



**THE LEICESTERSHIRE CONCESSIONARY TRAVEL SCHEME
SCHEME DEFINITION**

With effect from 1 April 2024 until 31 March 2025

(Published Final scheme)

Definitions

1. In this Scheme Definition and in the associated Arrangements for Reimbursement:
 - i. "1985 Act" means the Transport Act 1985;
 - ii. "2000 Act" means the Transport Act 2000;
 - iii. "2007 Act" means the Concessionary Bus Travel Act 2007;
 - iv. "Arrangements for Reimbursement" means the most recently published Arrangements for Reimbursement associated with the Scheme;
 - v. "Companion Entitlement" means the Discretionary Entitlement provided by the Travel Concession Authority prior to the 2007 Act to the holder of a Pass issued by the Travel Concession Authority to enable that person to be accompanied by a companion who can also travel without payment of a fare when accompanying the holder of the National Pass in respect of journeys which at the discretion of the Travel Concession Authority may be limited to those starting in the Principal Area of the Scheme or as otherwise determined by the Travel Concession Authority;
 - vi. "Concession Period" means the 12 calendar months starting on 1 April in any year;
 - vii. "Discretionary Entitlement" means any additional entitlement to travel without payment of a fare over and above the Statutory Minimum Travel Concession provided to a person to whom a National Pass is issued by the Travel Concession Authority to make Passenger Journeys before 0930 hours and/or after 2300 hours on normal weekdays and/or on Included Services. Such journeys at the discretion of the Travel

Concession Authority may be limited to those starting in the Principal Area of the Scheme or as otherwise determined by the Travel Concession Authority;

- viii. "Eligible Person" means any person who has a statutory entitlement to concessionary travel in accordance with relevant legislation and any guidance issued by the Secretary of State for Transport;
- ix. "Eligible Services" shall be construed in accordance with section 146 of the 2000 Act as modified by the Travel Concessions (Eligible Services) Order 2002 (SI 2002/1016) and/or any replacement and/or additional order that is relevant;
- x. "Entitled Person" means any person who is not an Eligible Person for whom an Administering Authority has discretionary powers under the 1985 Act or other relevant legislation to provide concessionary travel;
- xi. "Excluded Services" means those Public Passenger Transport Services and/or specified journeys on those services and/or at specified times on which concessionary travel cannot be undertaken under the terms of the Scheme;
- xii. "Included Services" means those Public Passenger Transport Services (or specified journeys on those services) that are not Eligible Services but are services on which concessionary travel can be undertaken under the terms of any Discretionary Entitlements within the Scheme;
- xiii. "National Pass" means a pass conforming to the correct specification and which entitles its holder to the Statutory Minimum Travel Concession;
- xiv. "Participating Operator" shall be construed as a transport operator providing Eligible and/or Included Services in accordance with the terms of the Scheme;
- xv. "Passenger Journey" means the act of an Eligible or Entitled Person moving from one location to another using the Eligible or Included Services;
- xvi. "Principal Area" shall be construed in accordance with section 93 (2) of the 1985 Act as the area comprising the administrative area of Leicestershire County Council;

- xvii. "Public Passenger Transport Service" shall be construed in accordance with section 63 (10) (a) of the 1985 Act;
- xviii. "Regulations" means the Travel Concession Schemes Regulations 1986 (SI 1986/77) and the Mandatory Travel Concession (England) Regulations 2011 and any subsequent amendments and/or additions thereto, together with any other relevant regulations;
- xix. "Scheme" means the Leicestershire Concessionary Travel Scheme as described herein;
- xx. "Statutory Minimum Travel Concession" means the entitlement to travel without the payment of a fare for Passenger Journeys made by an Eligible Person on Eligible Services not starting before 0930 hours or after 2300 hours on normal weekdays and at any time on Saturdays, Sundays and/or Public Holidays;
- xxi. "Travel Concession Authority" means Leicestershire County Council.

Issue of National Passes

2. The Travel Concession Authority will issue National Passes to Eligible Persons whose sole or principal residence is within the Principal Area. At its entire discretion the Travel Concession Authority may choose to provide Discretionary and/or Companion Entitlement in addition to the Statutory Minimum Travel Concession provided by the National Pass to Eligible Persons whose sole or principal residence is within the Principal Area. This will normally take the form of an endorsement to the National Pass.
3. It is the responsibility of Eligible Persons and Entitled Persons to apply for their National Pass and applicants are responsible for any costs incurred in making their application including the cost of providing any photograph that may be required to be shown on the pass for security purposes and in obtaining and/or presenting the necessary proof of their eligibility and/or entitlement.
4. With the exception of travel concessions made available directly by Participating Operators on a commercial basis no person in receipt of a National Pass shall be entitled to receive any other

travel concession during any Concession Period otherwise than at the entire discretion of the Travel Concession Authority.

5. In cases where a National Pass is stolen, lost, badly damaged or destroyed, the Travel Concession Authority may at its discretion provide a replacement National Pass during the currency of one that has already been issued but reserves the right to make a charge to cover the cost of so doing.

Scope of Concessionary Travel

6. The Statutory Minimum Travel Concession is available to all holders of a National Pass in accordance with the provisions laid down in the 2007 Act which in summary enables the Passenger Journeys to be made:
 - i. On Eligible Services;
 - ii. Between places in England;
 - iii. Between 0930 hours and 2300 hours on normal weekdays and at any time at weekends or on public holidays
7. The Scheme provides a Discretionary Entitlement in addition to the benefits of the Statutory Minimum Travel Concession for holders of National Passes and at the entire discretion of the Authority. Subject to the scope determined by the Travel Concession Authority, Discretionary Entitlement enables Passenger Journeys to be made:
 - i. On Eligible Services before 0930 hours and after 2300 hours on normal weekdays subject to any time limitations outside of these hours determined by the Travel Concession Authority and starting in the Principal Area of the Scheme or as otherwise determined by the Travel Concession Authority concerned;
 - ii. On any other Public Passenger Transport Service or a journey(s) on a particular Public Passenger Transport Service for which arrangements regarding participation have been agreed between the Travel Concession Authority and the operator of that service;
8. Details of any Discretionary and/or Companion Entitlement provided by the Travel Concession Authority are set out in the latest version of the accompanying Schedule of Discretionary Entitlements which may be amended from time to time without being deemed to be an alteration to the Scheme.

9. Those eligible because of a disability that requires them to be accompanied by a dog (e.g. a guide dog or hearing dog) shall not be charged a fare in respect of that dog.
10. Where a bus operator or its funding organisation (e.g. supermarket, college etc) provides vouchers, coupons or other benefit (as well as bus travel) in return for the fare paid that can then be redeemed as full or part payment against goods or services provided by the operator or its funding organisation, then such bus services shall be assumed to have an Amenity Element to their fare, and are therefore deemed to be Excluded Services unless specifically agreed otherwise with the Travel Concession Authority.

Miscellaneous

11. The Statutory Minimum Travel Concession will only be permitted upon the production of a valid National Pass in the form and subject to the terms and conditions specified from time to time by the Government.
12. Discretionary and/or Companion Entitlement will only be permitted upon the production of a valid National Pass so endorsed and in the form and subject to the terms and conditions specified from time to time by the Travel Concession Authority.
13. Participating Operators running Eligible Services must observe the requirements of the 2000 Act and the 2007 Act to enable all holders of valid National Passes to travel free on all Eligible Services within England and be aware of the penalties arising from the 2000 Act in respect of a failure so to do.
14. Participating Operators shall be reimbursed on the basis specified in the separately published Arrangements for Reimbursement, and shall recognise and accept valid National Passes in the form and subject to the terms and conditions specified by the Government and/or the Travel Concession Authority and allow the rightful holders of such National Passes to travel free of charge only upon production of a valid National Pass when they commence their Passenger Journey.

Leicestershire County Council reserves the right to amend the scheme in line with any further DfT guidance. The TCA will notify

operators of any proposed changes with the correct notice period, as defined by the DfT.



**THE LEICESTERSHIRE CONCESSIONARY TRAVEL SCHEME
ARRANGEMENTS FOR REIMBURSEMENT**

With effect from 1 April 2024 until 31 March 2025

(Published Final scheme)

These Arrangements for Reimbursement must be read in conjunction with the separate Scheme Definition and set out the terms for reimbursement with effect from 1 April 2024.

Definitions

1. In these Arrangements for Reimbursement:
 - i. all definitions set out in the Scheme Definition shall apply herein;
 - ii. "Additional Costs" are the total additional costs incurred by an operator in carrying Eligible Persons on journeys that constitute Generated Travel.
 - iii. "Amenity Element" is an additional service element other than normal bus travel. When used in connection with fares, it includes where fares are rendered significantly high as a result of that element in relation to the general level of fares for comparable journeys in the Principal Area in accordance with section 96(6) of the 1985 Act;
 - iv. "Average Fare" means the average adult fare forgone calculated in accordance with either the "Discounted Fare" or the "Basket of Fares" methods as set out within the most up-to-date version of the Department for Transport's Reimbursement Calculator tool. For the avoidance of doubt, the appropriate method will be selected in accordance with the criteria set out in the Department for Transport's most up-to-date guidance on operator reimbursement.
 - v. "DfT Guidance" means any document and/or method statement (e.g. spreadsheet) which has been or is to be issued by the Department for Transport providing guidance

on the calculation of Reimbursement and which remains appropriate for this purpose;

- vi. "Discretionary Elements" of the Scheme means any provision(s) of the Scheme enabled by the 1985 Act but not required by the 2000 Act or the 2007 Act which allows individually or in combination Passenger Journeys:
 - (a) To be made outside the statutory core time of 0930 hrs and 2300 hrs on weekdays other than public holidays;
 - (b) To be made by Companions accompanying an Eligible Person holding a National Pass that has been appropriately endorsed as a Companion pass by the Travel Concession Authority;
 - (c) On other than Eligible Services.
- vii. "Financial Year" shall mean a twelve month period starting on 1 April in one year and ending on 31 March in the following year;
- viii. "Generated Travel" is defined as the proportion of additional journeys made over and above the number that would have been made had there been no travel concessions and arising as a direct result of the entitlement to the travel concession provided by the Scheme;
- ix. "Gross Revenue Foregone" shall be the gross value of travel made under the terms of the Scheme calculated according to the best estimate of the number of Passenger Journeys made and the best estimate of the Average Fare that would have been paid in respect of those journeys before any adjustments in respect of Generated Travel;
- x. "Marginal Operating Costs" are the element of Additional Costs that are costs to a bus operator of carrying an additional generated passenger journey assuming a fixed level of service;
- xi. "Marginal Capacity Costs" are the element of Additional Costs that are the costs to a bus operator of necessarily increasing the capacity of bus services above that which would be provided in the absence of concessionary travel due to Generated Travel, by using the existing bus fleet more intensively to provide that additional capacity through increased frequency;

- xii. "Net Revenue Foregone" shall be the value of Gross Revenue Foregone adjusted to take account of Generated Travel by application of a Reimbursement Factor;
- xiii. "Payment Periods" shall be:
 - 1 April to 30 June
 - 1 July to 30 September
 - 1 October to 31 December
 - 1 January to 31 March
- xiv. "Peak Vehicle Requirement Costs" are the element of Additional Costs that are the costs associated with any requirement to run additional vehicles in the peak period due to Generated Travel.
- xv. "Reimbursement Payment" means the payment made to a Participating Operator for the Total Reimbursement due in respect of all Eligible and Included Services the Operator provides;
- xvi. "Reimbursement Factor" is defined as the proportion of total journeys by concessionary passholders that are not deemed to be generated by the travel concession;
- xvii. "Revenue Reimbursement" shall be the payment due to the Participating Operator in respect of the Net Revenue Foregone as a result of participation in the Scheme (for the avoidance of doubt this excludes any payment in respect of Additional Costs);
- xviii. "Scheme Administration Costs" are the element of Additional Costs associated with publicity, ticketing, software changes, management time and special requests for information that are related directly to the Scheme.
- xix. "Standard Method" is the method of calculating Total Reimbursement that will be applied unless any Participating Operator can provide convincing evidence to demonstrate to the satisfaction of the Travel Concession Authority that the Standard Method will not lead to the Participating Operator being reimbursed in accordance with the Regulations;
- xx. "Statutory Elements" of the Scheme mean any provision(s) of the Scheme which allow holders of the National Pass to benefit from Statutory Minimum Travel Concession;

- xxi. "Total Reimbursement" shall be the Revenue Reimbursement plus all Additional Costs.

Requirements of Participating Operators

2. Participating Operators shall enable holders of valid National Passes to make Passenger Journeys free of charge in accordance with the Scheme Definition in respect of both the Statutory Minimum Travel Concession and Discretionary and Companion Entitlements.
3. Pursuant to the proper administration of the Scheme and to facilitate the process of reimbursement Participating Operators shall:
 - i. Permit (including the right to travel free of charge) officers, servants, agents and/or contractors of the Travel Concession Authority or others rightfully acting on its behalf access at any time to the vehicles of the Participating Operator on which concessions are given for the purposes of:
 - (a) surveying or counting or estimating the number of passengers (whether generally or of any particular description) and the fares paid by those passengers and/or;
 - (b) obtaining information on other matters relating to the Passenger Journeys made by Eligible Persons and Entitled Persons which, in the opinion of the Travel Concession Authority is necessary for the calculation and/or verification of reimbursement payments;
 - ii. Provide at such times as the Travel Concession Authority may reasonably request information relevant to the calculation of reimbursement as may be specified and in the form specified in these Arrangements for Reimbursement or as otherwise requested at the time. In the event of queries on information provided, the Travel Concession Authority (or its agents or contractors) may require an operator to provide access to ticket machine data on which the information is based;
 - iii. As soon as practical and if possible in advance of it taking effect, notify the Travel Concession Authority of any change or changes to fares on any Eligible or Included Service;

- iv. As soon as practical and if possible in advance of it taking effect notify the Travel Concession Authority of any material change (additions, deletions and/or variations) to Eligible or Included Services;
 - v. Provide reasonable assistance to the Travel Concession Authority in the operation and administration of the Scheme;
 - vi. Provide reasonable assistance and information to the Travel Concession Authority to enable the forward planning of budget requirements to properly fund the Scheme.
4. The Travel Concession Authority shall ensure that any information obtained in accordance with paragraph 3 shall be used only for the purpose of administering the Scheme and shall be confidential to the Travel Concession Authority and/or its contractors and/or consultants employed to assist in the administration of the Scheme and/or any Auditors acting on its behalf.

Payment and Calculation of Reimbursement

5. Participating Operators shall be reimbursed in respect of all Passenger Journeys made under the terms of the Statutory Minimum Travel Concession by holders of National Passes which commence from a boarding stage defined as being within the Principal Area of the Scheme. Participating Operators shall also be reimbursed in respect of all Passenger Journeys made under the terms of local Discretionary and/or Companion Entitlements by holders of National Passes and which commence from a boarding stage defined as being within the Principal Area of the Scheme.
6. Payments will be made to operators of existing services on the following basis:
 - a) An amount equivalent to 95% of one twelfth of the estimated Total Reimbursement due shall be paid so that it is in the hands of the operator by the 1st day of each month or the next working day if that day falls on a weekend or public holiday.
 - b) The cumulative balance of the Total Reimbursement due at the end of each Payment Period shall be paid so that it is in the hands of the operator by the last day of the following Payment Period or the next working day if that day falls on a weekend or public holiday.

7. Participating Operators will be notified in advance of the amount of each payment made in accordance with 6(a) above and any subsequent variation to that amount in light of actual data where this results in a significant change.
8. New operators – where during any Financial Year a new operator is accepted into the Scheme as a Participating Operator, the Travel Concession Authority shall calculate reimbursement due using the Standard Method, although anticipated patronage levels may need to be used initially to estimate Total Reimbursement. Total Reimbursement will then be reviewed and adjusted as necessary after receipt of three months data, based on actual trip numbers and fares. Monthly payments, quarterly reconciliations and balancing payments will be carried out in accordance with the standard procedures set out above.
9. The Travel Concession Authority reserves the right to reclaim any overpayments either by invoice or by deducting the overpaid amounts from future Reimbursement Payments. Such deduction will be made no later than 3 months after the end of the payment period to which the overpayment relates.
10. Participating Operators incurring a very low level of Revenue Foregone over a Financial Year may opt to be paid on the basis of a fixed level of assumed Revenue Foregone which may be agreed between the Participating Operator and the Travel Concession Authority and kept under review.

Balancing Payments

11. The balance of Total Reimbursement due at the end of a Payment Period shall be the difference between:
 - a) The payments already made at that time in respect of the period commencing at the beginning of the respective Financial Year less any overpayments invoiced and/or deducted; and
 - b) The Total Reimbursement due at that time in respect of the period commencing at the beginning of the respective Financial Year.

12. Participating Operators will be sent a reimbursement statement detailing each balancing payment reconciliation. This statement will show the following for the period from the start of the Financial Year to the end of the relevant Payment Period:
 - a) The sum of the payments due to the Participating Operator;
 - b) The sum of the payments so far made to the Participating Operator;
 - c) The amount of any balancing payment or reclaim.
13. Payments will only be released to Participating Operators upon receipt of a properly completed claim and the necessary data and information returns in respect of the previous Payment Period. These claims and data returns must be submitted within 2 weeks of the end of each Payment Period.
14. For the avoidance of doubt, the payment system may include an end-of-year review using outturn data and reimbursement payments will be adjusted accordingly as required. Such end-of-year review will be carried out for a Participating Operator on request by that operator or by the Travel Concession Authority provided that request is made within 3 months of the year end.

Operator Reimbursement

15. The DfT's published guidance on operator reimbursement and associated calculator will be used as the basis for calculating operator reimbursement and rates, including additional costs where relevant.

Claims and Data Returns

16. Data enabling the calculation of Revenue Reimbursement and Additional Costs due shall be provided by Participating Operators through data returns on a monthly basis (unless a different frequency of data returns is agreed between the Travel Concession Authority and an operator). These data returns shall be provided within 2 weeks of the end of each period to which they relate. The Travel Concession Authority reserves the right to withhold payments of reimbursement in whole or in part in cases where Participating Operators do not submit data returns on time and/or in the required form.
17. The precise specification and format of the required data shall normally be a matter of agreement between each Participating

Operator and the Travel Concession Authority but the Travel Concession Authority reserves the right to reasonably specify the content, manner, form and method by which such information has to be extracted and provided in cases where they consider it necessary to do so. The information normally required will be as follows for each data return period:

- a) Numbers of concessionary journeys made by passholders boarding the services within the Principal Area of the Scheme. These should be broken down by service / route number as a minimum.
 - b) The average adult fare paid by fare paying passengers boarding within the Principal Area of the Scheme per journey for each route/service, taking account of single and return tickets and of other discounted fare products (or information to enable this to be calculated) as set out in Department for Transport Guidance.
18. Additional detail may be requested from time to time to verify data returns.
19. Data returns are normally expected to be in spreadsheet form (unless some other form is agreed between the Operator and the Travel Concession Authority), drawing on data extracted directly from electronic ticketing machines (ETMs). Those machines must be configured such that relevant journeys made by Scheme passholders can be separately identified. Participating Operators expected to receive Total Reimbursement totalling £50,000 or more in respect of a Financial Year must provide data based on such ETM records. Participating Operators expected to receive Total Reimbursement totalling less than £50,000 in respect of a Financial Year may provide data returns based on an acceptable alternative to ETM data, subject to the prior agreement of the Travel Concession Authority.

Notice of Withdrawal from Scheme

20. In the event that a Participating Operator wishes to withdraw his participation in respect of the Discretionary Elements of the Scheme at least 42 days notice must be given in writing to the Travel Concession Authority.

Arbitration

21. In the event of a dispute between a Participating Operator and the Travel Concession Authority in connection with the application of these Arrangements for Reimbursement which cannot be resolved after a reasonable period of time by discussions between the parties the matter may be referred to arbitration by either party. The use of arbitration does not affect any legal rights that either party might otherwise have. Matters that may be referred to arbitration may include the following but in all cases must be fully supported with detailed evidence endorsed by appropriate professional advisors:
 - a) Disputes over the calculation of reimbursement payments (but not the value of original parameters which form part of these Arrangements for Reimbursement);
 - b) Disputes over any changes to the values of Reimbursement Factor or Additional Costs.
 - c) The determination by the Travel Concession Authority of any discount factor the value of which a Participating Operator has reason to dispute;
 - d) A dispute over the value of the Average Fare used in the calculation of reimbursement payments;
 - e) Disputes over the amount of any payment awarded in response to a claim made by a Participating Operator for the reimbursement of Additional Costs.

22. The arbitrator may be an individual or body agreed between the Travel Concession Authority and the Participating Operator concerned and in default of agreement an independent arbitrator appointed by the President of the Institute of Arbitration. The matter of costs shall be dealt with as part of the process of arbitration. Any such arbitration shall be without prejudice to the rights of Participating Operators under Part V of the Travel Concession Schemes Regulations 1986 and/or Section 150(3) of the Transport Act 2000 (as amended) and/or any other relevant legislation and/or regulations.

THE LEICESTERSHIRE CONCESSIONARY TRAVEL SCHEME
SCHEDULE OF DISCRETIONARY ENTITLEMENTS
With effect from 1 April 2024

1. The Travel Concession Authority offers Discretionary Entitlements on the Eligible or Included Services as follows:
 - a. Passholders travelling on Leicestershire's Park & Ride services can do so after 9.30am and all day Saturday subject to a charge of £1.00 for a Day Ticket.
 - b. Where areas are served by infrequent services, and there are no services for two hours after 0930, Eligible Persons will be allowed free travel on the journey immediately prior to 0930.