



To all Medway Operators
By email

AC
2 March 2023

Dear Operator

Medway Concessionary Travel Scheme
Notice in accordance with S.95(1) of the Transport Act 1985 and S.150(1) of the Transport Act 2000

Following agreement by the Travel Concession Authority, I hereby give notice on their behalf that the Arrangements for Reimbursement that will apply with effect from 1 April 2023 have now been published. A copy of the Arrangements for Reimbursement is enclosed. There have been no changes made since the original proposals were published in December 2022, with the exception of the default Marginal Operating Cost rate being increased to £0.085.

The Scheme Definition has not changed but is also enclosed and reflects the discretionary arrangements that the County proposes to offer at this stage.

Statutory Elements of the Scheme

The published Arrangements for Reimbursement have been determined by the Travel Concession Authority in accordance with Section 149(2) of the Transport Act 2000. They will take effect on 1 April 2023. In accordance with the modifications made in Section 3 of the Concessionary Bus Travel Act 2007 to Section 150 of the Transport Act 2000, operators who consider that they may be prejudicially affected by the published Arrangements for Reimbursement may, within 56 days from 1 April 2023, apply to the Secretary of State for Transport for their modification. Written notice of any such intention must first of all be sent to the appropriate Travel Concession Authority at least seven days before any application is made.

Discretionary Elements

The Schemes embody certain discretionary elements (see the schedule attached to the Scheme Definition) and, as such, are Schemes established under Section 93 of the Transport Act 1985. For the purposes of Section 95(2) of the Transport Act 1985, this letter serves as the required notice of variation in respect of the discretionary elements of the Schemes.

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The Travel Concession Authority expects operators to participate voluntarily in these discretionary elements unless any operator serves notice as set out in the Arrangements for Reimbursement that they wish to withdraw from voluntarily participation. Such notice should be served in writing to MCL Transport Consultants Ltd., following which a Participation Notice will be served on behalf of the Travel Concession Authority. An operator may apply to the Secretary of State for Transport for a Participation Notice to be lifted within 28 days of any such Notice coming into force. Written notice of any such intention must first of all be sent to the appropriate Travel Concession Authority at least seven days before any application is made. Until a determination is made by the Secretary of State, the operator must accept and be reimbursed for the discretionary concessions.

Proposed COVID-19 Reimbursement Arrangements

Your attention is drawn in particular to Annex A of the Arrangements for Reimbursement which details how the Schemes will utilise the DfT Calculator and Guidance. **You will be sent separately an additional sheet showing the COVID-19 arrangements and the parameters that have been used to formulate factors for your individual company's reimbursement under the above Schemes.** If you wish to request a review of any of the parameters that have been identified in the Arrangements for Reimbursement, then you must refer to the Annex for details of what you need to provide and the deadlines.

The Travel Concession Authority reserves the right to request audit certification of any data that they cannot independently verify. Any agreed changes that result in increased reimbursement will be implemented at the next available reconciliation quarter and interim payments already notified will not be adjusted. The changes will, however, be backdated to the start of the scheme year.

If you have any questions concerning these documents please contact the undersigned.

Yours sincerely

Anne Clark

Mrs Anne Clark
Managing Director

Cc Travel Concession Authority