

**The proposed
A533 (Mersey Gateway Bridge) and A557 (Silver Jubilee Bridge)
Road User Charging Scheme Order 2018
(the 2018 RUCSO)**

Public Consultation Report

Prepared by the Mersey Gateway Crossing Board (the Board)

5 April 2018

1.0 Executive Summary

- 1.1 In accordance with the resolution made by the Council at its meeting on 7 March 2018, the Mersey Gateway Project ("Project") held a public consultation between 8th March 2018 and 29th March 2018 (inclusive) into the proposed updated RUCSO considered by Halton Borough Council ("Council"), which will become the 2018 RUCSO.
- 1.2 This Report sets out the consultation process that was undertaken, provides details of the responses received during the consultation period and how it is proposed that these responses should be taken into account by the Council and an overall conclusion.
- 1.4 Having regard to consultees' responses, it is considered that the Council may conclude that it is appropriate to make the updated RUCSO largely in the form proposed in the consultation document.

2.0 Background

- 2.1 In 2008, the Council made the A533 (Silver Jubilee Bridge) Road User Charging Order 2008 ("2008 RUCO") for the Silver Jubilee Bridge. This 2008 RUCO envisaged that charges would be applied for the use of the Silver Jubilee Bridge at the time that the proposed Mersey Gateway Bridge became operational. When the 2008 RUCO was made, it was expected that the charges would be applied by way of a barrier system that would only allow users to pass across the Silver Jubilee Bridge once the charge had been paid.
- 2.2 In 2009, a Public Inquiry was held into the content of the then proposed Transport & Works Act Order for the Mersey Gateway Bridge (which would become the 2011 Order). The proposed Order provided for the imposition of tolls on the Mersey Gateway Bridge which, like the Silver Jubilee Bridge, would be collected at a barrier system before users crossed the Mersey Gateway Bridge. The Secretary of State confirmed the 2011 Order in 2011 and the 2008 RUCO, following which the procurement process for the Design, Build, Finance and Operate concession company began.
- 2.3 On 19th October 2011, it was decided by the Council that a 'free flow' tolling system should be adopted for both Bridges ("Scheme"). This change had the benefit of saving significant construction costs and, more importantly, would help to minimise the toll/charge, improve the user experience in crossing the Bridges and aid journey time reliability. This, however, introduced the need to collect the tolls/charges from users, which requires sufficient enforcement powers to be available to the toll/charge operator.
- 2.4 These required enforcement powers are provided for in the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 ("Regulations"), However, the Regulations were enacted too late for the enforcement powers contained within them to be afforded to the operator before the Mersey Gateway Bridge procurement process closed.
- 2.5 It was made a requirement of the relevant contract for operating the toll/charge regime that powers of enforcement were procured by the Council that could be applied against users of both of the Bridges. This requires that a further road user charging scheme order (i.e. the 2017 RUCSO) be made to apply to both Bridges. Further, to permit this in relation to the Mersey Gateway Bridge, it was necessary to modify the 2011 Order through the Application.
- 2.6 The application to amend the 2011 Order was made on 26 March 2015 following a resolution made by the Council at its special meeting on 18 March 2015. The Secretary of State for Transport confirmed the modified Order on 18 August 2016. With the modified Order in place the Council conducted a consultation in February /March 2016 into a proposed RUCSO. The outcome of the consultation was reported to the Council on 14 September 2016 and the Council resolved that the RUCSO should be made

and gave the necessary delegated powers to the Operation Director – Legal & Democratic Services to bring the RUCSO into effect. The Mersey Gateway Bridge and A533 Silver Jubilee Bridge RUCSO - the 2017 RUCSO - was dated 9 March 2017 but was suspended whilst construction of the Mersey Gateway Bridge was pending. For the Mersey Gateway Bridge only, the RUCSO became operative on 14 September 2017 and has regulated the tolling and enforcement arrangements since 14 October 2017 when the Mersey Gateway Bridge was available for use by traffic.

- 2.7 Following the experience of the operation of the open road tolling on the Mersey Gateway Bridge a number of issues had been brought to the attention of the Board and the Council. These issues were considered by the Council at its meeting in March 2018. The Council further considered a draft of the 2018 RUCSO that would incorporate a number of modifications to address these issues. In addition, the Council considered some modifications to the Halton Local Users Discount Scheme. The Council resolved to conduct a consultation on these proposed modifications. This report sets out the consultation process and the responses received by the end of the consultation period on 29 March 2018.

3.0 The Consultation Process

- 3.1 The consultation took place over the period 8th March 2018 to 29th March 2018 (inclusive).
- 3.2 The consultation document (see Appendix A) was made available on the Project website – www.merseygateway.co.uk – on the Council web-site – www.halton.gov.uk – and on the Merseyflow web-site – www.merseyflow.co.uk - over this period. The consultees listed in Appendix B to the consultation document were contacted directly by the Mersey Gateway Crossings Board on 8th March 2018 to alert them to the consultation and to request that they prepare a response. A reminder was also sent out on 27th March 2018. The consultation document was made available in a number of formats in line with current practice for public documents. In addition, Merseyflow issued e-mails to all the registered account holders – approx. 160,000 – to alert them to the consultation and included links to the consultation document itself.
- 3.3 By the closing date of 29th March 2018, the Council had received six thousand three hundred and fifty five (6355) responses. The responses to the consultation were collated and analysed by the Mersey Gateway Crossings Board and these are considered below at Paragraph 4. An analysis of all of the responses is provided at Appendix C to this Report. All the responses are held by the MGCB and can be viewed by application to the Board.
- 3.4 During the consultation period there were 39963 page views of the consultation document on the Project website and one request for the audio CD of the consultation document.

4.0 Results of the Consultation

4.1 Responses to the Questions

4.1.1 The responses to each question are set out below. There were 6355 responses to the consultation questionnaire of which 6128 were from individuals, 177 from businesses/organisations and 46 that did not identify as either. The full dataset of responses is available from the Mersey Gateway Crossings Board.

For each question, this report identifies the question, the number of responses, the proportions agreeing or disagreeing with the proposition, specific comments and themes including those in agreement and disagreement. Finally, a proposed response is given to take account of the responses.

4.1.2 **Question 1 – Do you agree or disagree with the proposal to amend the classification of Motor Home Vehicles to Class 2, the same classification as applies to private cars?**

4.1.2.1 There were 6265 responses to this question of which 80% agreed and 20% disagreed .

4.1.2.2 Specific Respondent Comments:

The Camping and Caravanning Club response to this question was that they were in agreement because it will bring it in line with other tolled crossings and 'not excessively penalise those that use a Motor Caravan for leisure'. The Caravan and Motorhome Club stated that they welcomed the proposal as it aligns motorhomes (M1 special Purpose) with other M1 category vehicles (i.e. cars) and recognises that the use of motorhomes more closely relates to car usage rather than commercial vehicle operation.

4.1.2.3 Agree themes expressed by individuals:

1. Most are under 7.5 tonnes
2. Brings it into line with other tolled crossings
3. As signs cannot address motorhomes it is fair for owners of motorhomes to assume they are Class 2
4. Some of these vehicles are used for commute to work(only form of travel available)
5. Only agree if these vehicles are pulling a trailer they pay more (i.e. Class 3)
6. Only if this does not increase tolls for all.
7. Only for the lighter weight vehicles – above a weight threshold they should be a Class 3.
8. It may encourage holiday makers to visit Runcorn and Widnes

4.1.2.4 Disagree themes expressed by individuals:

1. Bigger than cars so should pay more
2. Expensive vehicles so owners have means to pay more
3. Being heavier than cars they damage the bridge more than cars so should pay more.
4. No justification given for the proposal

4.1.2.5 Other themes expressed by individuals:

1. All vehicles should pay the same toll
2. No tolls should be levied
3. Larger discounts should be offered for more frequent users
4. Tolls should be based on height and length of vehicles
5. Minibuses should be treated the same as Motorhomes

4.1.2.6 Response

Given the specific support of the 'named' consultee and the 80%/20% support for the proposal from the public, the proposal should be accepted for inclusion in the updated RUCSO.

4.1.3 **Question 2 – Do you agree or disagree with the proposal to allow class 2 vehicles to remain as Class 2 when pulling a trailer?**

4.1.3.1 There were 6179 responses to this question of which 86% agreed and 14% disagreed.

4.1.3.2 Specific Respondent Comments:

The Camping and Caravanning Club agreed and commented that this proposal makes sense as the combination of car and trailer are likely to still be within the M1 vehicle class. The Caravan and Motorhome Club welcomed the proposal as it provides clarification compared to the existing charge advice.

4.1.3.3 Agree themes expressed by individuals:

1. As signs cannot address vehicles pulling trailers it is fair for drivers of Class 2 vehicles to assume they remain as Class 2 if pulling a trailer
2. Depends on the size of the trailer – larger trailers should be Class 3
3. Fair – as they do not cause more wear and tear
4. In line with other tolled crossings
5. Makes the toll arrangements simpler – less scope for confusion, frustration and bureaucracy
6. Only if it does not increase tolls

4.1.3.4 Disagree themes expressed by individuals:

1. Cause more damage than cars so should be Class 3
2. Will encourage poorly loaded vehicles onto the road
3. Vehicle speed restricted to 50mph while pulling a trailer so will impede other traffic so should be discouraged by being Class 3
4. Not clear why the proposal has been suggested
5. Not in line with other crossings

4.1.3.5 Other themes expressed by individuals:

1. No tolls should be levied
2. There should be higher discounts for more frequent users

4.1.3.6 Response

Given the specific support of the 'named' consultee and the 86%/14% support for the proposal from the public, the proposal should be accepted for inclusion in the updated RUCSO.

4.1.4 **Question 3 – Do you agree or disagree with the proposal to allow further vehicles registered by the emergency services when being used for the purpose of delivering these services, whether or not marked and not already covered by exemptions to be entered onto the exemptions register?**

4.1.4.1 There were 6304 responses to this question of which 96% agreed and 4% disagreed .

4.1.4.2 Specific Respondent Comments:

NHS Blood and Transport agreed with the proposal and requested a meeting to discuss the vehicles in their fleet to which this could apply.

4.1.4.3 Agree themes expressed by individuals:

1. Should apply to all who work in the NHS too
2. Should apply to all who work in the emergency units travelling to/from work too
3. Only to apply when the vehicles are attending an emergency situation
4. Should also be extended to all vehicles engaged in delivering public services
5. Only if it does not lead to an increase in tolls
6. Vehicles used in the voluntary sector should be included too

7. Most simply agreed with the proposal

4.1.4.4 Disagree themes expressed by individuals:

1. It will be un-auditable
2. It will provide a 'loop-hole' to allow people who travel to/from work (in the emergency services) to travel toll free
3. There are no toll booths to impede the emergency/other service vehicles so no need for exemptions
4. Current arrangement is sufficient.

4.1.4.5 Other themes expressed by individuals:

1. No vehicles should have to pay tolls

4.1.4.6 Response

Given the specific support of the 'named' consultee and the 96%/4% support for the proposal from the public, the proposal should be accepted for inclusion in the updated RUCSO.

4.1.5 **Question 4 – Do you agree or disagree with the proposal to allow further ambulance vehicles whether carrying patients or not registered by the ambulance service to be entered onto the exemptions register?**

- 4.1.5.1 There were 6264 responses to this question of which 97% agreed and 3% disagreed

4.1.5.2 Specific Respondent Comments:

None received.

4.1.5.3 Agree themes expressed by individuals:

1. No vehicles employed in the emergency services should pay a toll
2. Should also apply to all who work in the NHS
3. Because of the impact on NHS budgets
4. Only if applied to NHS vehicles(i.e. funded by the NHS)
5. Most simply agreed with the proposal

4.1.5.4 Disagree themes expressed by individuals:

1. Must be actively engaged in transporting patients or attending to an emergency
2. Public sector workers should not travel for free when others have to pay
3. Should apply to charity vehicles too
4. Because central government benefits and local services will suffer (through reduced revenues from the use of the bridge)
5. Open to abuse

4.1.5.5 Other themes expressed by individuals:

1. No tolls should be levied
2. Exemptions register is too bureaucratic – use DVLA

4.1.5.6 Response

Given the specific support of the 'named' consultee and the 97%/3% support for the proposal from the public, the proposal should be accepted for inclusion in the updated RUCSO.

4.1.6 **Question 5 – Do you agree or disagree with the proposal to allow agricultural tractors to be able to be entered onto the exemptions register?**

4.1.6.1 There were 6270 responses to this question of which 49% agreed and 51% disagreed

4.1.6.2 Specific Respondent Comments::

The North West National Farmers Union (NWNFU) strongly agreed with the proposal. They state that 'Tractors are exempt from road tax so think they should be exempt from the (bridge) toll'. The Union further noted that in a meeting they had attended with Merseyflow it became apparent that the toll system is not set up to deal with a vehicle and trailer having a different registration which is legal for tractors. This results in significant operational difficulties for Merseyflow'.

Merseyflow confirm that tractors do pose a significant operational difficulty for the tolling system.

Merseylink noted that tractors are slow vehicles relative to most vehicles that use the MGB and, because of the performance regime under which they operate the bridge, would prefer tractors to use the SJB.

In a follow up contact with the NWNFU the possibility of a compromise involving exemption for tractors on the SJB only was discussed. The suggestion was considered by the NWNFU to be workable to their members but would prefer the tractors to be exempt from tolls on both bridges.

4.1.6.3 Agree themes expressed by individuals:

1. But only to apply to local businesses/farmers
2. Because they are special vehicles – no MOT or Road Tax
3. But only if applied outside peak periods
4. Only if tractors restricted to the ‘slow lane’
5. Because there are very few that use the bridge
6. Because of financial stress faced by farmers
7. Only for ‘small’ tractors and not when pulling a trailer
8. Should only apply to the SJB

4.1.6.4 Disagree themes expressed by individuals:

1. Other commercial vehicles have to pay – so should tractors
2. Because of the wear and tear they will inflict on the bridge
3. Slow vehicles so cause congestion – tolls will help to keep them off the bridge
4. They already get concessions – no MOT or Road Tax
5. Unless the farmer has fields either side of the Mersey
6. Because farmers can well afford the tolls
7. Open to abuse

4.1.6.5 Other themes expressed by individuals:

1. No tolls should be levied
2. All agricultural vehicles should be included

4.1.6.6 Response

Given the specific support of the ‘named’ consultee, the operational issues expressed by Merseyflow and Merseylink together with the close 49%/51% split in support/opposition for the proposal from the public, it is proposed that a compromise be adopted. This would involve allowing tractors to be exempt from tolls on the Silver Jubilee Bridge only when that is opened to traffic, and that this provision is written into the updated RUCSO. In the interim, tractors will be exempt from tolls when using the Mersey Gateway Bridge.

4.1.7 Question 6 – Do you agree or disagree with the proposal to introduce special circumstances allowing Halton residents who are apprentices or in full time education living in properties that are in Council Tax Bands G&H who otherwise are ineligible for the Local User Discount Scheme to apply under the newly named Halton Local User Discount Support Scheme?

4.1.7.1 There were 6292 responses to this question of which 82% agreed and 18% disagreed.

4.1.7.2 Specific Respondent Comments:

None received

4.1.7.3 Agree themes expressed by individuals:

1. But extend to all apprentices and students
2. But extend to all living in properties in Council Tax Bands G & H in Halton
3. Value of property of residence doesn't reflect a person's financial status
4. Because students and apprentices have little income
5. Many simply agreed

4.1.7.4 Disagree themes expressed by individuals:

1. If these people can afford to run a vehicle they can afford to pay the toll or their parents can
2. Should be funded by the colleges
3. Open to abuse and costly to administer/enforce
4. People who live in these properties can afford the toll
5. Unless restricted to term time for students

4.1.7.5 Other themes expressed by individuals:

1. All vehicles should be toll free
2. Discount schemes such as LUDS should be available in other areas not just Halton

4.1.7.6 Response

Given the 82%/18% support for the proposal from the public, the proposal should be accepted.

4.1.8 Question 7 – Do you agree or disagree with the proposal to introduce a special circumstance for any disabled person who is a Halton resident who does not hold a Blue Badge but who is in receipt of the allowances set out in para 3.2 to be able to register a vehicle which will benefit from exemption from toll charges when they are travelling in the vehicle?

4.1.8.1 There were 6253 responses to this question of which 71% agreed and 29% disagreed

4.1.8.2 Specific Respondent Comments:

None received.

4.1.8.3 Agree themes expressed by individuals:

1. But only if it does not increase tolls
2. Many who agreed also pointed out the potential for abuse
3. Because many have to travel due to medical needs
4. Should be extended to carers too or be transferable to carers
5. Because Blue Badge rules are changing
6. Should apply also for people who have a temporary disability
7. Should be extended to more than vehicle registered into the system
8. Should be extended to people with learning/mental disabilities
9. Many simply agreed

4.1.8.4 Disagree themes expressed by individuals:

1. Should apply to all people with a disability
2. Should be linked to Blue Badge qualification
3. Open to abuse and difficult to administer
4. People with disability can afford toll because of benefits and/or income
5. Should be no exemption for disabled people at all

4.1.8.5 Other themes expressed by individuals:

1. No tolls should be levied
2. Blue Badge holders should be allowed to register more than 1 vehicle
3. Provide clear guidance if the proposal is passed

4.1.8.6 Response

Given the 71/29 support for the proposal from the public, the proposal is accepted.

5.0 Conclusion

- 5.1 The consultation undertaken has conformed with the legislative framework and guidance set out within the Government's "Consultation Principles" document, October 2013.
- 5.2 The consultation has been undertaken in a comprehensive and balanced manner, comprising the following:
 - 5.2.1 consultation being undertaken whilst the proposals remained at a formative stage;
 - 5.2.2 all consultees were provided with information that was accurate and sufficient to enable them to make a meaningful response when requested;
 - 5.2.3 all consultees were afforded adequate time within which to respond to the proposals;
 - 5.2.4 consultation with all those listed in Appendix B to this Report; and
 - 5.2.5 taking into account the consultation responses in formulating the proposed RUCSO, while also taking account of consultation responses that addressed matters which were not the subject of the consultation. The Council's final position on each issue raised in the consultation is set out in section 4, having taken into account those responses and for the reasons set out.
- 5.3 The Council will continue to keep stakeholders and the public informed of the progress of the 2018 RUCSO.

LIST OF APPENDICES

APPENDIX A - CONSULTATION DOCUMENT

APPENDIX B - LIST OF ORGANISATIONS CONTACTED BY THE BOARD

APPENDIX C - ANALYSIS OF RESPONSES