

Case 200602052: The City of Edinburgh Council

Summary of Investigation

Category

Local government: Roads and transport; Other

Overview

An MSP complained on behalf of his constituent, Mrs C, after she had been informed by The City of Edinburgh Council (the Council) that she could not hold both a card which gave her subsidised taxi transport and a card for the national concessionary bus pass scheme.

Specific complaint and conclusion

The complaint which has been investigated is that the Council would not allow Mrs C to have a local taxicard if she also held a national concessionary bus pass (*not upheld*).

Redress and recommendations

The Ombudsman has no recommendations to make.

Main Investigation Report

Introduction

1. Mrs C had contacted The City of Edinburgh Council (the Council) in December 2005 to ask about eligibility for a bus pass. She was informed she could not have both a bus pass and a local Council taxicard but would have to choose between the two schemes. Mrs C has said that she has restricted mobility, however, the Council said that she could only hold both cards if she was over 85, blind or in a wheelchair. Mrs C said that she could have attended the Council offices in a wheelchair and that if she did so she would be able to hold both cards. However, she preferred to use crutches to get around whenever possible and was reluctant to do so. She said she could occasionally use buses but her ability to do so varied and she felt she had no option but to choose to retain the taxicard and not apply for a bus pass. Although the bus pass she was applying for in December 2005 was a local bus pass, she was informed that this would also apply to the national concessionary scheme which was shortly to be introduced.

2. Mrs C contacted her MSP as she was concerned that by participating in a local scheme (ie, the Council's taxicard scheme) she was unable to access a national scheme. Her MSP complained to the Council on her behalf and then to the Ombudsman.

3. The complaint from Mrs C which has been investigated is that the Council would not allow Mrs C to have a local taxicard if she also held a national concessionary bus pass¹.

Investigation

4. In investigating this complaint I reviewed correspondence between the Council and Mrs C's MSP, had sight of the Council's procedures and made enquiries of the Council.

5. I have not included in this report every detail investigated but I am satisfied that no matter of significance has been overlooked. Mrs C, her MSP and the Council were given an opportunity to comment on a draft of this report.

¹ The bus pass is available to all Scottish residents aged 60 and over. People under 60 can also qualify for this scheme on the grounds of disability.

Complaint: The Council would not allow Mrs C to have a local taxicard if she also held a national concessionary bus pass

6. The Council introduced the taxicard scheme in 1991. This was funded by the Council and they were not required to provide this service. Not all Scottish Councils provide such schemes. The taxicard scheme gave holders of the card a subsidy for each taxi journey taken. The Council say the aim of the taxicard scheme was to help individuals whose mobility was highly restricted and who required transport that could take them from door to door.

7. The taxicard scheme was very successful but the Council twice reduced the subsidy for budgetary reasons. In 1996 they were faced with doing so a third time and decided that rather than reduce the subsidy they would try and ensure that the taxicard scheme was targeted at those with the most restricted mobility. They, therefore, decided that only a very limited category of people would be able to hold both a taxicard and their local concessionary travel permit (bus pass). This was initially restricted to those who were registered blind or who were over 85. No one else would be able to hold both and anyone eligible for a taxicard because of their restricted mobility but who did not fall into these categories would be asked to choose which scheme they would prefer to use.

8. In 2001 the Council extended the category of people who could hold both a taxicard and bus pass to wheelchair users. They say this was because the increasing availability of low access buses meant that some people with quite severe mobility problems were now more often able to use this form of transport when in a wheelchair and they did not wish to restrict their ability to do so. This was the situation when, in December 2005, Mrs C applied for a bus pass. This was still for a local bus pass but Mrs C was applying to ensure that she would also receive the new national bus pass which was shortly to be introduced.

9. Mrs C had been a taxicard holder for some time and been a regular wheelchair user. She said she was told that if she went to the library in her wheelchair, she would be able to get a bus pass and still hold the taxicard (paragraph 1 refers).

10. Mrs C said she wished to have a bus pass because recent operations meant that she could get about on crutches. Although her mobility was still highly restricted, she could now take the occasional bus trip but she was often unable to take a bus for the return journey and would then need a taxi. She enjoyed taking the bus as it made her feel more independent. She said that she

still had a wheelchair but hated using it and would rather use crutches wherever possible. However, she had been informed that if she was not a wheelchair user she would have to choose which scheme she wished to use. As the taxicard scheme was of much greater benefit to her, she felt she had no choice but to choose this option.

11. I decided to investigate this complaint and, in response to my letter of enquiry dated 7 February 2007, the Council said that they had not originally intended to restrict access to the national scheme and that anyone who met the Scottish Executive's criteria could take this up. However, they did restrict access to the taxicard scheme for budgetary reasons.

12. The Council also said that they had recently reconsidered their policy and that, on 6 February 2007, a report by the City Development Department had been put before the Executive of the Council recommending the removal of the link between the taxicard scheme and the national bus pass scheme. The report said that since the introduction of the taxicard scheme there had been a considerable improvement in the accessibility of public transport buses. This meant there was now a group of people who were eligible for the taxicard who could also use buses, albeit irregularly. The removal of the link would provide a benefit in terms of social inclusion for this group. The report noted that there may be financial implications as some individuals would now be eligible for both schemes but the Council could seek to restrict the taxicard scheme in other ways. As future financial implications were uncertain, it recommended that the Council initially remove the link but retain all other aspects of the taxicard scheme. The effects would later be reviewed and contingency measures could be introduced if a problem developed. The Executive of the Council approved the recommendations and this was formally adopted on 21 February 2007.

Conclusion

13. In my discussion with her, Mrs C praised the Council for providing the taxicard scheme and the benefits that she and others had received as a result. However, she had felt that it was unfair that she should have to choose between a scheme with local benefits and one with national benefits.

14. The taxicard scheme is voluntarily provided by the Council and this is commendable. While I can understand Mrs C's concern at having to choose between the two schemes, the Council have now amended their policy to her advantage.

15. The Council's response to my enquires showed that the taxicard scheme developed over the years and that, in particular, the Council have taken into account the effect of the improvements in bus accessibility and the needs of those individuals whose ability to use buses is variable. The most recent review of this scheme has also led to the link between the two schemes being severed and the Council are now no longer requiring applicants who are eligible to apply for both to consider which would be of greater benefit to them. As this matter was effectively resolved before the involvement of this office, I do not uphold this complaint.

20 June 2007

Explanation of abbreviations used

Mrs C

The complainant

The Council

The City of Edinburgh Council