WEST MIDLANDS INTEGRATED TRANSPORT AUTHORITY

TRANSPORT ACT 1985

Older and Disabled Persons Travel (Bus) Concession Scheme

To be valid

From 1st April 2012

WEST MIDLANDS INTEGRATED TRANSPORT AUTHORITY

1985 ACT OLDER AND DISABLED PERSONS TRAVEL (BUS) CONCESSION SCHEME

1ST APRIL 2012

The Scheme

1. This Older and Disabled Persons Travel (Bus) Concession Scheme subsequently referred to as "the Scheme" has been established by the West Midlands Integrated Transport Authority ("ITA") , in pursuance of its powers under:-

   i. the Transport Act 1985 (as amended) ("1985 Act");

   ii. Travel Concession Scheme Regulations 1986 ("TCSR");

   iii. and all other relevant statutory regulations.

2. The Scheme will be administered by Centro, the West Midlands Passenger Transport Executive ("the Executive").

3. The Scheme covers the discretionary concessions to be provided by operators under the 1985 Act as detailed in clause 7 below;

4. Unless otherwise defined in this Scheme words or terms used in the Scheme shall have the same meaning as given to such words or terms in the 1985 Act, and TCSR.

Operative Date

5. The Scheme shall come into operation in its entirety on 1st April 2012 and be in operation until 31st March 2013 (inclusive).

Principal Area

6. The principal area covered by the scheme is the Passenger Transport Area of the West Midlands, which consists of the administrative areas of Birmingham City Council, Coventry City Council, Wolverhampton City Council and the Metropolitan District Councils of Dudley, Sandwell, Solihull and Walsall ("Principal Area").

Scheme Applicability

7. The Scheme shall apply:

   (a) to eligible persons listed in Schedule 1 who tender to the operator on a Scheme Service (as defined below) the applicable permit or pass referred to in Schedule 1;

(b) when travelling on eligible bus services (as defined in section 94 (4) of the 1985 Act and as further defined in the Travel Concession (Eligible Services) Order 2002 and the Travel Concession (Eligible Services) (Amendment) Order 2009) which have been admitted or required to participate in the Scheme; but

(c) only on journeys between places in the Principal Area.

Eligible Persons and Nature of Concession

8. Operators participating in the Scheme will be required on all Scheme Services to allow the concessions detailed in Schedule 1 to persons who satisfy the requirements set out in paragraph 7 above.

9. The Executive may from time to time by giving a minimum of 28 days notice in writing vary the class of eligible person or nature of the concessions to be provided or the reimbursement arrangements by notice and where relevant such notice should comply with the provisions of section 97(6) of the 1985 Act.

Travel Provision

10. The operator shall admit any eligible person who tenders a valid permit or pass referred to in Schedule 1 to travel on any Scheme Service it provides and shall not charge any class of pass or permit holder.

Entry of Operators to the Scheme

11. Subject to paragraph 12 an operator shall be admitted into the Scheme from the next admissions date at least 28 days prior notice in writing from the operator to the Executive that it wishes to participate in the scheme (the admission dates being 1 April, 1 July, 1 October and 1 January after expiry of such notices). At the Executive's discretion, operators may be admitted into the Scheme in advance of these admission dates.

12. If the Executive serves on the operator a participation notice, the operator shall participate in the Scheme in respect of the services specified from the date stated in and for the duration of such notice, and the operator may not give notice to withdraw from the Scheme whilst such notice remains in force.

Removal or Withdrawal of Operators from the Scheme

13. An operator who is participating in the Scheme, in respect of any of its Scheme Services, other than pursuant to a participation notice, must give the Executive at least 42 days notice in writing of withdrawal from the Scheme in respect of all or any of such Scheme Services.

The ITA may terminate the Scheme by giving the operator not less than 3 months notice in writing.

Objective for Reimbursement of Operators

14. The objective of the Scheme (which is not a duty) in relation to reimbursement of operators under the 1985 Act is to provide such that operators both individually and collectively are no better and no worse off

financially than they would be if they did not participate in the Scheme in accordance with the principles set out in the TCSR but the ITA and Executive shall not be liable for any failure to achieve such objective.

Payment Periods and Dates

15. The “payment periods” under the Scheme are as set out in the West Midlands Passenger Transport Executive Transport Act 2000 Travel Concession Reimbursement Arrangements (“2000 Act Arrangements”).

Standard Method of Determining Reimbursement

16. The standard method for determining reimbursement is as set out in the 2000 Act Arrangements.

Data

17. All data requirements are as set out in the 2000 Act Arrangements.

Review of Reimbursement

18. At the end of each financial year, the Executive and operators shall review the reimbursement calculations in accordance with the guidelines set out in the 2000 Act Arrangements.

Dispute Resolution Procedure

19. The dispute resolution procedure is as set out in the 2000 Act Arrangements.

Other Requirements of the Scheme

20. All other Scheme requirements are as set out in the 2000 Act Arrangements.

Contact for Communications

21. All notices, data and other information required to be given to the Executive under the Arrangements shall be provided to the following contact point (or such other contact point as may be nominated by the Executive to operators in writing from time to time):

    Taryn Taylor
    Concessions & Payments Manager
    Centro
    Centro House
    16 Summer Lane
    Birmingham
    B19 3SD

    telephone 0121 214 7433
    fax 0121 214 7426
    e-mail taryntaylor@centro.org.uk

22. On first giving notice to be admitted to the Scheme or, if earlier, becoming obliged to participate in the Scheme, the operator shall provide to the Executive details of the name, address, telephone number and fax number of its official contact for communications in relation to these arrangements, and shall by notice in writing inform the Executive of any changes to the same.

23. Any notice or communication sent to the last such address, e-mail address or fax number as is referred to above shall be deemed to be duly served on the recipient. If an operator has failed to give notice in writing to the Executive of such an official contact, then the Executive may send any notice or other communication to any address set out in the most recent correspondence from the operator concerned, which shall be deemed to be its address for service.

SCHEDULE 1

Eligible Person and Nature of Concession under 1985 Act

1. Bus

Class of Eligible Persons	**Nature of Concession to be Provided On Scheme Services Provided by Bus**
Older Persons Women and men who have attained the age of entitlement as defined in the Statutory Instrument 459 Travel Concession (Eligibility) (England) Order 2010. Disabled Persons (as defined in section 146 Transport Act 2000)	On production of a statutory travel concession permit carrying a logo identifying it as being issued by the West Midlands Passenger Transport Executive (Centro), or any other permit as agreed by the PTE, a person shall be carried without charge on services to which the Arrangements apply, provided that the actual time of boarding falls between the following hours: (a) Monday to Friday from 2300 to end of daytime service (except when the day is a Bank Holiday)