

WLDC ACE DIVISION	
FILE NO	
REC'D	01 DEC 2010
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**WEST LANCASHIRE PENSIONERS
FORUM**

The Organisation of Retired Citizens; For Retired Citizens;

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29th November 2010.

Dear Ms Webber

Petition-Off peak rail and bus concession for Over60s/Disabled people of the West Lancashire Borough who are in need of medical services, or are socially excluded from rail or bus services by virtue of being in a low income group such as state pensioner.

Thank you for your letter of 19th November 2010 in response to the petition referred to above which, for the benefit of readers, also contained specific reference to the following matters;

The Over60s/Disabled people of West Lancashire petition the West Lancashire Borough Council to commit to a concession system whereby those Over60s/Disabled who need to travel for medical services can do so by using a concession pass provided by West Lancashire Borough Council that is free of charge, that enables free rail and bus travel including to any and all medical appointments on production of an appointment card or letter; and that the West Lancashire Borough Council does commit to providing a similar concession system whereby any and all Over60s/Disabled may be socially included in any and all benefits of free off peak rail and bus travel .and that West Lancashire Borough Council does so by arranging to use empty publicly funded seats on out of borough trains at no cost to WLBC.

We wish to express our gratitude for having received support from council tax payers for any travel options beyond those which were statutorily provided, albeit we are paying such council tax anyway.While thanking you for providing a history of Council's support to us, of Council's view of the forthcoming changes to the higher tier administration of concessionary travel, and the potential amount of grant funding Council might receive, we did not petition Council for those facts and we had assumed the Petition would be answered in its entirety.

You have said in your letter Council would provide a response setting out its views about our request, but it has failed to do so. There is no Council view on enabling us to travel free of charge to

essential medical appointment outside the Borough, nor of Council's attempts, if any, of arranging for us to use empty publicly funded seats on out of Borough trains at little or no cost to the Borough, which we believe is possible.

So, Council having provided the history of its support for us to date, we feel compelled to do likewise in respect of our legitimate and honourable campaign not to be socially excluded from this Council's policies, as has been the case. We refer to the history of the £28 of travel tokens, now devalued over five years, of the recent refusal by Council to retain the £153,000 refunded by bus operators in the concessionary travel budget, of the savings of £38,000 made on concessionary travel for the past two years, and of various other annual savings amounting to circa £20,000.

The tone of Council's concessionary travel policy was set in February 2009 by its direct request to Merseytravel for ball park indicative worst case costs, for a confidential guestimate, of the practicality of offering a free railcard to us. Having provided these statistics to Merseytravel, that "WLDC has approx 26,600 elderly residents, of which approx 4,000 opt for the free Senior Railcard (a further 1,000 purchase a discounted Senior Railcard from us as an addition to their chosen concession of either a Bus Pass or Travel Tokens)" Merseytravel estimated that "your full year costs for free travel on Merseyrail would be in the region of £0.5m to £0.750m. The actual figure will depend upon the following:-quantum of journeys; any commercial deal with Merseyrail; scale of the concession offered to West Lancs residents eg, Ormskirk/Liverpool, or pan-Merseyside".

As is now known, there was no single legitimate "quantum" or "how many" journeys or what scale of concession might be offered allowing for the indicative numbers Council had quoted, the 4,000 who opt for the free senior railcard and the further 1,000 who purchased a discounted senior railcard. Council simply took the maximum ball park, indicative worst case costs of the total of 26,600 elderly in the Borough and obtained the confidential guestimate. And thus it was that an email from a senior Council officer reported "Hi Councillor Grant, Just received the attached info from Merseyside - I think this will help your position with regard to this issue", the "info" being £0.5m to £0.75m for the worst case.

But what of a best case, which pensioners believe should also have been sought as an option? The published accounts for Merseytravel refer to "continuous surveys of all bus, train and ferry services undertaken by Merseytravel's team of Traffic Investigators". Council did not bother to obtain and use those surveys for West Lancashire stations. Nor did Council use any actuarial system for assessing the costs of such a service. In its simplest form, and in the absence of true statistics, a best case is for Council to determine that the 4,000 who opt for a free railcard and the 1,000 who opt to purchase a discounted senior railcard would benefit from a Merseytravel rail concession at a cost easily contained within the £28 of tokens to those who opt for them.

Despite the rebuttal of our claim we continued to campaign for parity with Merseysiders, on the basis of being discriminated against, of inequality, of our human rights not to be socially excluded, and of the evidence that Council was not being completely transparent. This fact was confirmed during 2010, when unknown to us and despite our ongoing searches for public information relating to free rail travel, it came to our notice that WLBC received an email dated 10th February 2010 which contained an offer from Merseyrail with details of a West Lancashire Concessionary Pass. That email and that offer remained undisclosed to us until 26th June 2010, only obtained under Freedom of Information law as has been most of our information. We were told there was absolutely no other

information to disclose under FoI. This has turned out not to be the case and we now have irrefutable evidence that the offer was declined by Council in March 2010, in terms that state; 'Unfortunately, at the moment in view of the severe financial pressures that face the Council both now and in the future, and the likely move of responsibility for travel concessions to Upper Tier Authorities, we do not think it's the right time to progress your proposal at this time. It may be that at some point in the future the Council will decide to look again at this issue and if so I will contact again'.

This non-disclosure under FoI is the subject of a complaint to the Information Commissioner's Office.

We have on a number of occasions quoted various Acts by which Council could have applied for the Borough to be included in the Merseytravel concession, such as the Transport Act 1985, (6) A non-metropolitan county council in England and Wales or, in Scotland, a . . . council shall have power to take any measures that appear to them to be appropriate for the purpose of or in connection with promoting, so far as relates to their area— (b) the convenience of the public (including persons who are elderly or disabled) in using all available public passenger transport services (whether subsidised or not).

We stated earlier our belief there is a possibility of little or no cost to the Borough for us to use off peak services, which many of us need to reach medical services in Merseyside. We based our view on Council taking an ethical or moral stance on why public subsidies made available to run public transport should instead be used to make huge profits for a foreign private company involved in the provision of local rail services.

We made information available that the Merseytrave/Merseyrail/Serco group franchise, being in receipt of a long term public subsidy to run the Merseytravel services, was making huge profits from the subsidy. Of the profit which for the last full year alone being circa £12million, £8million went to Serco shareholders in dividends, profits achieved from UK taxpayers despite the empty off peak trains wasting resources.

We approached Serco in a private capacity to enquire if they would be willing to provide a facility to use the empty seats. They have confirmed the rebuttal of our claim by Council, but we feel encouraged by their attitude to us. Serco operates what they describe as an "Ethics and Business Conduct Policy Standard – 4.3 Cultural sensitivity Wherever Serco operates it will support and contribute to the social and economic well being of those communities within which we work and encourage individuals to participate in projects that strengthen these communities. Serco is working with and across the whole local community to make citizens' lives better. The value Serco brings is Citizen focused. We understand local government and the needs of local citizens and provide a level of customer care that goes deep into the community, contact channels that work and technology that enables service. We design and deliver services that really meet the changing needs of citizens, and our performance is measured on their levels of satisfaction. Ethical partnering. We believe commercial models should create value and we are prepared to put our profit at risk against delivering sustainable improvements in outcomes for citizens. We will only suggest new ways of working where it will create real value and will develop business cases jointly and transparently with our customers. We will share our knowledge and skills with our customers, and believe that the best outcomes will be achieved through pooling knowledge. We will deliver our promises and recognise that successful partnerships are built on trust.

It is therefore our belief that our Petition should instigate Council contact with Serco so as to explore the possibilities of their Ethical Partnering policy being applied to our case for social inclusion.

We wish to make known the following facts; that a Borough Councillor stated recently "You are wasting your time trying to convince the Borough Council to further enhance the existing provision for Concessionary Travel as it simply cannot afford to do so on a sustainable basis. You would be far better directing your efforts towards the County Council". Yet these are some current council tax levels for comparison with West Lancashire. Council tax non-parished area, Sefton band D £1478; Knowsley band D £1416; Liverpool band D £1519; Wirral band D £1440; St Helens band D £1438; Average £1458 West Lancashire band D £1502. It seems these councils can afford to pay their Merseytravel levies and still keep their local taxes more affordable by comparison to ours.

We should make it clear to Council we object to enhanced concessionary travel being the only policy publicly stated by Council as likely not to be affordable in the future. We point to a period of five years of travel tokens devalued by inflation and compare it to Council's policy of free parking to all Council employees, which we know costs council tax payers more than the annual cost of concessionary travel. We point to grants to property owners in conservation areas for the planting of

trees, or for property improvements, and we wonder why these grants, not means tested, have received more consideration than the provision of essential travel assistance to pensioners whose income IS means tested. The administrative reform of concessionary travel states it is not the intention of these proposed changes to have any impact on the additional entitlements offered by local authorities. It recognises that for many people these discretionary enhancements are the most valuable part of the concession. Upper tier authorities will be able to take into account the differing needs of their individual residents in determining which discretionary concessions to offer and who is eligible for them and could retain different discretionary concessions in different district areas if they wish. Even though the responsibility for administering discretionary concessions is being removed from district councils, they will still retain their well-being powers under the Local Government Act 2000 and Local Transport Act 2008. These powers enable all local authorities to promote or improve economic, social, or environmental well-being within their area. It is these powers we ask West Lancashire Borough Council to retain. We also refer Council to ensuring any decision regarding the possible discontinuation of concessionary travel follows appropriate consultation and explanation of the Council's responsibilities under the Disability Discrimination Act and a proper Equality Impact Assessment. We saw no evidence of Council having due regard to its duties under the Disability Discrimination Act and Equalities Laws during the exchanges with Merseyrail rather than they may have relied on decision makers' general and limited awareness of equality matters. We believe this to be unlawful.

Please now refer our response to the relevant overview and scrutiny committee for a formal public examination of our concessionary travel petition.

Yours sincerely

Raymond Brookfield