

Committee:	<b>Lead Member for Learning and School Effectiveness</b>
Date:	<b>8 November 2011</b>
Title of Report:	<b>Review of discretionary provision of home to school transport – Etchingham and Hurst Green to Uplands Community College</b>
By:	<b>Director of Children’s Services</b>
Purpose of Report:	<b>To receive the petition from Cllr Barnes and to consider future action.</b>

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**Recommendation:**

**The Lead Member is recommended to note the actions being undertaken by Council officers to seek to find alternative solutions for pupils travelling from the Etchingham and Hurst Green areas to Uplands CC prior to the ceasing of council hired transport from September 2012 and to agree that these should continue.**

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**1. Financial Appraisal**

1.1 The Home to School Transport budget was £11,420,600 in 2010/11 and is £10,177,000 in 2011/12, £1,243,600 less than in 2010/11. This funding comes from the Children’s Services Authority funding and not through Dedicated Schools Grant (DSG). For many years, until 2010/11, this budget had a large and growing overspend. The required savings from the Children’s Services Department for 2011/12 meant that it was imperative for all areas of discretionary spend to be reviewed. It is estimated that the decision made by the Lead Member in June 2011 to remove the final areas of discretionary transport from September 2011, except for children entering Year 11, will lead to an annual saving of £99,434 of which £22,122 will be achieved through the removal of discretionary transport to children from the Etchingham and Hurst Green areas attending Uplands Community College.

**2. Supporting information**

2.1 The County Council provides free home to school transport for eligible pupils of statutory school age in accordance with Section 508B of the 1996 Education Act. In addition, the Council has, for a number of years, used its discretion to provide assistance for a small number of pupils who do not qualify under the eligibility criteria.

2.2 As a result of the 2004 Lewes and Wealden Transport Review, the public bus from the Etchingham and Hurst Green areas to Uplands CC was changed to a hired coach and the Home to School Transport Board agreed to charge parents £41.16 per term (£246.96 per annum) for a seat on this coach. This charge was very highly subsidised.

2.3 In March 2011 the Lead Member agreed to consult on ceasing the provision of all remaining areas of discretionary transport provision. The consultation ran from 18th March 2011 to 16th May 2011. A copy of the consultation booklet was sent to each parent/carer currently in receipt of this discretionary transport assistance. Details of the consultation were also publicised to all schools through the Virtual School Bag, the press and on the East Sussex website ‘Have your say’ section. Copies of the consultation booklet were sent to all primary schools in the affected area with a request for these to be passed to parents of children in Years 5 and 6.

2.4 In June 2011 the Lead Member considered the responses to the consultation and agreed that for the Etchingham and Hurst Green to Uplands CC route:

- a. the previous lower charge should be retained for pupils in Year 11 in September 2011.
- b. the coach should continue to operate until September 2012 and seats are charged at the VSS rate for all other pupils.
- c. from September 2012 the hired transport would cease and officers should work with the school to seek to find alternative solutions at no cost to the Council.

2.5 The Council currently hires the coach for discretionary transport provision and, even now that parents are paying the Vacant Seat Scheme rate, this does not cover the hire cost and there is an on-going cost to the Council for this service in the 2011/12 academic year. There are issues here of not only affordability but equity. East Sussex County Council could not financially sustain transporting all children to whichever school is their parents' preference nor would it be fair for the Council to do so for a few but not the majority.

2.6 If families who wish their child to travel on this route are on a low income (in receipt of free school meals) they can apply for free home to school transport in certain circumstances and the families affected by this decision have been informed of this. The 2011/12 charge for a seat on the current coach is set at the Council's Vacant Seat Scheme rate which is £648 for a return journey for the first child and £486 for a second or subsequent sibling.

2.7 There are currently 25 children in Years 7-11 travelling on this route who do not qualify for statutory transport. The designated school for these areas is Robertsbridge Community College and all of these pupils would qualify for free transport to that school. There are seven sixth form students also travelling on the route.

2.8 Young people over the age of 16 are not entitled to statutory home to school transport. The current service from Etchingham and Hurst Green includes a number of 6<sup>th</sup> formers. The Council would wish that young people continue to be able to have a choice to attend the 6<sup>th</sup> form at Uplands CC and is working with the school and local transport operators to seek to find alternative transport solutions that do not incur additional costs to the Council as agreed at the Lead Member meeting on 8 June 2011.

2.9 Councillor Barnes presented the petition (attached as Annex A to this report) to the Lead Member prior to the County Council meeting on 18 October 2011. The petition includes a number of requests which are considered in Annex B.

2.10 Officers from the Economy, Transport and Environment Department have been taking steps as per recommendation c in paragraph 2.4 above to work with the school, transport operators and the community to seek to find alternative solutions at no additional cost to the Council. This work continues and an update will be provided orally at this meeting.

### **3. Conclusion and Reason for Recommendations**

3.1 The Lead Member is asked to note the actions being undertaken by Council officers to seek to find alternative solutions for pupils travelling from these areas to Uplands Community College prior to the ceasing of council hired transport from September 2012 and to agree that these should continue.

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Local Members: Cllr Barnes

Background Documents: *DCSF Home to School Transport Guidance, 2007*

**Petition to be presented on our behalf by County Councillor John Barnes  
18 October 2011-10-16**

As a result of the County Council's decision to almost treble the travel charges for those pupils who have chosen schools other than those designated for them, several families in Etchingham and Hurst Green and a few also in Burwash are facing an impossible financial situation, having to find at least £650 a year out of taxed income and where there is more than one child multiples of that figure. Those figures are greatly in excess of those payable on commercial routes, but because commercial routes simply do not exist at present for journeys into Wadhurst from either Burwash and Etchingham and are impossibly timed from Hurst Green such families are forced to use the transport provided or, through using their cars, add to the massive congestion around the school each morning and afternoon.

They are being penalised for choosing a school with a sixth form rather than force their children ultimately to have to travel some 17 miles to Bexhill for a sixth form education; for choices often made several years ago, or for having siblings to follow on older brothers and sisters. We cannot believe this is just nor indeed does it conduce to the aims of public policy (maximising choice, minimising carbon footprint, helping rural areas etc).

Were we now to transfer our children to the so-called nearest appropriate school, the County would be forced to lay on an additional free bus. The problem began with the abolition of the area of overlap between catchment areas that previously allowed children from Etchingham and parts of Hurst Green to attend either Uplands or Robertsbridge, usually having first attended the primary school at Etchingham which is in fact situated on Burgh Hill. For Etchingham, the boundary of the catchment area has been drawn through the village separating school friends who have grown up together. Parts of Hurst Green that have traditionally looked to Etchingham and then to Uplands have now been included in the catchment area for Robertsbridge although they do not in any sense look south to that village.

We would ask therefore that the County Council to consider as a matter of urgency the hardship caused particularly to those with children already settled at Uplands whose educational progress should not be disrupted by any education authority. We would ask for consideration also of a number of options, not all of which should be thought of as mutually exclusive:

1. Restoring the area of overlapping catchment to those parts of Etchingham and Hurst Green that traditionally looked to Uplands rather than Robertsbridge.
2. Redrawing the catchment area for Uplands to embrace the historic links between Etchingham, parts of Hurst Green and Uplands.
3. Ensuring that the commercial service between Hurst Green and Wadhurst has a service that can be used by school students at either end of the day and that season tickets are provided so that students can get from Burwash and Etchingham to Hurst Green and can then use those tickets on the existing commercial service.
4. Reducing the payments on the existing bus, as has apparently been done for Mountfield, in recognition that if all parents opt to change to Robertsbridge there will be a much more major charge to the Authority.
5. To enter into discussion with Country Liner public buses to change their current timetable from 0723am to approx 8.15am to collect the Etchingham and Hurst Green children (5 mins later) and to return the children to these villages at approx 3.45/4pm and for the children to be provided with a bus pass at an acceptable/affordable price. Countryliner currently have buses running through from Heathfield to Tunbridge Wells via Hawkhurst, on their route 254.

We would be happy to consider any other constructive suggestions to alleviate what are proving quite intolerable financial burdens well in excess of those required of those living in areas better served by public transport.

### Comments on the requests included in the petition:

1. *Restoring the area of overlapping catchment to those parts of Etchingham and Hurst Green that traditionally looked to Uplands rather than Robertsbridge.*

The community areas for Robertsbridge and Uplands Community Colleges have not changed and there has not been an overlapping area to include Etchingham and Hurst Green. It is appreciated that the establishment of a new overlapping area would benefit those parents living in parts of Etchingham and Hurst Green who prefer their children to attend Uplands Community College in terms of their transport from home to school. However, there are likely to be wider, less favourable implications regarding school admissions for other children as explained below. The setting of school community areas is undertaken well in advance of the start of a school year in order to allow parents to make choices for secondary schools based on clear information.

Consultation on admission arrangements which includes community areas takes place annually and notices are placed in the local press informing parents where they can access the proposed arrangements and submit their comments. The next consultation round will take place in January and February 2012 and will apply to the admission arrangements for the 2013/14 school year i.e. for September 2013. Comments are welcomed, acknowledged, and will be taken into consideration together with the wider implications when determining final admission arrangements.

2. *Redrawing the catchment area for Uplands to embrace the historic links between Etchingham, parts of Hurst Green and Uplands.*

The same extended period of consultation would apply to this suggestion as to the previous one, and again, there are technical and legal school admissions issues that would need to be considered.

Traditionally, applicants from Etchingham and Hurst Green who prefer their children to attend Uplands CC have been able to do so because the school has had the capacity to accept pupils from outside the community area as well as those living within.

Redrawing the area further south so that Etchingham and parts of Hurst Green are within the community area for Uplands Community College could affect admissions to Robertsbridge Community College and impact on the ability of Kent residents to gain admission to Uplands Community College. As Uplands CC is close to the border with Kent, this could be challenged under the 'Greenwich Judgement' which forbids applicants from outside the County being treated less favourably than those applicants living in East Sussex. It is for these reasons that it is unlikely the County Council would agree the suggested changes to the existing community areas.

3. *Ensuring that the commercial service between Hurst Green and Wadhurst has a service that can be used by school students at either end of the day and that season tickets are provided so that students can get from Burwash and Etchingham to Hurst Green and can then use those tickets on the existing commercial service.*

The main service between Hurst Green and Wadhurst is the Stagecoach 254 service which is partially an ESCC subsidised service which the Council supports due to the many number of children travelling from the Flimwell area into Uplands CC who are entitled to statutory home to school transport. The vehicle leaves Hastings from the depot which offers a better service for other passengers wishing to travel on the route and includes those Kent pupils attending Uplands. The East Sussex Economy, Transport and Environment Department will work with Kent County Council, ESCC transport officers and Stagecoach to explore how capacity on the afternoon journey could be increased as it appears that the morning service could accommodate all those wishing to use the bus from Hurst Green at present.

There are season tickets available on this service in the form of a Freedom ticket which costs £14 per week. This ticket provides unlimited travel on almost all public buses in East Sussex, including at weekends.

- 4. Reducing the payments on the existing bus, as has apparently been done for Mountfield, in recognition that if all parents opt to change to Robertsbridge there will be a much more major charge to the Authority.*

The charge for a seat on the existing bus is now set at the Vacant Seat Scheme rate. This is the rate paid by all parents whose children travel on ESCC hired transport who do not have a right to statutory home to school transport. The rate is calculated annually and is the average cost of all seats on the Council's hired coach transport.

The service from the Mountfield area to Robertsbridge CC has recently changed from a hired coach to a public service. From our records we do not believe that this has resulted in a reduction in cost to parents as all pupils travelling on this service are entitled to statutory free home to school transport.

Should any pupils currently attending Uplands CC opt to transfer to Robertsbridge CC the Council would review the transport arrangements and seek to accommodate those new passengers on existing transport routes which would not incur any additional cost to the County Council.

- 5. To enter into discussion with Country Liner public buses to change their current timetable from 0723am to approx 8.15am to collect the Etchingam and Hurst Green children (5 mins later) and to return the children to these villages at approx 3.45/4pm and for the children to be provided with a bus pass at an acceptable/affordable price . Countryliner currently have buses running through from Heathfield to Tunbridge Wells via Hawkhurst, on their route 254.*

The Countryliner service mentioned above is a commercial service and there are 4 journeys daily between Etchingam and Wadhurst, none of which are suitably timed to meet the school's opening and closing times. The 0723 journey is planned so that the bus arrives in Tunbridge Wells at 0828 meeting the needs of those who currently travel. Delaying this journey by over 50 minutes would not be acceptable to the commercial operator as this key peak time service would not get to Tunbridge Wells before 0900 and would potentially suffer from reduced numbers travelling if so. A similar position also applies to the journey in the evening when the vehicle cannot leave Tunbridge Wells until after 1730.