in Birmingham in 1966 although unofficially, voluntary car schemes designed to satisfy a social welfare need have existed in the UK since approximately 1939

its members and is now the leading UK wide body for voluntary and community transport. In addition to its role in providing training, advice and guidance CTA acts as a lobby group campaigning for improved recognition and facilities for voluntary sector transport. Its vision is of:

*“A fairer society free of social exclusion and injustice where everyone has personal choice, mobility and access to the services they require.”<sup>5</sup>*

LEGISLATIVE DEVELOPMENTS AFFECTING COMMUNITY TRANSPORT

There have been a series of legislative developments which have shaped how Community Transport operates in the UK since the transport Act of 1960 and these are summarised below:

<b>The Transport Act (1960)</b>	<ul style="list-style-type: none"> <li>• Relaxed regulations for non-hire minibuses and led to minibuses becoming more affordable.</li> </ul>
<b>The Minibus Act (1977)</b>	<ul style="list-style-type: none"> <li>• Introduced minibus permits;</li> <li>• Allowed social/welfare groups to use buses without having to comply with PSV legislation;</li> <li>• Stipulated that permit holders could not make profit;</li> <li>• Stipulated that permit holders could not offer services to the general public; and</li> <li>• Created an environment which fostered a proliferation of dial-a-ride and other group hire bus schemes</li> </ul>
<b>The Transport Act (1985)</b>	<ul style="list-style-type: none"> <li>• Placed responsibilities upon Passenger Transport Authorities (PTAs) and local authority public transport departments to provide for disabled and elderly passengers;</li> <li>• Allowed for vehicle sharing;</li> <li>• Established the Rural Transport Development Fund (RTDF); and</li> <li>• Made provision for minibus operator permits aimed at both community (Section 19) and Commercial (Section 22) operators.</li> </ul>
<b>Disability Discrimination Act (DDA) 1995 as amended 2005</b>	<ul style="list-style-type: none"> <li>• Since December 1996 it has been unlawful for service providers to treat disabled people less favourably for a reason related to their disability;</li> <li>• Service providers have had to make "reasonable adjustments" for disabled people</li> <li>• Since 2005 it has been unlawful to deny access to people with disabilities (including those with mental health problems);</li> <li>• It is unlawful to charge disabled people more for services;</li> </ul>
<b>Local Transport Act (2008)</b>	<ul style="list-style-type: none"> <li>• The Act amends sections 19 and 22 of the Transport Act 1985;</li> <li>• Community minibus groups will have the flexibility to undertake certain new activities which were not possible before the new Act was introduced;</li> <li>• The ability for smaller vehicles (e.g. MPV's) to be run under the same operating licence which previously could only be used for community minibuses;</li> <li>• Allowing rebates of fuel duty to be paid for mileage covered by smaller vehicles (also previously only applicable to community minibuses);</li> <li>• Enabling more drivers to be paid;</li> <li>• Making it possible for larger vehicles (e.g. coaches) to be operated;</li> <li>• Widens the scope for bus passes to be taken on community transport services.</li> </ul>

## COMMUNITY TRANSPORT – STATE OF THE ART

### ENGLAND

There are approximately 1,500 community transport organisations in England which represents 1% of the total number of charities operating in the UK.<sup>3</sup> Most of these CT organisations (as shown in figure 5) are exempt from the need to have PSV operators licences and run under section 19 and section 22<sup>ii</sup> permits which are non commercial and commercial (respectively) permits for community transport operators introduced in the Transport Act 1985.

Since 2002 the majority of CT organisations in England have been able to get funding from the Bus Service Operators Grant (BSOG) which was formerly only accessible by commercial operators and was known as the 'Fuel Duty Rebate'<sup>6</sup> and was viewed by the sector as official recognition of their role in the transport provision mix. The total value of claims for BSOG from CT organisations in 2008/09 was £7.6 million with approximately 700 separate community transport organisations claiming it.<sup>3</sup>

### OPERATING THEMES AFFECTING CT IN ENGLAND<sup>iii</sup>

#### *Strategic planning by local transport authorities*

- 75.8% of local transport authorities have a community transport strategy;
- The strategies are (mostly) contained within the Local Transport Plans (LTP);
- A strategic approach to CT enables an authority wide view of transport and identifies capacity, gaps etc;
- A strategic approach allows for greater co-operation between CT operators;
- The DfT suggest consulting CT operators when developing LTP's.

#### *The Local Transport Act 2008*

- The Local Transport Act 2008 has the potential to substantially change the operating environment of CT;
- It emphasises the localism agenda: the Act encourages CT to work directly with Local Authorities;
- It allows for a wider range of vehicles to be used for community transport;
- The legislation is clearer about how community transport can be used to benefit people living in rural and isolated communities;
- Restrictions on paying drivers of community buses have been removed.

#### *Financial arrangements*

- The most common financial relationship between local transport authorities and CT organisations is now through a service level agreement (SLA)<sup>iv</sup>;
- This represents a shift from the traditional awarding of grants;
- The majority (65%) of local transport authorities (including London) allocate some level of funding to community organisations (figure 6), but this is discretionary;
- This is mainly revenue funding Local transport authorities do not provide annual capital support to the CT sector;

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<sup>ii</sup> Section 19 and 22 refer to the sections of the Transport Act where provision for the permits is made

<sup>iii</sup> This section is a summary of data presented in the CTA State of the Sector Report<sup>3</sup>

<sup>iv</sup> The part of a service contract where the level of service is formally defined

- Other funding sources include: district councils; primary care trusts; the lottery; charitable trusts and some regional development agencies.
- Other revenue comes from fares from users, concessionary fare reimbursement, BSOG and income from trading.
- In the current funding climate there will be a greater onus on community transport organisations to demonstrate that they are meeting local needs in a distinctive way which also provides good value for money;

#### *Procurement*

- The change in the funding climate with a shift from financing CT through grants to SLAs has brought procurement processes to the forefront;
- These have been shown to favour larger organisations with smaller groups unable to compete;
- There are still grants allocated with local authorities split over the benefits of both systems.

#### *Concessionary fares*

- Bus travel remains the most used form of public transport, especially by older people, but to be effective it needs to be affordable and accessible;
- Since the implementation of the Concessionary Bus Travel Act 2008 in England all older and disabled people are entitled to free off-peak travel on registered local bus services;
- Although they are not required to, 71% of the authorities surveyed contribute to some concessionary travel reimbursement on community transport;<sup>v</sup>
- Registered local bus services run under section 22 (commercial CT operators) have a statutory entitlement to receive reimbursement under the local concessionary fares scheme;
- Concessionary bus travel continues to be an issue that presents difficulties for many users of community transport. Most community transport services are not registered local bus services, and are therefore not reimbursed for providing transport to passengers eligible for concessionary travel.

## **WALES**

Wales is governed by the same legislation as England and the Welsh Assembly has no power to change the legislation regarding CT such as the Transport Act or the Local Transport Act. The Welsh Assembly does however; operate its own funding programmes which support the provision of community transport.

### **FUNDING FOR COMMUNITY TRANSPORT**

The Welsh Transport Strategy: '*One Wales: Connecting the Nation*' acknowledges the significant role of community transport in the country's transport provision mix particularly in providing less-abled and elderly people access to key services which it acknowledges are widely dispersed and generally located in key settlements<sup>7</sup>.

The major funding schemes for community transport in Wales are:

- The Local Transport Services Grant (LTSG) Scheme; and
- The Community Transport Concessionary Fares initiative

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<sup>v</sup> This data does not correlate with anecdotal evidence gathered by the CTA. Possible reasons for this discrepancy include: the authorities who contribute only do so on a partial basis; in any given area, not all operators necessarily receive a contribution; the discretionary nature of authorities' contribution means it can vary over time.

The LTSG scheme enables Local authorities in Wales to provide additional bus and other local transport services. In 2009-2010 a total of £10,857,600 has been made available to Local Authorities in Wales in addition to their existing budget. The scheme though, is not designed solely for the provision of community transport but provides funding for Local Authorities to finance a range of transport initiatives which may include improving existing services or purchasing accessible buses<sup>8</sup> but it is a condition of the grant that a minimum of 10% be allocated to community transport<sup>9</sup>.<sup>vi</sup>

The Welsh Assembly Government introduced an All Wales Concessionary Fare Scheme in April 2002 which provided free local bus travel for the elderly and disabled. While the scheme was most welcomed and very successful there were those who were unable to take advantage given their inability to access traditional public transport due to issues such as severe disability and other mobility problems. In order to include this group a pilot initiative was launched which provided funding for disabled people to use their concessionary passes on community transport with a funding allocation of £3.9m (September 2005 – 31 March 2009).<sup>10</sup> The scheme was called the Community Transport Concessionary Fares Initiative (CTCFI).

The scheme consisted of 15 demonstration pilots each of which set targets through which they could be evaluated. The pilots were also evaluated based on how they contributed to the objectives of the Welsh Transport Strategy, which broadly speaking are:

- To improve access to both social welfare and leisure services/facilities;
- To facilitate social inclusion; and
- To improve travel safety.

The scheme was evaluated during 2008 by external consultants, Capita Symonds. They found that there was a very positive impact on users; best demonstrated by the high uptake of the services<sup>11</sup>. On March 10<sup>th</sup> 2010 the Welsh Minister for the Economy & Transport announced that CTCFI would continue for the existing schemes for a further three years, to March 2012 although the scheme was not extended beyond the existing projects.<sup>12</sup>

## **SCOTLAND**

Like England and Wales the Scottish Executive has also introduced a free bus scheme for older and disabled people although unlike Wales, there has been no provision for the use on concessionary fares on services operated with section 19 permits. The Scottish National transport Strategy does state that as part of a review of the scheme, the Scottish Executive would give consideration to extending the free concessionary scheme for bus travel for older and disabled people to include flexible, demand responsive and Community Transport (CT) services. To date however the Scottish Government<sup>vii</sup> has not included community transport providers. Dial-a-bus and Demand Responsive Transport services are included provided they operate as a registered service<sup>viii</sup>; however the flexible nature of most CT services does mean that many do not meet the criteria for registration<sup>13</sup>.

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<sup>vi</sup> The link provided in endnote 33 provides a good example of the way the LTSG is divided up with the provision for community transport clearly identified.

<sup>vii</sup> Scottish Executive rebranded to Scottish Government in 2007

<sup>viii</sup> Those operating with a section 22 permit (commercial) can accept concessionary passengers.



In its 2006 Transport Strategy the Scottish Executive underlined its commitment to improve the transport provision for rural Scotland through both a high quality public transport system but also through the development of community transport solutions in local areas. One of the main vehicles for satisfying this commitment was the Rural Transport Fund. The Scottish Office introduced the Rural Transport Fund in 1998 to enhance public transport services and related facilities in rural areas across Scotland. The fund was allocated to projects which serviced settlements up to 10,000 people. The Rural Transport Fund, was £8.7 million in 2006, and had the aim of improving social inclusion in rural areas through targeted schemes including<sup>14</sup>:

- the Rural Petrol Station Grants Scheme;
- Rural Community Transport Initiative; and
- Rural Public Passenger Grant Scheme.

#### LOSS OF CENTRAL GOVERNMENT FUNDING

While the schemes mentioned and the Rural Transport Fund in general proved to be very successful, supporting some 165 projects throughout Scotland by October 2006, (with grant awards totalling £16.5 million)<sup>15</sup> this central funding ceased to exist on the 31st March 2008 while on the final year, 2008-09 an amount equivalent to the grant was paid direct to local councils who would now be responsible for funding community transport in their jurisdictions.<sup>16</sup>

The funding of community transport is therefore now discretionary among local authorities in Scotland. As in other parts of GB local authorities have a significant transport planning capability – defining public transport policy, planning and procuring services. As such, local authorities “...have complete discretion over what services they support, how they plan services and what levels of financial support they provide. They are also free to set their own value for money constraints to providing services”.<sup>17</sup>

The Edinburgh Local Transport Strategy 2007-12<sup>18</sup> recognises the significance of CT and the services it provides and states that it supports the extension of the concessionary fares scheme into CT services, however, it further states:

“...specialised services (CT) generally require funding from the Council’s revenue budget, which is severely constrained. At the same time, the Council recognises that there is current unmet demand which could increase in the future, and that disabled people and representative groups are concerned that funding constraints are creating difficulties. The Council is not in a position directly to provide additional funding in this area, but will actively seek to identify any other possible sources of funding”.<sup>18</sup>

This is similar to the position held by local authorities in England with the result that in some areas CT provision is good where in others it is virtually non-existent. But while the funding situation is precarious, a survey conducted by the Community Transport Association (CTA) in July 2007 showed that there is a strong reliance on CT in Scotland: with community transport providing 2.6 million passenger journeys in Scotland in 2006, carrying approximately 100,000 passengers.

## SOCIAL ENTERPRISE

The lack of central funding across the UK for community transport has meant that for many community transport organisations becoming a social enterprise is the only way to, if not guarantee, at least be proactive in trying to ensure their future. Social enterprise is defined as:

“A business or service with primarily social objectives whose surpluses are principally reinvested for that purpose in the community, rather than being driven by the need to maximise profit for shareholders and owners”.<sup>19</sup>

The key characteristics of a social enterprise are:

1. They *trade* i.e. sell goods and/or services and any profit or ‘surplus’ made as a result of their trading activities is either ploughed back into the business or distributed to the community they serve;
2. They have a *clear social purpose*. This may include job creation, or the provision of local facilities e.g. a nursery, community shop, or social care for the elderly;
3. They are *owned and managed* by the communities they serve.<sup>20</sup>

The indication that becoming a social enterprise could offer community transport organisations the possibility to become self sustaining initially came from the success of a number on London based (urban) community transport initiatives. It was felt however that similar schemes were less prevalent in rural areas due to the economics of rural transport and the scarcity of regular bus routes which would mean making a viable business would be more difficult.<sup>21</sup>

The Plunkett foundation and the Community Transport Association with funding from the Department for Transport<sup>21</sup> carried out a piece of research which aimed to find ways to address the CT sectors reliance on ‘short-term and precipice funding’ arrangements and took the view that enterprise based approaches offered the most viable solution. The main conclusions which emerged from the research are as follows<sup>21</sup>:

- Much of the sector already uses social enterprise approaches, at least in part, whether or not they describe them as such;
- Whether or not individual rural CT organisations use social enterprise approaches are not, most are extremely enterprising;
- The sector is somewhat unique in the manner in which it combines the traditional characteristics of voluntary organisations with the use of enterprise-based approaches;
- It is good practice in the use of enterprise-based approaches that can be replicated, rather than an organisational or business model;
- It is beneficial to divide rural CT organisations into different types of organisations which offer different types of services or pursue different approaches to the way in which they deliver their services and maintain financial viability;
- One of the largest barriers to the use of social enterprise approaches is that of culture and attitude.

**Figure 7: Make up of income for Community Transport activities**

	<b>Total Revenue (£)</b>	<b>Proportion of Revenue</b>
<b>Grants</b>	4,676,246	46%
<b>Providing Services under Contract</b>	1,891,242	19%
<b>Charging for Services</b>	970,690	20%
<b>Charitable Fundraising</b>	365,300	4%
<b>Other</b>	1,082,486	11%
<b>Total</b>	<b>9,985,964</b>	

Source: Moreton, et al. (2006)<sup>21</sup>

Whilst 46% of the total revenue of CT organisations surveyed is from grant aid, suggesting that the sector as a whole is heavily grant dependent, it also shows that some 39% of total income is represented by 'trading' activities, divided almost equally between charges for services (fares) at 20% and the provision of services under contract, at 19%, suggesting there is potential here to reduce the reliance on grant aid (see figure 7).

### **REPUBLIC OF IRELAND**

Social Exclusion is a serious problem in the ROI, with its predominantly rural landscape significantly contributing to this. Estimates derived from the 2002 National Rural Transport Survey suggest that as many as 380,000 people in rural areas perceive themselves as having unmet transport needs<sup>22</sup>. In a response to this problem the Department of Transport (DoT) established The Rural Transport Initiative (RTI) in 2002 as part of a commitment in the National Development Plan 2000-2006 to provide funding for the development of pilot public transport initiatives in rural areas<sup>23</sup>.

Funding for the RTI cost €4.5 million in 2005, and the allocation of this and the general management of the initiative was carried out by Pobal on behalf of the DoT. The initiative has led to the development of 34 RTI groups throughout Ireland who provide transport services in rural areas. These groups have been formed either through existing local development organisations or through the formation of new groups, and participation at Board level involves a mix of the community and voluntary sector, service users, LEADER and Partnership groups, local authorities and (to a lesser extent) the Health Service Executive (HSE) and transport providers<sup>22</sup>.

The overall aim of the RTI has been:

“to encourage innovative community-based initiatives to provide transport services in rural areas, with a view to addressing the issue of social exclusion in rural Ireland, which is caused by lack of access to transport”.<sup>22</sup>

The Rural Transport initiative proved a very successful pilot initiative<sup>23</sup> and directly resulted in the establishment of a new Rural Transport Programme (RTP), which was launched in February 2007 with a commitment of €90 million over its life time (2007-2013).<sup>24</sup>

“The RTP is building on the success of the Rural Transport Initiative and puts the former pilot scheme on a permanent mainstreamed basis, with significantly increased funding. It continues the recognition that local communities are best

placed to identify their rural transport needs and to address them. Consequently, approved rural community transport groups will continue to have primary responsibility for initiating, developing, organising and delivering transport services funded under the RTP".<sup>23</sup>

The transport provided in the RTP is quite different to conventional public transport. The following are some of the unique features of the Programme:

- The Programme is delivered nationally through 36 community based groups, all of which are either not-for profit companies limited by guarantee or co-operatives<sup>ix</sup>.
- There is a bottom up approach to service development i.e. the RTP works with local communities to plan and deliver flexible transport services that meet the needs of the community, including those who experience social exclusion.
- 75% (2008) of all journeys are delivered on a door-to-door basis, collecting people from their homes and assisting them to their destination.
- All journeys tend to be local in nature, with an average distance of about 15 miles.
- RTP services are open to everyone and people with a Free Travel Pass may travel free of charge.
- The needs and welfare of passengers are central to service delivery. This might involve helping older people with their shopping, assisting mobility impaired passengers to access vehicles, or even calling on the homes of people who may have missed their routine trips due to illness<sup>25</sup>.

The Irish Government announced a review of public service spending on 27<sup>th</sup> November 2008 which made recommendations to "cease the funding for the rural transport programme", which would provide a saving of €11 million.<sup>26</sup> However, to date this has not been withdrawn and funding remains in place up until [at least] December 2010 when the budget announcement for the following year will take place<sup>27</sup>.

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<sup>ix</sup> This is closer to the UK model i.e. they are not for profit commercial entities like those with section 22 permits, with the services open to everyone. The difference with Northern Ireland CT organisations for example, is that the services are not available to everyone

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