

Net Zero, Energy and Transport Committee

9th Meeting, 2024 (Session 6)

Tuesday, 5 March 2024

Cover note: The National Bus Travel Concession Schemes (Miscellaneous Amendments) (Scotland) Order 2024 [draft]

Title of Instrument: [The National Bus Travel Concession Schemes \(Miscellaneous Amendment\) \(Scotland\) Order 2024](#) [draft]

Type of Instrument: Affirmative

Laid Date: 25 January 2024

Circulated to Members: 26 January 2024

Meeting Date: 5 March 2024

Minister to attend meeting: Yes

Motion to approve: [S6M-11994](#)

Drawn to the Parliament's attention by the Delegated Powers and Law Reform Committee? No

Reporting deadline: 13 March 2024

Background

1. An electronic copy of the Order is available at: <https://www.legislation.gov.uk/sdsi/2024/9780111059081/contents>
2. Copies of the Scottish Government explanatory and policy notes are included in the **Annexe**.

Purpose

3. This instrument sets out the capped level of funding for the National Bus Travel Concession Scheme for Older and Disabled Persons in respect of the financial year 2024-2025. It also sets out reimbursement rates for bus operators in respect of 2024-2025 for both the National Bus Travel Concession Scheme for Older

and Disabled Persons and the National Bus Travel Concession Scheme for Young Persons.

Delegated Powers and Law Reform (DPLR) Committee consideration

1. At its meeting on 6 February 2024, the DPLR Committee considered the instrument and determined that it did not need to draw the attention of the Parliament to the instrument on any grounds within its remit.

- [Read the Official Report – DPLR Committee, 6 February 2024 \(parliament.scot\)](#)
- [Read the Report – 10th Report, 2024 \(Session 6\) \(parliament.scot\)](#)

Procedure for Affirmative instruments

4. The draft Order was laid on 25 January 2024 and referred to the Net Zero, Energy and Transport Committee. The Order is subject to affirmative procedure (Rule 10.6). It is for the Net Zero, Energy and Transport Committee to recommend to the Parliament whether the Order should be approved. The Cabinet Secretary for Transport has, by motion S6M-11994 (set out in the agenda), proposed that the Committee recommends the approval of the Order. The Committee will take evidence on the Order from the Minister for Agriculture and Connectivity and officials before the motion is debated.

Recommendation

5. The Committee must decide whether or not to agree to the motion, and then report to Parliament accordingly, by 13 March 2024.

Clerks
Net Zero, Energy and Transport Committee

Annexe – Accompanying documents

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order amends article 12 of the National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Order 2006 to set the capped level of funding and the reimbursement rate for the financial year 2024/2025.

Article 3 of this Order also amends article 12 of the National Bus Travel Concession Scheme for Young Persons (Scotland) Order 2021 to set the reimbursement rates for the financial year 2024/2025.

A Business and Regulatory Impact Assessment (“BRIA”) has been prepared in relation to this Order and placed in the Scottish Parliament Information Centre. Copies of the BRIA are available on the Transport Scotland website at www.transport.gov.scot and at www.legislation.gov.uk.

POLICY NOTE

THE NATIONAL BUS TRAVEL CONCESSION SCHEMES (MISCELLANEOUS AMENDMENT) (SCOTLAND) ORDER 2024

SSI 2024/XXX

The above instrument is made in exercise of powers conferred on the Scottish Ministers by sections 40(1), (3) and (4) and 52(4) of the Transport (Scotland) Act 2005 and is subject to affirmative resolution procedure.

This instrument sets out the capped level of funding for the National Bus Travel Concession Scheme for Older and Disabled Persons in respect of the financial year 2024- 2025. It also sets out reimbursement rates for bus operators in respect of 2024-2025 for both the National Bus Travel Concession Scheme for Older and Disabled Persons and the National Bus Travel Concession Scheme for Young Persons.

Policy Objectives

1. Article 12 of the National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Order 2006 (S.S.I. 2006/107) (“the 2006 Order”), as amended by S.S.I. 2010/140, S.S.I. 2013/114, S.S.I. 2015/133, S.S.I. 2017/71, S.S.I. 2018/98, S.S.I. 2019/119, S.S.I. 2020/104, S.S.I. 2021/175, S.S.I. 2022/115 and S.S.I. 2023/108 provides for the reimbursement of operators of eligible services for carrying passengers under the National Bus Travel Concession Scheme for Older and Disabled Persons (“the ODPS”).
2. Article 12 of the National Bus Travel Concession Scheme for Young Persons (Scotland) Order 2021 (S.S.I. 2021/175) (“the 2021 Order”), as amended by the S.S.I. 2021/381, S.S.I. 2022/115 and S.S.I. 2023/108 provides for the

reimbursement of operators of eligible services for carrying passengers under the National Bus Travel Concession Scheme for Young Persons (“the YPS”).

3. This instrument further amends the 2006 Order and the 2021 Order to prescribe the rates and, in the case of the 2006 Order, capped level of funding for reimbursement in 2024-25.
4. The ODPS provides an entitlement to free bus travel for people in Scotland who are aged 60 and over, or who meet certain disability-related criteria. In response to surveys, card holders tell us that the ODPS provides them with social and health benefits, including by enabling them to access services and visit friends and relatives more easily. Under 12(1) of the Order the Scottish Ministers have the objective of ensuring that operators are left financially no better and no worse off by their participation in the scheme. Accordingly, article 12 sets the rates at which operators who participate in the scheme will be reimbursed.
5. The YPS provides an entitlement to free bus travel for people in Scotland who are aged 21 and under, a recent evaluation has shown that the YPS is helping to improve access to education, leisure, and work, while enabling young people to travel sustainably early in their lives. Under 12(1) of the Order the Scottish Ministers have the objective of ensuring that operators are left financially no better and no worse off by their participation in the scheme. Accordingly, article 12 sets the rates at which operators who participate in the scheme will be reimbursed.
6. The objective of this Order is to enable operators to continue to be reimbursed for the ODPS and YPS after the expiry of the current reimbursement provisions on 31 March 2024 by setting the reimbursement rates for both schemes and the capped level of funding for the ODPS for the next financial year (1 April 2024 to 31 March 2025).
7. The Order specifies that in 2024-25 the reimbursement rate for the ODPS will be 55.0% (of the adult single fare). This has been amended from the 2023-24 figure of 55.9%. Accordingly, the capped level of funding for 2024-25 has been set at £203.5 million. It is expected that claims in practice will be less than the capped level because of changes in travel patterns and passenger numbers post Covid-19.
8. The reimbursement rates for the YPS have been retained from 2023-24. In 2024-25 the reimbursement rate for the YPS will be 43.6% (of the adult single fare) for journeys made by those aged 5 to 15 and 81.2% for journeys made by 16 to 21 year olds. As in 2023-24, a budget cap is not being set for the YPS in 2024-25. Continued growth of the YPS with no clear pattern having yet emerged regarding monthly journey numbers means it is difficult to provide a sufficiently accurate estimate on which a budgetary cap could be based.

EU Alignment Consideration

9. This instrument is not relevant to the Scottish Government’s policy to maintain alignment with the EU.

Consultation

10. The reimbursement rates have been agreed with the Confederation of Passenger Transport (CPT), which represents approximately 90% of Scotland's bus services.

Impact Assessments

11. There are no equality impact issues in relation to renewing the economic parameters of the ODPS or YPS. The ODPS is targeted at older and disabled people. User feedback highlights social and health benefits of the ODPS, including by enabling people more easily to access services and visit friends and relatives. The YPS is targeted towards young people aged under 22. The YPS, which became operational on 31 January 2022, seeks to embed sustainable travel behaviours from a young age and to open up opportunities for young people. This Order enables the ODPS and YPS to continue on the terms detailed above for the next financial year.
12. A Business Regulatory Impact Assessment (BRIA) has been completed and is attached. The impact of this policy on business is to confirm arrangements for reimbursement of bus operators under the National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) and National Bus Travel Concession Scheme for Young Persons (Scotland) for the next year at levels which have the objective of leaving them financially no better and no worse off as a result of participation in the Scheme. This is in line with the objectives in article 12(1) of the 2006 Order and article 12(1) of the 2021 Order.

Financial Effects

13. The ODPS has capped levels of funding of £203.5 million in 2024-25. The YPS does not have a cap. Continued growth of the YPS with no clear pattern having yet emerged regarding monthly journey numbers means it is difficult to provide a sufficiently accurate estimate on which a budgetary cap could be based. The estimated cost of reimbursement for the YPS is around £200 million.

Date of Implementation

14. The new rates will be effective from 1 April 2024.

Scottish Government
Transport Scotland

January 2024

Impact assessments

- [Business and Regulatory Impact Assessment \(BRIA\) \(legislation.gov.uk\)](https://www.legislation.gov.uk)