

## **THE MEDWAY CONCESSIONARY TRAVEL SCHEME**

### **SCHEME DEFINITION**

**With effect from 1 April 2017**

#### **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) “Travel Concession Authority” means Medway Council (UA) and is also the “Administering Authority” as defined in the 1985 Act in matters relating to the context of the 1985 Act;
  - v) “Coordinating Authority” means the authority responsible for administering the Scheme which is Kent County Council;
  - vii) “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;
  - viii) “Entitled Person” means any person who is not an Eligible Person for whom an Travel Concession Authority has discretionary powers under the 1985 Act or other relevant legislation to provide concessionary travel;
  - ix) “Participating Operator” shall be construed as a transport operator providing Included Services in accordance with the terms set out in this Scheme Description;
  - x) “Arrangements for Reimbursement” means the most recently published Arrangements for Reimbursement associated with the scheme;
  - xi) “Passenger Journey” means the act of a person moving from one location to another;
  - xii) “Principal Area” shall be construed in accordance with section 93 (2) of the 1985 Act as the area comprising the Administrative Area of Medway Council (UA);
  - xiii) “Eligible Services” shall be construed in accordance with section 146 of the Transport Act 2000 as modified by the Travel Concessions (Eligible Services) Order 2002 (SI2002No 1016), the Travel Concessions (Eligible Services) (Amendment) Order 2009 and/or any replacement and/or additional order that is or becomes relevant;
  - xiv) “Public Passenger Transport Service” shall be construed in accordance with section 63 (10)(a) of the 1985 Act;
  - xv) “Included Services” means those Public Passenger Transport Services (or specified journeys on those services) that are not also Eligible Services on which concessionary travel can be undertaken under the terms of the Scheme;

- xvi) “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;
- xvii) “Regulations” means the Travel Concessions Schemes Regulations 1986, the Mandatory Travel Concession (England) Regulations 2011 and any subsequent modifications and/or additions thereto, together with any other relevant regulations;
- xviii) “Scheme” means the Medway Concessionary Travel Scheme as described herein and/or in the separate document entitled “Arrangements for Reimbursement”;
- xix) “Concession Period” means the 12 calendar months starting on 1 April in any year;
- 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) “National Pass” means a pass conforming to the correct specification and which entitles its holder to the Statutory Minimum Travel Concession;
- xxii) “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 one of the Travel Concession Authorities party to the Scheme 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 concerned may be limited to those starting in the Travel Concession Authority’s area, the Principal Area of the Scheme or as otherwise determined by the Travel Concession Authority concerned;
- xxiii) “Companion Entitlement” means the discretionary entitlement provided by a Travel Concession Authority party to the Scheme to the holder of a National 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 concerned may be limited to those starting in the Travel Concession Authority’s area, the Principal Area of the Scheme or as otherwise determined by the Travel Concession Authority concerned;
- xxiv) “Alternative Discretion” means any concession offered by the Travel Concession Authority to an entitled ENCTS pass holder who chooses to waive their rights to an ENCTS pass in exchange for an alternative concession such as tokens, vouchers, etc. The administration of such alternative concessions will not form part of these Arrangements for Reimbursement and are listed in accompanying schedules for information only.
- xxv) “Issue Charge” means any payment required by a Travel Concession Authority from an Eligible Person or Entitled Person in return for providing a Discretionary Entitlement and/or a Companion Entitlement to that person excluding any charge to recover the

cost of providing a photograph and/or the cost of providing a replacement National Pass at a time other than the normal date of renewal.

### **Responsibilities of the Travel Concession Authority and the Coordinating Authority**

2. The Scheme is established and administered under the provisions laid down in the relevant parts of the 1985 Act. Notwithstanding this the Scheme shall also be administered to fulfil the requirements of and in accordance with the 2000 Act, the 2007 Act and EC Regulation 1370/2007.
3. The Coordinating Authority shall manage and operate the Scheme in accordance with the requirements of the Acts and/or other relevant legislation.
4. The Coordinating Authority will reimburse Participating Operators of Included Services for Passenger Journeys made as a result of the proper use of National Passes together with any Passenger Journeys made under any Discretionary and/or Companion Entitlement upon confirmation from those operators that the Passenger Journeys have been made and in accordance with the Arrangements for Reimbursement.

### **Issue of National Passes**

5. The Travel Concession Authority will issue National Passes to Eligible Persons whose sole or principal residence is within their area. At their 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 their area. This will normally take the form of an endorsement to the National Pass.
6. 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.
7. An Issue Charge for a National Pass that includes Discretionary and/or Companion Entitlement may be made by the Travel Concession Authority to an Eligible Person resident in its area if that Travel Concession Authority has offered the Eligible Person the option of a National Pass which entitles the Eligible Person to the Statutory Minimum Travel Concession and for which no Issue Charge is made.
8. A Travel Concession Authority may also offer the option of other types of concessions (e.g. Travel Tokens, vouchers, Railcards, etc) to an Eligible Person if that Travel Concession Authority has offered the Eligible Person the option of a National Pass which entitles the Eligible Person to the Statutory Minimum Travel Concession for which no Issue Charge is made and where the Eligible Person has declined that offer.
9. Arrangements in respect of other types of concession are administered separately by the Travel Concession Authority but are considered to be part of the County Concessionary Scheme.

10. 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 in whose area they reside.
11. In cases where a National Pass is stolen, lost, badly damaged or destroyed, the Travel Concession Authority may at its individual discretion provide a replacement National Pass during the currency of one that has already been issued but reserve the right to make a charge to cover the cost of so doing.

### **Scope of Concessionary Travel**

12. 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 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
13. The Scheme enables a Discretionary Entitlement to be provided in addition to the benefits of the Statutory Minimum Travel Concession for holders of National Passes issued by the Travel Concession Authority at the entire discretion of the Travel Concession Authority. Subject to the scope determined by the Travel Concession Authority, Discretionary Entitlement can enable Passenger Journeys to be made:
  - a) 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 providing the Discretionary Entitlement and starting in the Principal Area of the Scheme or as otherwise determined by the Travel Concession Authority;
  - b) On Eligible services where there is no journey within 60 minutes after 09.30, the Travel Concession Authority may at its entire discretion, require a participating operator to allow concessionary travel on the journey prior to 09.30.
  - c) 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 Coordinating Authority and the operator of that service on behalf of the Travel Concession Authority;
14. Details of any Discretionary and/or Companion Entitlement and/or Alternative Discretion 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.
15. Notwithstanding 13 above and subject to prior consultation with the Participating Operator(s) providing services that may be affected, the Coordinating Authority acting on behalf of the Travel Concession Authority reserves the right to exclude specified services (and/or specified journeys on specified services) from the Scheme where they have good reason to believe that

overloading may occur before 0930 hours and/or after 2300 hours on Normal Weekdays. Participating Operators may also request the Coordinating Authority to agree to exclusions on similar grounds, such agreement not unreasonably being withheld. Details of any and all exclusions and any changes thereto shall be published from time to time by the Coordinating Authority.

16. Those eligible because of a disability that requires them to be accompanied by a dog (eg a guide dog or hearing dog) shall not be charged a fare in respect of that dog.


### **Miscellaneous**

17. 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.
18. 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.
19. The 1985 Act encourages voluntary participation, backed where necessary by a process of compulsion and the Scheme continues to be founded on this principle. However, 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.
20. Operators participating in the Scheme 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 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.




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## SCHEDULE OF CONCESSIONARY ENTITLEMENTS

### (a) Times of Travel

	TIMES OF TRAVEL FOR JOURNEYS STARTING IN	
PASSES BEARING THESE LOGOS	KENT	MEDWAY
	09.30 - 23.00 WEEKDAYS ALL DAY SAT/SUN/B.HOL	09.30 - 23.00 WEEKDAYS ALL DAY SAT/SUN/B.HOL
	09.30 - 23.00 WEEKDAYS ALL DAY SAT/SUN/B.HOL	09.00 - last bus WEEKDAYS ALL DAY SAT/SUN/B.HOL
<b>ALL OTHER VISITORS' PASSES</b>	09.30 - 23.00 WEEKDAYS ALL DAY SAT/SUN/B.HOL	09.30 - 23.00 WEEKDAYS ALL DAY SAT/SUN/B.HOL

### (b) Companion Concessions

COMPANIONS CAN TRAVEL FREE WHEN STARTING A JOURNEY IN THESE AREAS AT THE SAME TIMES AS OTHER PASSHOLDERS (SEE TIMES OF TRAVEL)		
PASSES BEARING THESE LOGOS	KENT	MEDWAY
	YES	YES
	YES	YES
EAST SUSSEX PASSES 	YES	NO
<b>ALL COMPANION PASSES WHEREVER ISSUED</b>	YES	NO

### (c) Alternative Discretions

NONE