

**REPORT TO:** Council

**DATE:** 18 April, 2018

**REPORTING OFFICER:** Operational Director – Legal & Democratic Services

**PORTFOLIO:** Transportation

**SUBJECT:** Mersey Gateway

## **1.0 Executive Summary**

- 1.1 Mersey Gateway Bridge opened to traffic on the 14 October, 2017. As at the 29 March 2018 nearly 10 million vehicles have used the bridge. Traffic movements are in line with projections in the business case.
- 1.2 Mersey Gateway Bridge is a tolled crossing and will remain a tolled crossing until the bridge and associated highway network are paid for.
- 1.3 Since Mersey Gateway opened, the Council has received a number of comments and observations from elected members, MPs, bridge users, the general public and others including DfT, Treasury and the Traffic Penalty Tribunal, in respect of the operation of Mersey Gateway, the Tolling Orders and the tolling regime.
- 1.4 On 7 March 2018, Council received a report that considered and responded to the issues raised. These issues were addressed in an updated draft Road User Charging Scheme Order ("RUCSO") that was appended to that report and Council resolved to conduct a consultation on the proposed revised RUCSO.
- 1.5 The consultation duly ran from 8 to 29 March 2018 (inclusive). The Mersey Gateway Crossings Board has prepared a report on the consultation responses.
- 1.6 This report asks the Council to make the RUCSO in the form at Appendix 1.

## **2.0 RECOMMENDATIONS: That the Council should**

- 2.1 confirm that no further consultation is required in respect of the updated RUCSO;
- 2.2 confirm that no public inquiry is required to be held into the making of the updated RUCSO;
- 2.3 make the updated RUCSO in the form (or substantially the same form) as that in Appendix 1 and delegate to the Operational Director (Legal & Democratic

Services) the authority to make any non-material or consequential amendments as are necessary to enable the updated RUCSO to be made.

- 2.4 leave toll charges unchanged - as specified in the updated RUCSO.
- 2.5 amend the Halton Local User Discount Scheme (LUDS) Hardship Scheme as proposed in paragraph 5.1 of the report so as to become the HLUDDS and address the anomaly in respect of disabled Halton residents as proposed in paragraph 5.4
- 2.6 leave administration Fees in respect of registering with Mersey Gateway/ Merseyflow unchanged.

### **3.0 Background**

- 3.1 At the Council meeting on 7 March 2018, its Members agreed that a consultation be held into a proposed updated RUCSO which addressed a number of operational issues identified during the first few months of operation of the Mersey Gateway Bridge.
- 3.2 Specifically, the Council resolved –
  - 3.2.1 To consult on the making of an updated Road User Charging Order Scheme in substantially the same form as that appended to that report which would:-
    - (i) Revoke the current RUCSO and replace it with an updated RUCSO
    - (ii) Restate the charges that are currently levied, in the updated RUCSO (“tolls”)in relation to Mersey Gateway Bridge and Silver Jubilee Bridge (together, the “Bridges”).
  - 3.2.2 To consult on amending the LUDS Economic Hardship Scheme (to be known henceforward as the Halton Local User Discount Support Scheme - HLUDDS).

### **4.0 Updated RUCSO**

- 4.1 The reasons for making the updated RUCSO remain unchanged since the resolution made by the Council at the 7 March 2018 Meeting.
- 4.2 These reasons are that since coming into operation the Council and the Mersey Gateway Crossings Board have received a number of representations suggesting anomalies in the tolling regime or improvements to that regime.

- 4.3 The Council undertook public consultation on an updated RUCSO from 8 to 29 March 2018 (inclusive). The Council also consulted a wide range of consultees it had identified as appropriate pursuant to section 170(1A) of the Transport Act 2000.
- 4.4 Since the consultation in March 2018, nothing material has changed in respect of the draft RUCSO and no new material considerations or issues have arisen concerning it. The draft updated RUCSO at Appendix 1 contains one amendment from the version included in the Council's consultation document, which addresses the response to Proposal 5:
- 4.4.1 Paragraph 3(g) of Part 2 of Schedule 2 has been amended to reflect a compromise position in relation to the proposal to give exemptions to toll charges for tractors. The compromise would allow exemption from tolling for tractors only when using the Silver Jubilee Bridge.
- 4.5 Accordingly, it is considered that as nothing has materially altered from the consultation no new or additional consultation is required and sufficient consultation has already been undertaken by the Council in respect of the updated RUCSO.
- 4.6 In considering the responses to the consultation (which can be found in Appendix 2 to this Report), it is clear that the responses:
- 4.6.1 from the public identified a number of themes both in agreement and in disagreement to the proposals together with a significant number that did not address the subject matter of the consultation; and
- 4.6.2 from the specific consultees made practical suggestions for how the Council should implement the updated RUCSO.
- 4.7 Those responses that did criticise the updated RUCSO were considered in the Consultation Report (provided at Appendix 2 to this Report) and the Council concluded that it did not need to make any substantive amendment to the RUCSO.
- 4.8 Accordingly, it is not considered that an inquiry needs to be held into the making of the updated RUCSO because all issues have been addressed and no new issues have been raised.

## **5.0 Local Used Discount Scheme(LUDS)**

- 5.1 To assist Halton residents who are not eligible for the LUDS because they have homes in Council Tax Bands G and H the Council proposed the "Halton Local User Discount Support Scheme" (HLUDSS) which would extend the current Economic Hardship Scheme to apprentices and those in full time

higher education<sup>1</sup> regardless of the Council Tax banding of their residence.

5.2 The response to this proposal, together with the conclusions drawn, is set out in the Consultation Report (see para 4.1.7 in Appendix 2).

5.3 It is recommended that the HLUDDS be accepted and implemented as soon as practicable.

5.4 To address the situation where Halton residents with a disability may not be eligible for a Blue Badge but their disability prevents them from driving, the Council proposed to introduce a further provision to the LUDS. This was the special circumstance of any disabled person who is a resident of Halton and in receipt of one of the following:

- The higher rate mobility component of Disability Living Allowance;
- Attendance Allowance;
- Enhanced rate of the mobility component of the Personal Independence Allowance; and/or
- The War Pensioners Mobility Supplement.

is then able to register a vehicle and that the registered vehicle benefit from exemption from tolls when they are travelling in the vehicle.

5.5 The response to this proposal, together with the conclusions drawn, is set out in the Consultation Report (see para 4.1.8 in Appendix 2).

5.6 It is recommended that the special circumstance set out above be accepted and implemented as soon as practicable

## **6.0 Resource Implications**

The resource implications associated with these proposals will be met from the Mersey Gateway Project Account and not from general Council funds.

## **7.0 Risk**

The cost of proposed update to the 2017 Road User Charging Order and the

---

1

- Enrolled for the purpose of attending a university or college course which lasts for at least one academic year, normally requires attendance of at least 24 weeks a year and involves on average at least 21 hours of study, tuition or work experience per week during term time; or
- Under the age of 20 and studying for at least 12 hours per week on a course which lasts for more than three months for any qualification up to A level, ONC or OND standard (correspondence courses, evening classes or courses taken in connection with a person's job, such as on day release, are not included).

Hardship Scheme can be met from the MG Project Account and not from general Council funds.

The Order regulates the tolling regime and enforcement arrangements.

If there is a shortfall in revenues this would need to be rectified through a higher toll/charge. This is not currently envisaged as traffic flows are in line with the business case.

## **8.0 Equality and Diversity**

Other than the matters identified in the report there are no implications for equality and diversity.

## **9.0 Conclusion**

In light of the information contained in this report, the Council is asked to make the resolutions detailed at paragraph 2.0 of this Report.

### **List of Appendices**

- APPENDIX 1 - RUCSO
- APPENDIX 2 - Consultation Report