



BRIEFING PAPER

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Concessionary bus travel

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Inside:

1. England (outside London)
2. London
3. Scotland
4. Wales
5. Northern Ireland
6. Long distance coach services



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Summary

This paper summarises statutory and concessionary bus travel schemes in England, including London. It provides a brief overview of schemes in Scotland, Wales and Northern Ireland, where concessionary travel policy is devolved.

There are two types of concessionary bus fares – statutory concessions (i.e. those that local authorities *must* provide in accordance with national legislation) and non-statutory, discretionary concessions (i.e. those that local authorities can provide from their own funds if they so wish).

The **English National Concessionary Travel Scheme (ENCTS)** currently consists of guaranteed free travel for people over state pension age and people with an eligible disability on all eligible local bus services anywhere in England from 0930 until 2300 on weekdays and all day at weekends and on Bank Holidays. *In May 2020 the Government announced that it had asked bus operators to accept bus passes for travel before 0930 during the coronavirus pandemic.*

Local authorities may provide further concessions in accordance with their local priorities – these extend only to the local authority area borders, unless a cross-border agreement has been reached with a neighbouring authority. For example, in London and other major cities, there is often concessionary travel on other modes of transport, and travel during peak hours.

In **London** the ENCTS is folded into a far more generous concession known as the Freedom Pass. There is also a wide array of discretionary fare schemes for younger people, those aged over 60 but under state pension age, apprentices, veterans and job seekers. *In May 2020 the Government agreed an emergency financial support package for TfL, which involves the amendment or suspension of some of these schemes.*

Local authorities are responsible for **reimbursing bus operators** for journeys made by passengers with a bus pass. The Government funds this reimbursement as part of the main **Revenue Support Grant** for local authorities. In 2018/19 £879 million was reimbursed to local authorities in England by the Government. Around 75% (£662 million) went to authorities outside London. There were 9.1 million concessionary travel passes (8.2 million older passes and 0.9 million disabled passes) issued across England and 884 million concessionary bus journeys taken. The **average reimbursement per pass** was £83 per year in England outside London and £184 in London.

In October 2019 the Transport Select Committee published a [report by the TAS Partnership](#), which provides a comprehensive overview of concessionary travel schemes in England.

Concessionary travel is a **devolved policy area**. There are separate schemes in Scotland, Wales and Northern Ireland with different eligibility criteria and benefits. They are funded by the Governments (national and local) in those nations.

The Commons Library has [further briefings on bus policy and issues](#) on its website.

1. England (outside London)

1.1 English National Concessionary Travel Scheme (ENCTS) – the statutory scheme

Overview

Current scheme

Under [sections 145 to 150](#) of the *Transport Act 2000*, as amended, in England outside London the statutory concession currently consists of guaranteed free travel for people over state pension age and people with an eligible disability on all eligible local bus services¹ anywhere in England from 0930 until 2300 on weekdays and all day at weekends and on Bank Holidays.

The scheme is administered by Travel Concession Authorities' (TCAs). In England outside London these are county, unitary and metropolitan authorities.²

The English National Concessionary Travel Scheme (ENCTS) is the statutory concessionary bus travel scheme in England. It was introduced in 2001.³ It was to be provided to “an elderly or disabled person residing in [a local authority] area”. At the time, an “elderly person” was defined as “a person who has attained pensionable age”.⁴

It was a **half-fare** concession for travel on local buses at a “relevant time”, defined as “any time on a Saturday or Sunday or on any day which is a bank holiday in England and Wales ... or a time during the period from 9.30 a.m. to 11 p.m. on any other day”.⁵

The concession was gradually extended over the following five years:

¹ Described in Article 3 of the *Travel Concessions (Eligible Services) Order 2002* (SI 2002/1016). Broadly. This defines eligible services as ‘local services’, which are buses carrying passengers at separate fares locally, other than on private trips. The definition was originally wider, but several types of services were removed in 2009, see: DfT, [Consultation on the definition of eligible services for the statutory bus concession in England](#), October 2008; and: [Government response to consultation on clarifying the definition of which services are eligible for the statutory bus concession in England](#), March 2009

² Guidance for the new TCAs was published in December 2010, see: DfT, [Guidance for Travel Concession Authorities on the England National Concessionary Travel Scheme](#), December 2010. TCAs were created under the *Concessionary Bus Travel Act 2007 (Variation of Reimbursement and Other Administrative Arrangements) Order 2010* (SI 2010/1179); the Order was debated in both Houses, see: [DL \(4\) Deb 16 March 2010](#); and: [HL Deb 15 March 2010, cc183-190GC](#). This was preceded by a consultation, in which the Government argued that removing the responsibility from non-metropolitan district councils would improve efficiency and transparency, see: DfT, [Consultation Response Document: Consultation on possible changes to the administration of concessionary travel](#), December 2009, paras 12&18

³ Made under [sections 145 to 150](#) of the *Transport Act 2000*. There followed a consultation on the introduction of the scheme, see: DETR, [Implementation of statutory minimum concessionary fares commitment](#), 20 December 1999 and it was then implemented via the *Transport Act 2000 (Commencement No. 1 and Transitional Provisions) Order 2000* (SI 2000/3229)

⁴ Section 146 of the 2000 Act

⁵ Section 146 of the 2000 Act

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- From 1 April 2003 the definition of “elderly person” for the purposes of the concession was extended to “persons who have attained the age of 60”.⁶
- From 1 April 2006 the concession was extended from a half-fare concession on local bus services to **free travel on local services throughout England**.⁷

In April 2010 a further change was made, one that has proven somewhat controversial ever since. [Section 1\(4\)](#) of the *Travel Concessions (Eligibility) Act 2002* (which equalised the eligibility age for men and women at 60) included a power for the Secretary of State for Transport to make an Order replacing references to age 60 with a formula that would increase the eligible age alongside changes to the state pension age. The *Travel Concessions (Eligibility) (England) Order 2010* ([SI 2010/459](#)) made this change. It increased the qualifying age for the ENCTS in England in line with the planned rise in the women’s state pension age (i.e. to age 65 by 2020).⁸ This later increased to 66, following an accelerated timescale for increases in the state pension age.

Coronavirus: extension to permitted travel times

On 3 April 2020 the Government [announced](#) a financial support package for the bus industry. In a 4 May letter to the Transport Select Committee the Secretary of State for Transport, Grant Shapps, [said](#) that “a condition of the new funding is that operators offer concessionary passengers free travel before 9.30am, we have also asked them to extend this to all-day travel”.

Eligibility

The ENCTS bus pass is available to people with specified disabilities or who are in receipt of particular benefits and for those over state pension age.

People with a disability

The **eligible conditions** for people with a disability are set out in [section 146](#) of the 2000 Act, as amended. They refer to someone who:

- Is **blind or partially sighted**;
- Is profoundly or severely **deaf**;
- Is **without speech**;
- Has a disability, or has suffered an injury, which has a substantial and long-term adverse effect on their **ability to walk**;
- Does not have arms or has long-term **loss of the use of both arms**;
- Has a **learning disability**, that is, “a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning”; or

⁶ [Section 1](#) of the *Travel Concessions (Eligibility) Act 2002*; this followed a legal challenge based on the different state pension age for men and women. The changes in the Act were estimated to benefit approximately one million men, see: DTLR press notice, “One million extra men to get cheaper fares”, 27 February 2002. The background to the Act is given in Commons Library briefing paper [RP 01/80](#)

⁷ *Travel Concessions (Extension of Entitlement) (England) Order 2005* ([SI 2005/3224](#))

⁸ DfT, [Statement on Changes to Concessionary Travel announced in Pre-Budget Report](#), 9 December 2009; and: [Guidance for Local Authorities on the change in the age of eligibility for Concessionary Travel](#), March 2010

- Would, if they applied for the grant of a **licence to drive a motor vehicle**, have their application refused for reasons of physical fitness.⁹

Anyone **in receipt of the following benefits** is automatically eligible for a concessionary bus pass:

- [Higher Rate Disability Living Allowance \(DLA\) Mobility Component](#);
- Personal Independence Payment (PIP) with at least 8 points against either the PIP '[Moving around](#)' and/or '[Communicating verbally](#)' activities; or
- [War Pensioner's Mobility Supplement](#).¹⁰

It is for TCAs to determine whether someone meets the eligibility criteria or not, based on the definitions in the legislation and the guidance issued by the Department for Transport (DfT), to which they *must* have regard when assessing eligibility. The DfT recommends that, where TCAs have a doubt about an applicant's eligibility, they seek independent medical evidence.¹¹

Older people

Eligible older people are defined in the legislation as follows:

- In the case of a **woman**, her pensionable age; and
- In the case of a **man**, the pensionable age of a woman born on the same day.¹²

As a result of the policies of successive governments, going back to 1995, the women's state pension age (and latterly the state pension age for both men and women) has been increasing, and now stands at 66. Accordingly, the age at which older people have been able to claim a free bus pass has increased in tandem.¹³

This is one of the most controversial features of the scheme in England, largely because the devolved governments in Scotland and Wales have kept the eligibility age for their free bus passes at 60 (see [section 3](#) and [section 4](#), below for more details of these schemes). Successive governments have been asked on multiple occasions whether they will bring the eligible age in England 'into line' with that of its neighbours and have always resisted such a change. Reasons for not reducing the age to 60 include the cost and intergenerational fairness.¹⁴

Costs and funding

TCAs are responsible for reimbursing bus operators for journeys made by passengers with a bus pass. The Government funds this reimbursement as part of the main [Revenue Support Grant for local authorities](#). In 2018/19:

DfT, [Guidance to local authorities on assessing eligibility of disabled people in England for concessionary bus travel](#), Version 1.2, April 2013.

⁹ Pursuant to [section 92](#) of the *Road Traffic Act 1988*, as amended, otherwise than on the ground of persistent misuse of drugs or alcohol

¹⁰ DfT, [Guidance to local authorities on assessing eligibility of disabled people in England for concessionary bus travel](#), Version 1.2, April 2013, pp11-12

¹¹ *Ibid.*, pp12-13

¹² Regulation 2 of the *Travel Concessions (Eligibility) (England) Order 2010* ([SI 2010/459](#))

¹³ For more information see Commons Library briefing paper [State Pension age review](#), CBP 6546, August 2017

¹⁴ e.g. [Bus Services: Concessions: Written question – 142328](#), 17 May 2018 and [Bus Services: Concessions: Written question – 27950](#), 19 March 2020

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- £879 million was reimbursed to local authorities in England by the Government. Around 75% (£662 million) went to authorities outside London;
- There were 9.1 million concessionary travel passes (8.2 million older passes and 0.9 million disabled passes) issued across England and 884 million concessionary bus journeys taken; and
- The average reimbursement per journey across England outside London was £1.12 and the average reimbursement per pass was £83 per year.

Research for the Department for Transport, published in 2016, indicated that ENCTS represents low value for money.¹⁵

There have long been concerns that the amount of money TCAs receive from the Government does not adequately match what they pay out to bus operators to reimburse them for carrying passengers who do not pay a fare. Local authorities must make up any shortfall from other sources. In 2018, the Local Government Association (LGA) estimated that councils were spending “at least £200 million a year to subsidise the scheme” at the cost of funding other council services and discretionary travel concessions.¹⁶ In January 2019 Paul Woods, representing the LGA, said that he had produced a revised estimate showing that the shortfall was not £200 million but “over £650 million now and will rise to over £760 million next year”.¹⁷

In its May 2019 report into the bus market, the Transport Committee observed that this funding gap was unsustainable and recommended that the Government review how it finances concessionary bus passes.¹⁸ In its reply to the Committee the Government disagreed that this was needed and argued that as local funding is not ringfenced it gives councils the flexibility to manage their finances appropriately.¹⁹

‘Voluntary contributions’

Over the past decade, as many local bus services have been cut – particularly those subsidised by local councils – some older people in receipt of a bus pass and some councils have shown an interest in a system whereby those with a bus pass pay to travel, perhaps via a small additional charge per journey, or an annual administration charge for each pass.

They argue that this could help councils who want to reduce or reverse cuts to bus services, particularly in areas where they claim that their funding allocation from central government does not cover the costs of running their statutory scheme (see above).

¹⁵ DfT, [Evaluation of Concessionary Bus Travel: The impacts of the free bus pass](#), 2016, para 25; information on the value for money categories can be found in: DfT, [Value for Money Framework](#), 2015

¹⁶ LGA press notice, “[Nearly half of all bus routes under threat because of funding cuts to local government](#)”, 21 June 2018

¹⁷ Transport Committee, [Oral evidence: Health of the Bus Market](#), HC 1425, 30 January 2019, Q400

¹⁸ Transport Committee, [Bus services in England outside London](#) (Ninth Report of Session 2017–19), HC1425, 22 May 2019, para 45

¹⁹ [Government response to the Committee’s Ninth Report of Session 2017–19](#) (First Special Report of Session 2019–20), HC 110, 18 October 2019, p3

Under the legislation, every TCA in England outside London must, on an application made to it by anyone who appears to the authority to be an eligible person whose sole or principal residence is in the authority's area, **issue to the person free of charge** a permit indicating that they are entitled to the concession.²⁰ How far this restricts the ability of a TCA to then make a small charge for travel with a bus pass is unclear.

However, given that the cost of providing the concessionary bus pass comes from TCAs reimbursing bus operators for the number of journeys made using a pass, an easier solution might be not to use the pass all the time. So, for example, a bus pass holder who wants to make some sort of 'financial contribution' could do so by not using their bus pass on every journey. They might take a decision to pay the standard fare maybe once a week, once a month or every few months, depending on what they could afford. This would not then be counted as a concession by the bus operator and the TCA would not have to reimburse them for it. However, given the unpredictable way it would operate it might not allow a TCA to plan its spending ahead of time in line with anticipated costs of reimbursement.

Means testing, changes in eligibility & abolition

The bus pass is very popular amongst older people: in 2018/19 take up was at 90% in London and 76% in the rest of England.²¹ Older people and those with a disability highly value the freedom and independence the bus pass gives them.²²

However, some have argued that the universal bus pass is not financially viable²³ and the universality of the bus pass is a waste of resources. They argue that money saved from not providing the bus pass to those with means to purchase their own bus tickets (means testing) could be spent on, for example, a new concession for younger people in higher education or those actively looking for work. Others have said that those still in work but over state pension age should not receive the pass.

There was some debate about this during the Coalition Government between 2010 and 2015 when the Government was cutting spending across a number of areas. For example, in a February 2012 report the Social Market Foundation (SMF) argued that "there are more growth-enhancing uses for this money and ... there are higher priorities for this spending in the long-run" and called for 'free travel for the over 60s' to be scrapped.²⁴ There had been reports that the then leader of the Liberal Democrats and Deputy Prime Minister, Sir Nick Clegg, favoured means testing the bus pass,

²⁰ [Section 145A\(4\)](#) of the *Transport Act 2000*, as amended by the *Concessionary Bus Travel Act 2007*

²¹ DfT, [BUS0820: Concessionary travel passes by metropolitan area status and type of pass: England, annual](#), 17 December 2019

²² See, e.g. UCL press notice, "[Bus passes linked to increased happiness for older adults](#)", 1 May 2019 and Greener Journeys press notice, "[Free bus pass for older people benefits everyone](#)", 18 September 2014

²³ See footnote 15, above, regarding value for money

²⁴ SMF, [Osborne's Choice: Combining fiscal credibility and growth](#), 19 February 2012, p29; the Centre for Policy Studies published a paper at about the same time making the same recommendation, see: CPS, [2012 Budget: 21 policies for growth and wealth creation](#), 2012

had argued within Government for the adoption of such a policy and would go into the next General Election advocating it.²⁵

Most recently, in its April 2019 report, the House of Lords Committee on Intergenerational Fairness and Provision argued that:

The Government should seek to target existing age-related benefits better at individuals outside the workforce. Age thresholds should be raised. From 2026–28 when the State Pension age is due to rise to 67, free bus passes ... should be available no sooner than five years after the State Pension age and age thresholds should be aligned across benefits. The difference should be maintained from then on as the State Pension age rises [...]

Alongside changing the age of applicability, the Government should investigate the feasibility of treating these benefits as taxable income for those above the tax threshold without requiring individuals who currently do not complete an income tax form having to fill out a form.²⁶

In the 2019 General Election both the Conservatives and Labour stood on a platform to retain the bus pass as a universal benefit.²⁷

Bus operator reimbursement

TCAs are responsible for reimbursing bus operators for journeys made by passengers with a bus pass. There have long been concerns that the methods of calculating reimbursements²⁸ to bus operators are inadequate and do not properly reflect either party's costs.²⁹ The TAS Partnership has observed that "The percentage reimbursement differs widely across England and is the subject of much debate. It is, however, notable that as local authority budgets are stretched, reimbursement factors have fallen".³⁰ Operators can appeal to the Secretary of State if they disagree with changes to reimbursement arrangements by the relevant TCA.³¹

The current guidance was last updated in November 2018. It represents the DfT's preferred approach for calculating reimbursement. However, local authorities are free to use the methodology of their choice in estimating reimbursement subject to ensuring compliance with [EU Regulation 1370/2007](#) on public passenger transport services, as well as the relevant

²⁵ See, e.g. "[Nick Clegg vows to axe bus passes and free TV licences for 'rich' OAPs](#)", *Daily Mail*, 5 December 2011; in the end the party's 2015 manifesto pledged to retain the free bus pass [[Liberal Democrat Manifesto 2015](#), p47]

²⁶ HL [Intergenerational Fairness and Provision Committee, Tackling intergenerational unfairness](#), HL Paper 329, 25 April 2019, paras 241-242; the Government rejected both recommendations, see: HMT, [House of Lords Select Committee on Intergenerational Fairness and Provision report on 'Tackling intergenerational unfairness': Government's response to recommendations](#), CP125, 22 July 2019, paras 1.88-1.89

²⁷ [Conservative Manifesto 2019](#), p18 and [Labour Manifesto 2019](#), p75

²⁸ DfT, [How to reimburse bus operators for concessionary travel](#), November 2018 and DfT, [Calculate your concessionary bus travel reimbursement](#), January 2019

²⁹ see, e.g. [HC Deb 2 March 2010, c1012W](#); and [Certain Bus Operating Companies in the Stagecoach \[and\] Go-Ahead Group v. Secretary of State for Transport](#), 16 February 2010 [Case No: CO/3350/3356/4655/5087/3358/3807/2008]

³⁰ TAS Partnership, [Review of Reduced and Concessionary Fares in England outside London](#), October 2019, para 1.9

³¹ [Section 150\(3\)](#) of the *Transport Act 2000* and Part 5 of the *Mandatory Travel Concession (England) Regulations 2011* ([SI 2011/1121](#))

domestic legislation that governs concessionary travel reimbursement.³² The DfT believes that these arrangements contain enough flexibility for reimbursement to properly reflect local circumstances:

Reimbursement arrangements are a matter for negotiation each year between local authorities and bus operators. The Reimbursement Calculator allows users to input local values instead of using the default historic values, where available. For instance, users are able to input current bus fares which are then used to calculate the Average Fare Foregone as a result of the ENCTS, which in turn feeds into the reimbursement calculations. This, amongst other measures, allows the calculator to help mitigate any discrepancies that may arise from the usage of the DfT's default values, where they are not best suited to local conditions.³³

One of the fundamental principles of ENCTS is that it should be cost-neutral for bus operators. The general principle is that operators should be “no better and no worse off”. In practice, this means:

Travel Concession Authorities should

- compensate operators for the **revenue forgone** – i.e. the revenue they would have received from those concessionary passengers who would otherwise have travelled and paid for a (full fare or discounted) ticket in the absence of a scheme; and
- pay operators any **net additional costs** they have incurred as a result of the scheme – this could for instance include the cost of carrying additional generated passengers (i.e. concessionary passholders that would not have travelled in the absence of the scheme) or other costs that would not have been incurred in the absence of the concession such as scheme administration costs. Those costs are net of additional revenue.³⁴

Principle of reimbursement:

Total reimbursement due = Revenue Forgone [R] + Net Additional costs [A]

Calculating concessionary travel reimbursement is therefore predicated on determining what would have happened in the absence of the scheme. This requires local authorities to estimate the various components of reimbursement (scheme administration costs, marginal operating costs, marginal capacity costs and peak revenue requirement costs).³⁵

In its 2018-19 inquiry into the bus market, the Transport Committee heard criticism of the reimbursement rate and how it is calculated.³⁶ Reflecting this, its May 2019 report recommended that as a minimum the Government re-baseline the comparative fares upon which reimbursement rates are based, to bring them up to date.³⁷ The Government rejected this.³⁸

³² i.e. *Travel Concession Schemes Regulations 1986* (SI 1986/77); and *Mandatory Travel Concession (England) Regulations 2011* (SI 2011/1121) [NB the 2011 Regulations remain in force, the cessation date having been repealed (see [SI 2018/385](#))]

³³ Op cit., [Government response to the Committee's Ninth Report of Session 2017–19](#), p3

³⁴ DfT, [Concessionary travel for older and disabled people: guidance on reimbursing bus operators \(England\)](#), November 2018, para 3.2

³⁵ Ibid., para 3.7

³⁶ e.g. from John Godfrey of the TAS Partnership, see op cit., [Oral evidence: Health of the Bus Market](#), Qq430-435

³⁷ Op cit., [Bus services in England outside London](#), para 45

³⁸ Op cit., [Government response to the Committee's Ninth Report of Session 2017–19](#), p3

1.2 Discretionary schemes

Local authorities have discretion to offer other concessionary travel schemes in addition to the ENCTS. These concessions are funded by local authorities from general spending and are limited to travel within those authorities unless agreements between neighbouring authorities are in place.

Legislation

Under [section 93](#) of the *Transport Act 1985*, as amended, local councils and Integrated Transport Authorities (ITAs)³⁹ in England outside London can provide, at their discretion, concessionary travel for any of the following specified groups of people:

- Those whose age **does not exceed sixteen years**;
- Those whose age **exceeds sixteen years but does not exceed eighteen years and who are in full-time education**;
- Those who are **blind**, including those so blind as to be unable to perform any work for which sight is essential and those who are **partially sighted**;
- Those who are **deaf**;
- Those who are **without speech**;
- Those suffering from any disability or injury which “in the opinion of the authority or any of the authorities responsible for administration of the scheme, **seriously impairs their ability to walk**”;
- Those **who do not have arms or have long-term loss of the use of both arms**;
- Those who have a **learning disability**, that is “a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning”;
- Those who if they applied for the grant of a **licence to drive a motor vehicle**, have their application refused for reasons of physical fitness; and
- Anyone travelling as the **companion** of a person who is eligible under one of the categories above and requires the assistance of a companion in order to travel on journeys on public passenger transport services.⁴⁰

Combined Authorities⁴¹ can also use [section 113A](#) of the *Local Democracy, Economic Development and Construction Act 2009*, as amended, to provide discretionary concessionary bus travel to people who have not yet reached state pension age.

³⁹ ITAs replaced passenger transport authorities (PTAs) in the metropolitan areas of England from 9 February 2009 under section 77 of the *Local Transport Act 2008*; for more information see section 3 of Commons Library briefing paper [Local transport governance and finance in England, 1997-2010](#), CBP 4351, October 2010

⁴⁰ Section 93(7) of the 1985 Act; note that sub-section (7)(a) – not listed here – applies in England as if it referred to someone over state pension age, not age 60, by virtue of [SI 2010/459](#)

⁴¹ Combined authorities are a legal structure that may be set up by local authorities in England. They can be set up with or without a directly elected mayor. The relevant legislation is the *Local Democracy, Economic Development and Construction Act 2009* and the *Cities and Local Government Devolution Act 2016*; for more information see Commons Library briefing paper [Combined authorities](#), CBP 6649, 4 July 2017

TAS Report

The DfT says that since 2010/11, “almost all” of the TCAs outside London have offered a discretionary travel concession over and above the statutory minimum ENCTS (though the local authority offer can change over time).⁴²

In October 2019 the Transport Select Committee published an independent report it had commissioned from the TAS Partnership. The report sets out in some detail a survey of concessionary travel schemes in England. Below are some of its key findings:

- Only two TCAs offer **passes below state pension age** (Merseyside and West Midlands) both of whom allow free local travel at 60;
- Few schemes include **non-bus modes** as an add-on and in most cases the extension allows a reduced fare rather than free travel;⁴³
- Almost a quarter of older persons’ and just over a third of disabled passes allow **travel before 0930** Monday to Friday while 38% of older persons’ and 44% of disabled passes are **valid after 2300**;
- 56% of TCAs offer **companion passes**;
- All TCAs that **border Scotland or Wales** allow cross-border travel, as do three which have no border; while two schemes permit limited journeys wholly within Wales;
- **Other add-ons** to the ENCTS include a discount on the purchase of a Senior Railcard; a discount on National Express coaches; district-specific enhancements; an exemption from bridge tolls; and vouchers for use on other modes.⁴⁴

Children, students and young people are discussed in the next section.

Children, students and young people

For many years politicians and campaigners have called for various categories of young people to receive free or discounted bus travel. The Labour Party and the Liberal Democrats have both at various points formally adopted versions of this policy.⁴⁵ Successive governments (Labour and Conservative) have tended to reject these policies on grounds of cost or having the unintended consequence of encouraging children to take the bus rather than walk or cycle (particularly to or from school).

For example, in November 2018 the then Transport Minister, Paul Clark, said:

There is currently no statutory entitlement for free bus travel for young people. At present 48 per cent. of young people walk or cycle to school and there is a risk that a blanket concession could encourage young people who currently walk or cycle to take the bus.

⁴² DfT, [Concessionary Travel Statistics England 2018/19](#), 17 December 2019, p7

⁴³ Rail and community transport were the most popular add-ons, with 14 out of 88 TCAs offering extensions for these modes to those with a disabled persons’ pass (11 and 14 respectively for the older persons’ pass)

⁴⁴ Op cit., [Review of Reduced and Concessionary Fares in England outside London](#), sections 2.6 & 2.7

⁴⁵ e.g. in 2015 the Liberal Democrats [ran on a platform](#) to “introduce a new Young Person’s Discount Card, for young people aged 16–21, giving a 2/3rds discount on bus travel, as resources allow” and in 2019 Labour [ran on a platform](#) to introduce free bus travel for under-25s “where councils take control of their buses”

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However, local authorities can use their existing powers to offer local concessionary travel to young people.⁴⁶

In May 2018 the then Transport Minister, Nusrat Ghani, said:

The current national concessionary scheme costs around £1 billion and, given the pressure on public finances, any further extensions to the scheme could jeopardise its sustainability.

[...] There are no plans to implement a national bus concession for young people. [...] Local authorities already have the discretion to offer additional concessions, and are best placed to make decisions that match local needs and circumstances.⁴⁷

In its October 2019 report for the Transport Committee (see above), TAS looked at discounts for children (under 16s) and, separately, students and young people (over 16s). On **child fares**, it concluded that:

The assumption that children automatically receive half fare until their 16th birthday is false. The age at which children become liable to pay adult fares varies between eleven and twenty five years of age, plus in some cases there is no child fare available at all. In addition, the level of discount offered varies considerably.⁴⁸

Some local authorities offer discount schemes for children under 16, many of which are multi-operator tickets. They tend to provide between a 20 and 50 percent discount.⁴⁹ Separately, some bus operators offer commercial concessions (i.e. funded by the bus company). TAS found that over 80 per cent of bus operators have a scheme covering those aged 5 to 15.⁵⁰

On **students and young people over the age of 16**, TAS observed that there is an overlap between child and young person schemes. All six metropolitan PTE areas have schemes,⁵¹ as do 16 other local authorities outside these areas.⁵² As with child fares, many authorities offer multi-operator tickets and bus operators offer hundreds of commercial discount schemes for those aged 16-18.⁵³

Concessions for young people in London are discussed in [section 2.2](#), below.

Transport and education

The main statutory provisions on home-to-school transport, including transport for those in full time education between the ages of 16 and 19, are contained in Part 9 of and Schedules 35B and 35C to the [Education Act 1996](#), as amended.

The legislative provisions are quite complicated, because there are different statutory entitlements for different groups. The Department for Education (DfE) published [statutory guidance on home-to-school travel and transport](#), updated in December 2016, to which local authorities must have regard.

⁴⁶ [HC Deb 3 November 2008, c198WA](#)

⁴⁷ [Bus Services: Concessions: Written question – 142328](#), 17 May 2018

⁴⁸ Op cit., [Review of Reduced and Concessionary Fares in England outside London](#), para 3.1.2

⁴⁹ Ibid., sections 3.3 and 3.4

⁵⁰ Ibid., para 3.5.2

⁵¹ [Passenger Transport Executives \(PTEs\)](#) were created by the *Transport Act 1968* to co-ordinate transport provision in most of Britain's largest conurbations (known as the metropolitan areas). These days they are responsible to (Mayoral) Combined Authorities and in some areas have been abolished or absorbed within these authorities

⁵² Op cit., [Review of Reduced and Concessionary Fares in England outside London](#), paras 4.2.2-4.2.3

⁵³ Ibid., sections 4.3 and 4.4

The rules insofar as they apply to post-16 students in full time education are explained in [Commons Library briefing paper CBP 8413](#), October 2018.

2. London

The English National Concessionary Travel Scheme (ENCTS) in London is folded into a far more generous concession known as the [Freedom Pass](#) (see [section 2.1](#), below).

Although the Freedom Pass is used on the [Transport for London \(TfL\)](#) network,⁵⁴ the costs of the scheme are charged back to each of the 32 London Boroughs and the City of London (the [London Councils](#)) under an agreed formula, based on the number of permits issued to the residents of each Borough. If TfL and the Boroughs fail to reach an agreement TfL can implement a Reserve Scheme and charge the Boroughs for the cost of that scheme.⁵⁵

As explained in [section 1.1](#), above, local authorities are responsible for reimbursing bus operators for journeys made by passengers with a bus pass entitling them to concessionary travel. The Government funds this reimbursement as part of the main [Revenue Support Grant for local authorities](#). In 2018-19, £217 million was reimbursed to local authorities in London by the Government (around 25% of all reimbursement in England).

In total, in 2018-19 there were 9.1 million concessionary travel passes (8.2 million older passes and 0.9 million disabled passes) issued across England and 884 million concessionary bus journeys. The average reimbursement per pass across England was £184 in London (compared to £83 in England excluding London).

In London there is also a wide array of other [discretionary fare schemes](#) for younger people, those aged over 60 but under state pension age, apprentices, veterans and job seekers. In May 2020 the Government agreed an emergency financial support package for TfL, which involves the amendment or suspension of some of these schemes. This is examined in more detail in [section 2.2](#), below.

2.1 Freedom Pass for older people and those with a disability

The London statutory concession (the [Freedom Pass](#)) is provided for under [sections 240 to 244](#) of and [Schedule 16](#) to the *Greater London Authority Act 1999*, as amended.⁵⁶

In normal times, the Freedom Pass consists of the components of free and subsidised travel listed below. **Note** that some of these rules have changed during the coronavirus pandemic as a condition of the Government's

⁵⁴ The Boroughs can make agreements with other transport operators as required

⁵⁵ The closest the two sides have come to disagreement since the creation of the London Mayor and TfL was in 2007, see: London Councils press notice, "[Freedom pass safe in our hands](#)", 30 January 2007; and: London Mayor press notice, "[Freedom pass guarantee must remain](#)", 29 January 2007; Parliamentary efforts to amend the legislation in line with the Boroughs' views were unsuccessful, see: [HL Deb 8 January 2007, cc29-31 GC, HL Deb 29 January 2007, c36-38](#), and [PBC Deb 5 June 2007, cc47-52](#)

⁵⁶ Formerly [sections 50-53](#) of the *London Regional Transport Act 1984*

financial support package for TfL. These are discussed at the end of this section.

In normal times the Freedom Pass [entitles holders to](#):

- Free travel on all TfL **buses** in the Greater London area at all times and free travel on local bus services run by other bus companies outside the TfL bus network Monday to Friday between 0930 and 2300 and at any time on weekends and public holidays;
- Free travel all day, every day on the whole of the **London Underground, Overground and Docklands Light Railway (DLR) network and London trams**; and
- Free travel in standard class on most **local rail services** in London Monday to Friday between 0930 and 0430 and at any time on weekends and public holidays and free travel at all times on other routes.⁵⁷

[Exclusions by London Borough](#) are listed on the [London Councils website](#).

The Freedom Pass is [not valid for travel on train services](#) operated by: East Midlands Trains; Grand Central; Hull Trains; the Gatwick Express between Victoria and Gatwick Airport; the Heathrow Express between Paddington and Heathrow Airport; London North Eastern Railway; and Southeastern high speed services to and from St Pancras International and Stratford International.

As noted above, at present there are **additional restrictions** on the use of the Freedom Pass. These are a result of the £1.6 billion funding and finance deal the Government has agreed with TfL.⁵⁸ The Secretary of State for Transport, Grant Shapps, said that the Government had set a number of conditions on the funding, including:

... the temporary suspension of free travel for over-60s in the morning peak and temporarily suspending free travel for under-18s all day. Disabled people will still be able to make use of their concession passes all day, and Special arrangements will be made for those children who qualify for free travel to schools. These conditions are needed to avoid crowding and reduce the exposure of vulnerable groups.⁵⁹

This means that use of the older persons' Freedom Pass is at present restricted on London buses, trams, Underground, Overground and DLR to travel only after 0900.⁶⁰

2.2 Discretionary schemes for young people and others

For more than a decade London has been one of the most generous authorities when it comes to [discretionary fare schemes](#). It funds free and discounted travel for younger people, those aged over 60 but under state

⁵⁷ A map of the eligible routes is available on the [London Councils website](#) [accessed 7 July 2020]

⁵⁸ For information on the deal, see: DfT press notice, "[Government grants Transport for London funding package](#)", 15 May 2020 and Mayor of London press notice, "[Statement from the Mayor of London regarding Transport for London](#)", 15 May 2020

⁵⁹ [Transport for London Extraordinary Funding and Financing: Written statement - HCWS240](#), 18 May 2020

⁶⁰ London Councils, [Using the Pass](#) [7 July 2020]

pension age, apprentices, veterans and job seekers. These concessions were introduced by both Labour and Conservative mayors between 2005 and 2012.⁶¹

TfL provides these commercial concessions under [section 155](#) and [section 174](#) of the 1999 Act. The Mayor may issue general directions under section 155(1)(b) and specific directions under section 155(1)(c) as to the manner in which TfL is to exercise its functions. Under section 174(1) the Mayor is under a duty to exercise his powers under section 155(1) so as to ensure that the general level and structure of fares for public passenger transport services (provided by TfL or other persons who provide services under agreement with TfL) are determined.⁶²

As noted above, as a result of the £1.6 billion funding and finance deal the Government has agreed with TfL, at present there are **currently restrictions** on over-60s travel and free travel for under 18s:

- Over 60s cannot at present travel for free on London buses, trams, Underground, Overground and DLR before 0900; and
- TfL will temporarily suspend free travel for under-18s all day.⁶³

The Mayor of London, Sadiq Khan, is broadly supportive of the restrictions on over-60s travel, but not of the suspension of free travel for under-18s.

On the over-60s travel decision, the Mayor said:

...taking into account the negative impacts of the proposals, they are justified and proportionate in the circumstances... although those directly affected will have to pay for travel in the morning peak period ... the broader benefits of helping to manage demand in the morning peak period through discouraging non-essential travel and ensuring on-going funding of TfL to provide its core services will be of greater benefit to the broader population, particularly those key workers who are reliant on public transport. The health benefits to older Londoners arising from avoiding travel at peak time are a further consideration.⁶⁴

On the under-18s travel suspension, the Mayor has said that:

There are nearly 2 million children and young people under the age of 18 in London. Nearly 60% are from BAME communities. We should not be removing the free travel from them.

I have repeatedly made my views clear to the Government. I have asked it to drop this condition from the TfL funding deal and to work with us on finding other ways to encourage more children to walk and cycle to school.⁶⁵

⁶¹ TfL press notice, "[Free travel on buses and trams for under-16s](#)", 14 June 2005; [TfL press notice, "Under 18s free travel rules begin"](#), 1 June 2008; "[Free London travel for veterans](#)", *BBC News*, 27 June 2008; "[Half-price bus fares for unemployed](#)", *Metro*, 14 January 2009; and TfL press notice, "[Mayor restores free travel for 60-year-old Londoners with the 60+ London Oyster photocard](#)", 1 October 2012

⁶² Mayor of London, [MD2642 Temporary changes to free travel arrangements - older Londoners](#), 3 June 2020 [legal comments]

⁶³ [Transport for London Extraordinary Funding and Financing: Written statement - HCWS240](#), 18 May 2020

⁶⁴ Op cit., [MD2642 Temporary changes to free travel arrangements - older Londoners](#) [equality comments]

⁶⁵ [Mayors Question Time, 18 June 2020, Q1847](#)

In response to a debate about the suspension of free travel for under-18s in London, the Minister, Rachel Maclean, said:

Before the covid-19 crisis, around a third of journeys between 8 and 9 am were made by young people travelling to school. However, according to TfL, the average journey to school in London is less than one kilometre. The temporary suspension of free travel for under-18s is one way to manage demand for buses during the morning peak, and it is necessary to ensure that capacity is available to those who need it, including some schoolchildren, given reduced capacity as a result of social distancing measures.⁶⁶

The Minister also said that any child eligible for free home-to-school travel under the *Education Act 1996* will still receive it and that the cost of the temporary suspension will not fall on London boroughs.⁶⁷

⁶⁶ [HC Deb 8 July 2020, c1092](#)

⁶⁷ *Ibid.*, c1092

3. Scotland

The Scottish Government launched a Scotland-wide national concessionary travel scheme for older and disabled people on 1 April 2006, under [section 40](#) of the *Transport (Scotland) Act 2005*. It is administered and funded by Transport Scotland, although responsibility for the issue of entitlement cards lies with individual local authorities and [Strathclyde Partnership for Transport \(SPT\)](#). The national scheme replaced 16 local concessionary travel schemes administered by local authorities and SPT.⁶⁸

The [National Entitlement Card](#) (NEC) provides those over the age of 60 or with a specified disability free travel on all buses across Scotland. Only a few services, such as premium-fare night buses and City Sightseeing buses, do not accept the card. Some local authorities offer other discounts on rail, tram or subway for their cardholders. [Residents of the Western Isles, Orkney and Shetland](#) who have a NEC and qualify for free bus travel under the concessionary travel scheme can also get two free return ferry journeys to the mainland each year.

There has been some debate in Scotland over several years about the ongoing financial viability of the current NEC, in particular the eligibility at age 60.⁶⁹ In 2017 the Scottish Government issued a consultation, seeking views as to whether the eligible age for the NEC should be increased to state pension age.⁷⁰ In the end it decided not to make a change given the balance of opinion provided in response to the consultation.⁷¹

In addition, the [Young Scot NEC](#) gives those aged 16 to 18, or those aged 19 to 25 and a full time volunteer a third off all bus and rail travel.

Individual local authorities and SPT can offer discretionary concessions to specified groups under [section 68](#) of the *Transport (Scotland) Act 2001*. For example, the City of Edinburgh Council extended [free travel on Edinburgh Trams](#) to NEC holders resident in the city.

⁶⁸ Background on travel concessions in Scotland can be found in SPICe briefing [Concessionary Travel](#), SB 09-02, January 2009

⁶⁹ e.g. as far back as 2010 Audit Scotland was calling for a review, see: Audit Scotland, [National Concessionary Travel](#), October 2010

⁷⁰ Transport Scotland, [Consultation on Free Bus Travel for Older and Disabled People and Modern Apprentices](#), August 2017, section 2

1.1 ⁷¹ Transport Scotland, [No change to bus pass age of eligibility](#) and [Free Bus Travel for Older and Disabled People and Modern Apprentices: Analysis of Responses to the Consultation](#), 25 August 2018

4. Wales

The development of a statutory concessionary travel scheme for older people and those with a relevant disability⁷² developed in tandem with that in England (see [section 1.1](#), above) and under the same legislation (i.e. the *Transport Act 2000*, as amended). It substantially diverged in 2010 when the Welsh Government decided not to increase the eligibility age from 60 to state pension age, in line with England.⁷³ The [current concession](#) provides free travel on all local buses in Wales.

There have been concerns for some time about the financial viability of continuing to provide free bus travel from the age of 60.⁷⁴ In 2017 the Welsh Government consulted on a number of possible reforms to the statutory concession, including **increasing eligibility to state pension age**.⁷⁵ This was followed in December 2018 by a White Paper, which again sought views on the same proposal.⁷⁶ On 24 July 2019 the Minister for Economy and Transport, Ken Skates, announced the Government's intention to legislate to "amend the eligibility age for the mandatory concessionary fares scheme so that over time it will align with a person's state pension age".⁷⁷ The Welsh Government has yet to introduce the necessary legislation.⁷⁸

In addition, **young people** benefit from the [My TravelPass card](#), which gives holders around a third off bus travel. This is offered by all Welsh bus operators to 16 to 18-year olds, whilst many operators extend the discount until the holder turns 22. It is reimbursed by the Welsh Government.

⁷² For information on eligibility, see: Welsh Government, [Concessionary Bus Travel Scheme Guidance: A Common Approach to Eligibility](#), April 2019

⁷³ Welsh Government press notice, "Free bus pass plans remain the same in Wales", 15 March 2010

⁷⁴ See, e.g.: "[Can Wales justify free bus passes in the face of a £187m budget cut?](#)", *Wales Onlinel*, 26 May 2010

⁷⁵ Welsh Government, [Mandatory Concessionary Fares Scheme in Wales: Maintaining free bus travel for older people, disabled people and injured service veterans](#), 10 October 2017

⁷⁶ Welsh Government, [Improving public transport](#), 10 December 2019, pp34-35

⁷⁷ [Written Statement: Update on the Public Transport \(Wales\) Bill and wider bus reform agenda](#), 24 July 2019

⁷⁸ A more substantial overview of these debates is provided in: Senedd Research, [Improving public transport: the development and outcome of the Welsh Government's White Paper](#), March 2020

5. Northern Ireland

A concessionary fares scheme for Northern Ireland was established in 1978, under Article 5 of the *Transport (Northern Ireland) Order 1977* ([NISI 1977/599](#)), with the intention of extending existing concessions available on public transport in Belfast to cover services throughout Northern Ireland. Free travel was introduced for those registered as blind. Half fare travel was introduced for those aged 65 and over; people in receipt of a regular war disablement pension; and children between the ages of six and 16.

Those over 65 have had free travel on scheduled buses and trains since 1 October 2001 on production of a pass, obtainable free of charge; this was lowered to age 60 from 1 October 2008.⁷⁹

The following concessions are provided on eligible scheduled services operated by [Translink](#) and other participating operators across Northern Ireland:

Free travel for:

- everyone aged 60 and over;
- people who are registered blind; and
- war disablement pensioners

Half fare travel for people:

- in receipt of the mobility component of Disability Living Allowance (DLA);
- in receipt of the mobility component of Personal Independence Payment (PIP);
- who have had a driving licence refused or revoked on medical grounds;
- who have a learning disability; or
- who are partially sighted.

To be eligible for any of the above concessions, you must apply for and receive a concessionary travel card, called a SmartPass.⁸⁰

In 1995 the Irish Government introduced free cross-border travel for those eligible for concessionary fares resident anywhere on the island of Ireland. This concession was paid for by the Irish Government and did not form part of the Northern Ireland scheme. Since April 2007 there has been an [all-Ireland scheme](#) providing free travel on public transport throughout the island of Ireland for those aged 65 (resident in Northern Ireland) and 66 (resident in the Republic of Ireland).

Background information on concessionary schemes in Northern Ireland can be found in: Northern Ireland Assembly Research and Information Service, [Background to the Free Travel Scheme for People Aged 60-64](#), October 2012.

⁷⁹ DRDNI, [Policy review of the Northern Ireland Concessionary Fares Scheme](#), January 2007

⁸⁰ NIDirect, [Free and concessionary bus and rail travel](#) [accessed 16 July 2020]

6. Long distance coach services

Since 2011 coach operators have provided commercial concessions for older people and those with a disability. For example, National Express, the country's biggest long-distance coach provider, has a [Senior Coachcard](#) for the over 60s and a [Disabled Coachcard](#) for people with a disability. Both cards give holders a third off all coach travel across the UK at a cost of £15 per year for the card, including postage.

Between 2003 and 2011 coach operators provided a half-fare concession for pensioners and people with a disability in return for fuel subsidy payments from the Government.

Travel concessions on coaches did not come under the general bus concessions legislation. The half fare concession was introduced in 2003⁸¹ following work by the [Commission for Integrated Transport \(CfIT\)](#) on fuel duty rebate (FDR).⁸² The Coalition Government announced its intention to abolish the grant from October 2011, also ending the requirement on coach operators to provide concessionary travel.⁸³

⁸¹ Via the *Bus Service Operators Grant (amendment) (England) Regulations 2003* ([SI 2003/1036](#))

⁸² FDR is now known as [Bus Service Operators' Grant \(BSOG\)](#); see: CfIT, [Advice to Ministers ULSD duty and fuel duty rebate for express coach services](#), March 2001, para 30; the Prime Minister gave his approval in 2001 and there followed a consultation by the DfT in 2002, see: [HC Deb 4 July 2001, c259](#) and DfT, [Review of bus subsidies](#), July 2002

⁸³ Via the *Bus Service Operators Grant (England) (Amendment) Regulations 2011* ([SI 2011/2448](#)); see also: DfT, [EqIA Screening Proforma: end to BSOG payments \(from October 2011\) for operators of long distance coaches offering half price concessions](#), November 2010

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