

1 Worcestershire Community Transport Section 106 Guidelines

1.1 Community Transport Introduction

The Transport Act 1985 mandates that Transport Authorities such as Worcestershire County Council (WCC) must consider the needs of elderly and disabled residents when determining bus services. There is also a more general duty on all public bodies not to discriminate against persons with a protected characteristic under the Equalities Act 2010. Age and disability are protected characteristics.

As a result of these Acts there is a requirement to consider the provision of relevant transportation for those residents with disabilities who are unable to access conventional public transport. This need requires WCC to ensure there are options for disabled residents. Community transport is widely perceived as positive. Both the relevant district council, as the Local Planning Authority, and WCC, as the Local Highway Authority, support any additional funding it can receive and emphasize its necessity.

1.1.1 Community Transport Legislation

WCC has considered this need within its Worcestershire Passenger Transport Strategy (WPTS)¹. Details of the relevant legislation is set out below:

1.1.2 The Transport Act (1985)

This places a requirement on Local Transport Authorities to have regard to the needs of their residents and to provide financial support for local bus services as they see fit, to meet those needs. The duty is 'to have regard to the needs', rather than the actual provision of services. In particular, there is a requirement to consider the specific needs of older and disabled people, with powers to provide funding for service provision, such as Community Transport.

1.1.3 The Equalities Act (2010)

The Equalities Act was established to consolidate all anti-discrimination legislation in Great Britain. It requires equal treatment in access to employment as well as private and public services, regardless of protected characteristics including age, disability, gender, race, religion or belief and sexual orientation.

This legislation is particularly important in the context of passenger transport services. The provision of a suitably integrated network of reliable and frequent passenger transport services is essential to ensure quality of life for all, including those who do not have access to a car.

The WPTS that informs this process has been subjected to a full Equality Impact Assessment. Any new services and infrastructure resulting from the policies set out in the WPTS will have due regard to the requirements set out in the Equalities Act.

The WPTS describes the role of Community Transport as services that are established and operated by community groups on a not-for-profit basis. These services are commonly, but not necessarily, operated by groups of volunteer drivers. Community Transport provides a valuable service, particularly for mobility impaired residents, helping them access key services (typically medical) and activities that they cannot reach using traditional passenger transport. It plays a very important role in Worcestershire with numerous schemes covering the whole of the county. Voluntary car community transport operations are available in most areas of the county and accessible minibuses operate in all areas.

¹ [Worcestershire Passenger Transport Strategy | Worcestershire County Council](#)

Eligibility for these services is determined by passenger needs, including factors such as mobility, disability, access to public transport, age, and/or location. Community transport need can be reduced by greater access to public bus services with accessible bus stops and vehicles. For those who cannot access traditional public transport, community transport acts as an alternative.

1.2 Community Transport Contributions

The contribution for community transport is calculated by working out the average number of users from a new development site. This is determined by:

- The additional number of residents generated by the development (using district specific population averages).
- The district wide percentage of these residents who are disabled under the Equality Act 2010, and therefore, likely to access community transport. Although the percentage varies by district the average for the county is 18% (ONS 2021)²

This generates a user number of X for community transport services. This X figure is then multiplied by 45³ which is the average number of trips a user completes on community transport per year. This generates Y number which is the total annual trips.

Next the distance is calculated to the nearest population centre with the ability to offer a range of services. In Worcestershire these are settlements defined as a town or larger in the appropriate local plan. On a small number of occasions near the county border this may be a town outside of the county.

- The annual trips are multiplied by the distance to calculate an annual mileage.
- The annual mileage is multiplied by 0.45 pence per mile (the volunteer mileage rate) to generate an annual running cost.
- The annual running cost is multiplied by five to generate the contribution amount requested as there is an expectation that Community Transport will become self-funding after 5 years.
- Finally, an administration fee is added to account for the work undertaken by the WCC community transport team to distribute the contributions collected as illustrated below.
- The full cost for the time taken to produce a project proposal and contract for the community transport operators is £3,005⁴. This is scaled down for smaller developments in order to be reasonably related in scale to the site.

Size of Development	Community Transport Administration Fee
0-50 Dwellings	£751
50 – 100 Dwellings	£1,503
100+ Dwellings	£3,005

² [Disability, England and Wales - Office for National](#)

³ The number of trips is based on actual use data provided to the community transport team. It is the average number of trips a user makes per annum.

⁴ This cost is correct as of October 2024 and will be reviewed on an annual basis

1.3 Community Transport Contribution Calculation

1.3.1 Example

In this scenario, a development located within Drakes Broughton, Pershore for 45 dwellings is used as a working example.

The proposed site generates an estimated 104 new residents, from an average population of 2.3 people per dwelling (rounded up).

On average 18% of these residents are classified as disabled under the Equality Act 2010.

*Total users of community transport: $104 * 0.18 = 19$ (rounded up)*

On average each user makes 45 trips per annum.

19 users x 45 trips per annum = 855 total annual trips.

The site in Drakes Broughton is located 2.2 miles away from the nearest population centre with the ability to offer a range of services. In this instance Pershore, is the nearest available and is designated as a town in the South Worcestershire Development Plan Settlement Hierarchy.

855 annual trips X 2.2 miles = 1881 annual miles.

The annual mileage is multiplied by the volunteer mileage rate of 0.45p per mile:

1881 X 0.45p = £846.45 running cost per annum:

This value is multiplied by 5 because there is an expectation that Community Transport will become self-funding after 5 years:

£846.45 X 5 = £4,232.25

Plus, the administration fee of £751

Total Community Transport Contribution £4,983.25

1.4 Payment Terms

Section 106 contributions are typically paid at appropriate points in the development. For community transport contributions this is typically at commencement to allow for all residents moving into the development to receive the service as required.

Payments should be made with a minimum 10 years spend deadline from receipt of the contribution to account for any delays with the build-out of the development after the payment is made. If there are significant delays to a development against the indicative build out programme a revised spend deadline will be agreed between WCC and the LPA/developer.

All contributions agreed will be entered into via a section 106 agreement and will be subject to an appropriate section 106 monitoring fee in accordance with the WCC Section 106 Monitoring Fees Policy⁵

⁵ [Section 106 monitoring fees | Worcestershire County Council](#)

