

HALTON BOROUGH COUNCIL



*Municipal Building,
Kingsway,
Widnes.
WA8 7QF*

16 March 2015

*****SUPPLEMENTARY INFORMATION*****

**TO: MEMBERS OF THE HALTON
BOROUGH COUNCIL**

You are hereby summoned to attend an Extra Ordinary Meeting of the Halton Borough Council to be held in the Council Chamber, Runcorn Town Hall on Wednesday, 18 March 2015 commencing at 6.00 p.m.. for the purpose of considering and passing such resolution(s) as may be deemed necessary or desirable in respect of the matters mentioned in the Agenda.

A handwritten signature in black ink, appearing to read 'David W R', is written in a cursive style.

Chief Executive

-AGENDA-

3b) Consultation Response

REPORT TO: COUNCIL

DATE: 18 March 2015

REPORTING OFFICER: Operational Director – Legal & Democratic Services

PORTFOLIO: Transportation

SUBJECT: Mersey Gateway Bridge –
Proposed River Mersey (Mersey Gateway Bridge) (Modification) Order and Proposed Mersey Gateway Bridge and the A533 (silver Jubilee Bridge) Road User Charging Scheme Order
Supplemental – Outcome of Pre-Application Consultation

1.0 Summary

- 1.1 This paper describes the response to the Pre-Application Consultation undertaken on the Council's behalf by the Mersey Gateway Crossings Board between 9th February and 11 March 2015. This paper is supplementary to Agenda Item 3a (see para 7.9).

2.0 Response to the Consultation

- 2.1 By mid-night on the 11th March 2015 when the consultation period closed the Council had received eleven (11) responses. Copies of the responses can be found at Appendix S1 to this report. The web-site page hosting the consultation documentation received 389 page views over this period. All parties listed in Appendix B to the report at Agenda Item 3a were contacted by the Mersey Gateway Crossings Board on 9 February 2015 to advise them of the consultation and to supply them with the consultation documentation. A reminder was also sent out on 6 March 2015.

- 2.2 The responses received were as follows:-

Q1 Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following the use of either of the Bridges and prior to being subject to enforcement?:

9 agreed; 0 disagreed; 2 no answer

Q2 Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?;

7 agreed; 0 disagreed; 4 no answer

Q3 Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?;

7 agreed; 1 disagreed; 3 no answer

Q4 Do you agree with the proposal to set the same penalty charge rate for all vehicles?;

7 agreed; 1 disagreed; 3 no answer

Q5 Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?;

5 agreed; 2 disagreed; 4 no answer

Q6 Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

8 agreed; 1 disagreed; 2 no answer

Q7 Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?;

7 agreed; 0 disagreed; 4 no answer

Q8 Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

7 agreed; 0 disagreed; 4 no answer

Q9 Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?;

3 agreed; 3 disagreed; 4 no answer; 1 unsure

Question 10 asked for any other comments on the proposed Order and Question 11 asked for any other comments on the proposed RUCSO.

2.3 Comments and observations contained in the responses may be grouped as follows:

2.3.1 *The period of time for the toll/charge to be paid was queried in terms of whether a minimum of 24 hours was sufficient. It was recognised by one respondent that the proposal is the same as at Dartford and therefore consistent.*

This point was raised by four (4) of the respondents in responding to Q1. It should be noted that the proposal would actually mean that users would have 24 hours minimum to pay the toll/charge in the post pay period but that it could be significantly longer (depending on when the user used the Bridges on the first day).

2.3.2 *A standard penalty charge is disproportionately onerous for lower vehicle classes and consideration should be given to a graduated type penalty.*

This point was raised by two (2) of the respondents in responding to Q5, who both agreed with the Council's proposal but would have preferred a graduated type approach. The respondents' proposal does not recognise that it is the offence of not paying the toll/charge that is being penalised.

2.3.3 *Communication of the need to pay toll/charge must be clear and extensive. Also there needs to be diverse and easy/convenient methods of payment.*
These points were raised by four (4) of the respondents in responding to Q1 and Q2. Both points are noted and will be addressed with the tolling operator. One (1) also suggested that a facility for a cash payment at the bridges should be considered and another raised a query about toll/charge collection for non-UK registered vehicles. The former cannot now be accommodated and the latter is a matter for the operator.

2.3.4 *Section 164(3) of the Transport Act 2000 should not be allowed because it would allow the Council to independently influence travel patterns and modal shift in the Mersey basin area by being able to independently change the charging levels.*
The point was raised by two (2) of the respondents in responding to Q9. The reasoning is incorrect as s164(3) requires the Council to have regard of the transport policies of the Liverpool City Region Combined Authority in making a RUCSO. The powers to levy the tolls/charges are reserved to the Council under the legislation that established the Combined Authority. The disapplication of section 164(3) has the effect of protecting the Council's position in relation to the MGB contracts and financial constraints as it is not now the author of the local transport policies in its area.

2.3.5 *Powers to seize vehicles are draconian in relation to the offence of non-payment of the toll/charge of £2-00 for a car.*
This was raised by one (1) respondent in responding to Q11. This provision is available to the Council as provided in the 2013 Enforcement Regulations on the terms set out within them.

2.3.6 *A 6 month 'grace' period for the new toll system and user awareness to 'bed-in' suggested.*
This was raised by one (1) respondent in responding to Q1. There will be a communication plan put in place prior to the introduction of the toll/charges.

3.0 Conclusion

3.1 The Council is asked to take into account the information contained in this paper when considering the recommendations in the report at Agenda Item 3a.

3.2 Officers of the Council and the Mersey Gateway Crossings Board advise that nothing in the responses to the consultation require any modification to the recommendations presented in Agenda Item 3a.

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4. CONSULTATION QUESTIONS

Responding on behalf of:

- Individual
 Company

If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

Question 1

Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

YES.

BUT IT IS NOT LONG ENOUGH.

PLEASE CONSIDER THE RESIDENTS OF CHESHIRE WEST AND CHESTER WHO ARE NOT INTERNET SAVVY AND MAY NOT KNOW WHAT YOU WILL NOT COLLECT CASH ON ENTRY TO THE BRIDGE

~~SOME~~ SOME PEOPLE MAY TAKE AN ANNUAL HOLIDAY ON THE ISLE OF MAN DEPARTING BY CAR FERRY FROM LIVERPOOL.

IF THEY HAVE NOT BEEN INFORMED OF HOW TO PAY THEY MAY RETURN FROM HOLIDAY AND FACE A CONSIDERABLE FINANCIAL SIBUCK. YOURS HAVE MADE NO PROVISION FOR INFORMING ALL MY CONSTITUENTS OF THE PAYMENT PERIOD

Question 2

Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

Yes.

PROVIDING YOU ENSURE THAT THE RESIDENTS OF ALL LOCAL BRIDGES ARE AWARE THAT THERE IS NO ON THE SPOT COLLECTION ANY THAT METHODS FOR PAYMENT/PAYMENT ARE EASY TO MAKE VIA A SIMPLE PHONE CALL.

Question 3

Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

Yes.

Question 4

Do you agree with the proposal to set the same penalty charge rate for all vehicles?

YES

Question 5

Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

No.
THE PENALTY CHARGE SHOULD BE SUFFICIENT

Question 6

Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

Yes
THAT IS THE VERY HISTORY, BUT YOU
SHOULD ALSO ENSURE THAT ALL
LOCAL COUNCIL WITH SIZES CARRY
THE DECISIONS OR METHODS OR PAYMENTS
AND PENALTIES AS WELL.

Question 7

Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

Yes.

Question 8

Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

Yes.

Question 9

Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

Yes.

Question 10

Do you have any other comments on the proposed Order?

No

Question 11

Do you have any other comments on the proposed RUCSO?

You seem to be authorising a private company to seize cars in circumstances unspecified and forcing payment for said vehicles returns!

No explanation is given as to the circumstances where clause 16 comes into effect.

Reference is made in clause 22 of regulations regarding enforcement. But as there is only a reference to a clause in the enforcement regulation (1203) I am none the wiser.

This all looks very draconian and disproportionate in order to collect a £2-00 charge.



RAC Response to Consultation on Introducing enforcement measures for use of the Mersey Gateway Bridge and Silver Jubilee Bridge on a 'free-flow' tolling basis

Consultation: Proposed Modification Order and Proposed Road User Charging Scheme Order

ABOUT THE RAC

This submission is made on behalf of RAC Motoring Services (The RAC) which is the UK's oldest motoring organisation. The RAC has some eight million members and is separate from the RAC Foundation which is a transport policy and research organisation which explores the economic, mobility, safety and environmental issues relating to roads and their users.

With more than eight million members, the RAC is one of the UK's most progressive motoring organisations, providing services for both private and business motorists. As such, it is committed to making driving easier, safer, more affordable and more enjoyable for all road users.

The RAC, which employs more than 1,500 patrols, provides roadside assistance across the entire UK road network and as a result has significant insight into how the country's road networks are managed and maintained.

More information on the RAC is available at www.rac.co.uk

RESPONSE TO CONSULTATION

- 1. Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?**

The RAC supports the approach outlined within the Order. As noted within the document, the evidence from other schemes across the country, such as the Dartford Crossing, shows that motorists will pay following usage. The RAC supports a flexible approach here. For example, provisions should be made for frequent and daily users of the Bridge to be able to pre-pay where they are able to plan to do so because of work patterns, for example.

The RAC also supports a 'Residents Scheme' which will allow discounts to residents who live close to the Bridge. Such a scheme is currently in use at the Dartford Crossing where local residents need a pre-pay account to access the local residents' discount scheme. The RAC believes this will benefit local road users and the local economy, whilst also reducing the possibility that local roads will see large increases in traffic as road users look to alternative routes to avoid paying the full charging rates. The Dartford Crossing, for example, operates a local resident scheme which charges £10 a year for 50 crossings and 20p per extra crossing, or £20 a year for unlimited crossings.



- 2. Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?**

Yes, the RAC agrees with these provisions as they are similar to those in operation in other parts of the country.

- 3. Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?**

The RAC believes the penalty charge rate is fair, however that exemptions should apply and authorities should use a common sense approach where road users may have experienced exceptional circumstances in being unable to pay the charge within the fixed period.

- 4. Do you agree with the proposal to set the same penalty charge rate for all vehicles?**

Our preference is for penalty charges based upon the size and impact of the road vehicle on the infrastructure of the road. However, we recognise that the Dartford Crossing applies the same penalty charge for all types of vehicle and in the interests of a uniform approach we will not object to the same penalty charge for all types of vehicle.

Within the list of exemptions in Schedule 2, Part 1, The RAC also believes that breakdown recovery vehicles and service vehicles that assist motorists who may breakdown should also be exempt from any charge. These vehicles play an import role in minimising the risk to those who have broken down or been involved in a road traffic accident. The risk to the road is directly related to the time to attend of the breakdown recovery or service vehicle. The requirement for breakdown and recovery vehicles to pay for use of the Mersey Gateway Bridge and Silver Jubilee Bridge may influence deployment decisions to the detriment of vulnerable road users. This consideration has been recognised by Transport for London, who grant a 100% discount to the London Congestion Charge for certified breakdown recovery and service vehicles.

- 5. Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?**

Yes, again, this is consistent with other schemes in operation across the country.

- 6. Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?**

Yes, the RAC believes this proposal will increase transparency for the motorist.

- 7. Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?**

Yes, The RAC believes that this is fair.

- 8. Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?**



The RAC has no comment to make on bus services, however any decision such as this should be made upon its impact on congestion for other road users. The RAC also believes scopes for exemptions should be widened (for example, to recovery vehicles).

9. Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

The RAC has no comment or preference.

10. Do you have any other comments on the proposed Order?

The RAC again emphasises that rescue and breakdown recovery vehicles should be exempt from the charging system. The RAC believes that these vehicles play an integral part in assisting motorists and authorities in maintaining the safety and reliability of the strategic road network.

11. Do you have any other comments on the proposed RUCSO?

No further comments.

CONTACT INFORMATION:

[Redacted contact information]

4. CONSULTATION QUESTIONS

Responding on behalf of:

Individual

Company

If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

Response on behalf of St.Helens Council. Response agreed at Officer level under delegated powers and signed off by electronic Admin Decision.

Question 1

Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

The Council supports the proposal to introduce a post-pay period allowing road users to pay following the use of either bridge prior to being subject to enforcement. This principal supports the free flowing of traffic using the bridge which is vital for Liverpool City Region economy.

Question 2

Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

The Council supports the introduction of the provision of enforcement for the payment of the road user toll/charge for either bridge. Effective enforcement is required to ensure all users are treated fairly and with ensuring good traffic management of the new asset.

Question 3

Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

The Council supports the enforcement charge levels set and in particular the use of lower rates for quicker payment.

Question 4

Do you agree with the proposal to set the same penalty charge rate for all vehicles?

The Council supports that the penalty set should be the same charge rate for all vehicles. The Council would though ask this be monitored in the future to ensure this enforcement policy is fit for purpose.

Question 5

Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

The Council support that the original user toll/charge would be payable as well as the penalty. This further ensure users pay the toll/charge within the allotted time period.

Question 6

Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

The Council support publishing the penalty charge rates on the projects website in order to fully transparent with future users as to what the penalty for non payment of the toll/charge would be.

Question 7

Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

The Council agrees that Halton Council should have the ability under its discretion to void season tickets agreements if payments are due are not made when all reasonable attempts to secure payment by Halton Council have failed.

Question 8

Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

The Council fully supports that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge to support the use of public transport. The definition of local bus services should cover services operating within the Liverpool City Region using the bridge not just services operating solely within Halton.

Question 9

Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

The Council does not at present support any further road user charging above and beyond that proposed for the Halton Mersey Crossings within the Liverpool City Region.

Question 10

Do you have any other comments on the proposed Order?

The order when implemented should be monitored to ensure it remains fit for purpose.

Question 11

Do you have any other comments on the proposed RUCSO?

No



CONSULTATION QUESTIONS

Question 1

Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

We agree.

Question 2

Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

We agree, but want to know what will be done to collect unpaid tolls from foreign non-payers.

Question 3

Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

Yes we agree with the suggested penalty charges.

Question 4

Do you agree with the proposal to set the same penalty charge rate for all vehicles?

Yes.

Question 5

Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

Yes.



Question 6

Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

Yes.

Question 7

Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

Yes.

Question 8

Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

No comment.

Question 9

Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

No comment.

Question 10

Do you have any other comments on the proposed Order?

No comment.

Question 11

Do you have any other comments on the proposed RUCSO?

Please see the views set out at the start of this letter.

Consultation: Proposed Modification Order and Proposed Road User Charging Scheme Order – Response from Cheshire West and Chester Council

In response to the above consultation the Cheshire and Warrington LTB considered this at its recent meeting of the 4th March 2015. Further consideration has now been made by Cheshire West and Chester Council and we wish to make the following comments.

There is concern about the impact of the 'open road tolling/charging system' for certain drivers particularly infrequent users. It is felt this type of tolling regime may act as a deterrent for traffic to use the bridges for drivers whose IT/social media skills are less developed or those with concerns about pre registering vehicles / payment details. In addition, experience from other tolled estuary crossings show that users can incur penalty charge notices due to lack of awareness of tolling collection arrangements. Consequently, we would like to ensure that pre-payment of tolls is made as easy as possible for all potential users. We would ask specifically that the provision of a limited number of traditional toll booths / cash payment provision in the vicinity of the crossings are considered.

In relation to Question 9 we do not agree with the proposal to remove the requirement imposed under section 164(3) of the Transport Act 2000, which means that the Halton Borough Council may only make a road user charging order if it appears desirable for the purposes of directly or indirectly facilitating the achievement of the Combined Authority's (Liverpool City Region) local transport policies. It is believed that to allow this provision to be removed would provide Halton Borough Council with the power to independently influence travel patterns and modal shift across the Mersey basin area, by being able unilaterally to change charging levels. We believe that such decision should be taken in consultation not only with other providers of tolled crossings, as in the case of the Liverpool Combined Authority but other Transport Authorities and key stakeholders. This would suggest that as well as the Combined Authority, adjacent Highway Authorities, including Cheshire West and Chester Council, Cheshire and Warrington LEP and indeed the Highways Agency (Highways England) and Network Rail should have a stake in this important decision making process.

WARRINGTON
Borough Council



Halton Borough Council
Municipal Building
Kingsway
Widnes
Cheshire
WA8 7QF



11 March 2015

Dear Sir / Madam,

Consultation: Proposed Modification Order and Proposed Road User Charging Scheme Order

Thank you for the opportunity for Warrington Borough Council to participate in the above consultation. We would make the following comments.

We have concerns about the impact of the 'open road tolling/charging system' for certain drivers particularly infrequent users. We consider this type of tolling regime may act as a deterrent for traffic to use the bridges for drivers whose IT/social media skills are less developed or those with concerns about pre registering vehicles / payment details. Consequently we would like to ensure that pre-payment of tolls is made as easy as possible for all potential users. We would ask specifically that the provision of a limited number of traditional toll booths / cash payment provision in the vicinity of the crossings are considered.

Warrington Borough Council does not agree with the proposal to remove the requirement imposed under section 164(3) of the Transport Act 2000, which means that the Halton Borough Council may only make a road user charging order if it appears desirable for the purposes of directly or indirectly facilitating the achievement of the Combined Authority's (Liverpool City Region) local transport policies. It is believed that to allow this provision to be removed would provide Halton BC with the power to independently influence travel patterns and modal shift across the Mersey basin area, by being able unilaterally to change charging levels.



We believe that such decision should be taken in consultation not only with other providers of tolled crossings, as in the case of the Liverpool Combined Authority but other Transport Authorities and Agencies who manage un-tolled crossings of the River Mersey. This would suggest that as well as the Combined Authority, Warrington Borough Council, Cheshire and Warrington LEP and indeed the Highways Authority and Network Rail should have a stake in this important decision making process.

Yours faithfully,

[Redacted signature block]

4. CONSULTATION QUESTIONS

Responding on behalf of:

- Individual
- Company

If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

I am responding on behalf of Hale Parish Council which is neither an individual nor a company.

The views expressed were assembled at the February meeting of the Parish Council by members of the council and members of the public attending the meeting.

There was 100% agreement on the fact that Halton Residents should be named in the document as being exempt from toll charges. Whilst we have assurances from our Borough Councillor that this is most definitely Halton Borough Council's intent, we feel it should be written down too.

The following responses are based on the premise that Halton Borough residents are exempt from tolls

Question 1

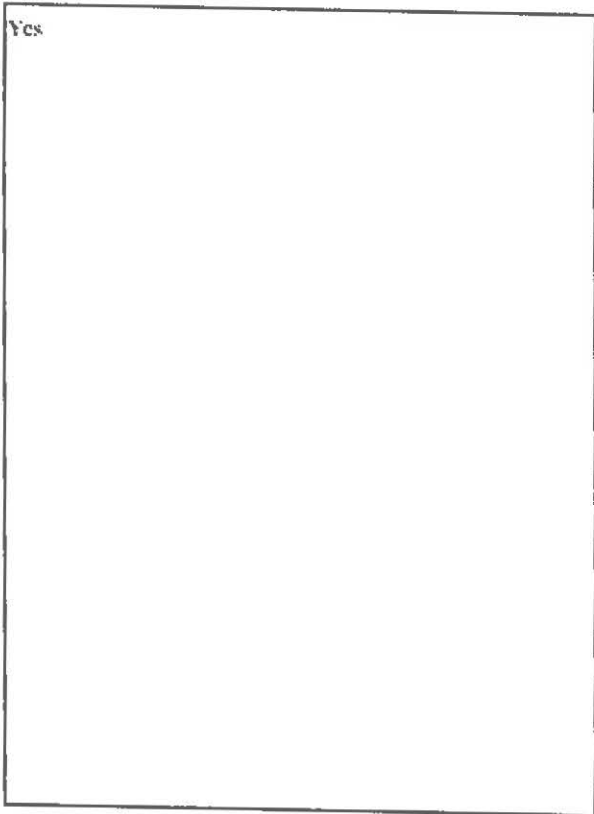
Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

Yes, subject to a longer period for post - pay. For example should someone be crossing the bridge to access either Liverpool or Manchester airports and be on holiday for 2 or more weeks.

Question 2

Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

Yes



Question 3

Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

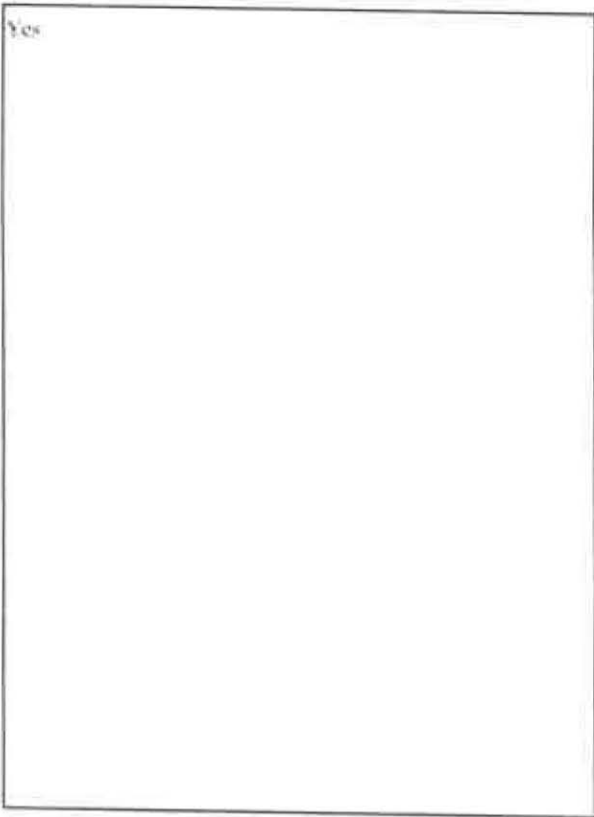
Yes



Question 4

Do you agree with the proposal to set the same penalty charge rate for all vehicles?

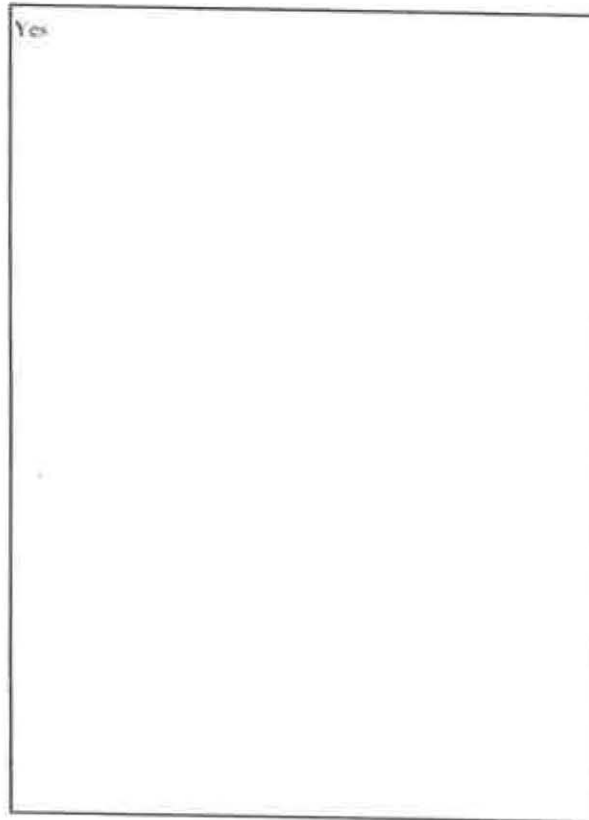
Yes



Question 5

Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

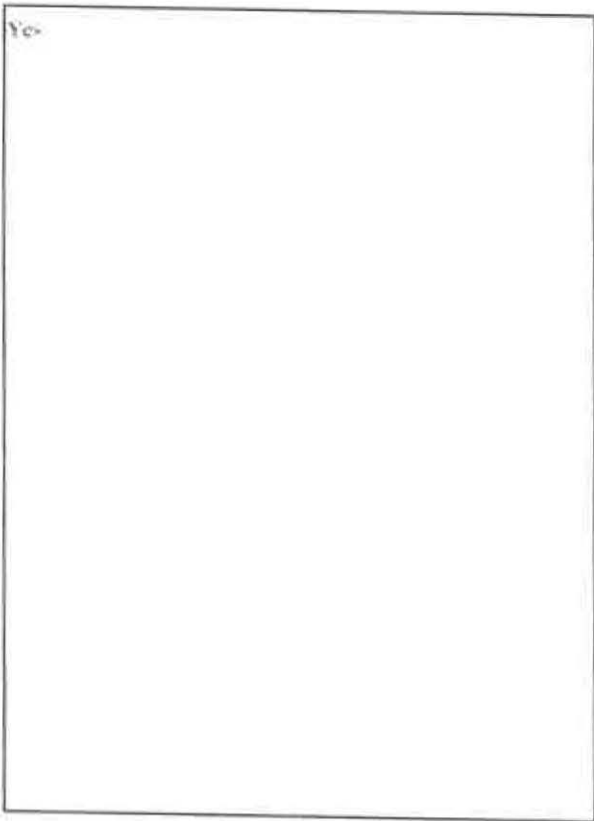
Yes



Question 6

Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

Yes



Question 7

Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

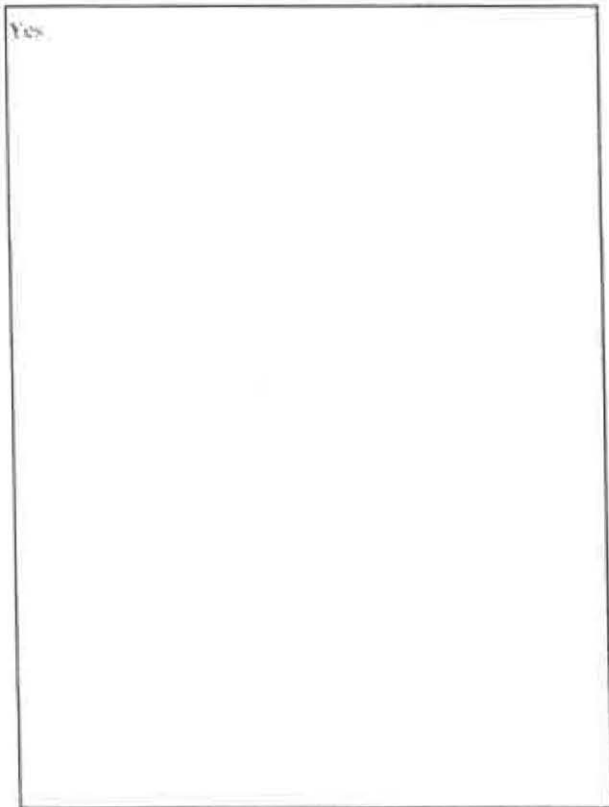
Yes



Question 8

Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

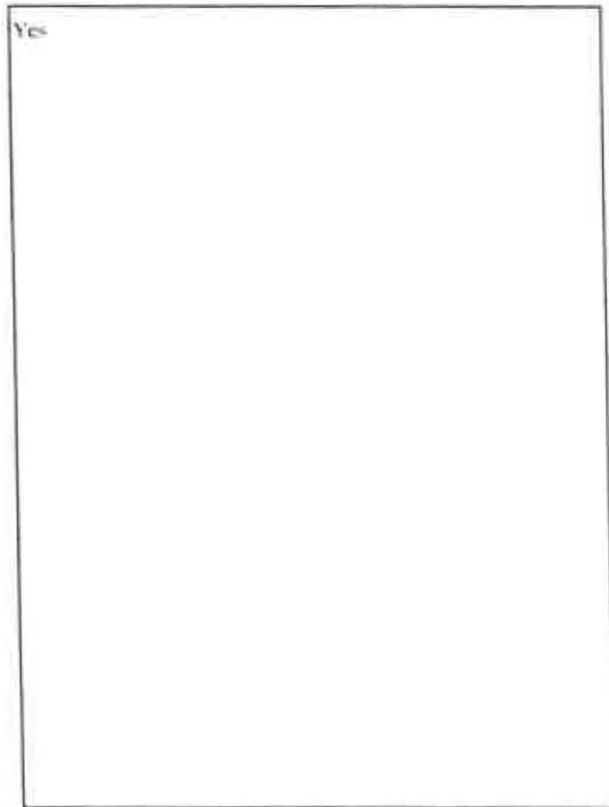
Yes



Question 9

Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

Yes



Question 10

Do you have any other comments on the proposed Order?

Halon residents be named as exempt from tolls.

Question 11

Do you have any other comments on the proposed RUCSO?

There should be some provision for cash payment of tolls, preferably near to one end of the bridge.

[REDACTED]

[REDACTED]

FTA response to modification order on Mersey Gateway Bridge



March 2015

The Freight Transport Association is one of the UK's largest trade associations and represents over 14,000 members relying on or providing the transport of freight both domestically and internationally, to or from the UK. Our members include hauliers, freight forwarders, rail and air freight operators, through to customers – producers, manufacturers, wholesalers and retailers. They cover all modes of transport – road, rail, air and sea. FTA members operate over 200,000 commercial goods vehicles on the roads in the UK; which is approximately half of the UK fleet of goods vehicles. FTA members also consign around 90 per cent of goods moved by rail and around 70 per cent of goods moved by air and sea.

Background

The Freight Transport Association is concerned on the short time allotted for this consultation. It is recognised that this is on a proposed Modification Order to the charging scheme but there are some basic principles within this sounding that we believe warrant full consultation before that process proceeds such as adding the Silver Jubilee Bridge into the scheme and changing the agreed governance from the Combined Authority to Halton Council. Therefore we have prepared this response with major reservations as we have not been able to consult with our members fully on some of the issues raised in the consultation and we have added additional notes and information where those concerns arise.

Question 1

Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

The Association believes that enforcement of this sort should reflect the provisions that already exist in other charging regimes and it is appropriate for post pay periods to be available on the day and the following day. FTA would resist the proliferation of schemes which differ in their approach to enforcement and other characteristics.

Question 2

Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

It should be noted that this Association is opposed in principle to the collection of charges as the payment of road infrastructure should be covered by road taxes levied on all road users. We recognise that a toll system method of collection can be problematic and an open road option using the revenue raised through road taxes should be applied at crossings to reduce the congestion.

Question 3

Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

The Association believes that in general the penalty charge should be set at a level within the maximum allowed by regulation, and which would allow the charging authority to adjust the penalty charging levels to ensure compliance within the local area.

Question 4

Do you agree with the proposal to set the same penalty charge rate for all vehicles?

The proposal in the consultation to set the same penalty charge for all vehicles is supported as it is fair to set a penalty against the offence of non-payment of charges, not a penalty set against vehicles.

Question 5

Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

FTA believes that the option used should be in line with other penalty charges system for simplicity and ease of understanding. That would also allow for the application of interoperability with other tolling systems should that become possible in the future.

Question 6

Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

The Association believes that a public body would normally be expected to publicise its penalty charge levels but can see that going forward there may be a situation created where the penalty charges are administered by private sector bodies and therefore agree that it is appropriate to have a statutory requirement to publicise on a public website as this is now an accepted means of communicating information.

The Association is keen to see as many methods of publication as possible and looks to other requirements such as signage. It is recognised that publication by road signage may create confusion with the display of too much information for the motorists, but some signage at sites such as motorway service areas, and on ferries with that information linked to the public website will go some way to spread the information to those who do not understand where the information is available, or indeed that there is a requirement to pay charge or incur penalties. Organisations such as FTA will also have a role to play in communicating the information to its members and others as recognised motoring organisations.

Question 7

Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

In the short time available for this consultation it has not been possible to determine what effect this proposal will have.

Question 8

Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

The Association can see that there is merit in allowing bus service operations to be exempt from paying the charge. However we also believe that there is equal merit in looking at some local businesses who have based their operations around the crossing who will face significant increase cost which they are not like to be able to pass on to their customer.

The Council has made much about the concessions for local residents but has failed to recognise the need for local companies who are drivers of the local economy.

We therefore believe that local companies should have a form of concession to keep their cost at a reasonable level preserving jobs and improving the prosperity of the local economy.

Question 9

Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

In the short time available for this consultation it has not been possible to determine what effect this proposal will have. The Association can see that there would be a recognition of fairness across the City Region if the Combined Authority's transport policies were taken into account. The move to toll the crossing will inevitably lead to motorists choosing to look for alternatives and this will have an effect elsewhere and even outside of the Merseyside area such as Warrington.

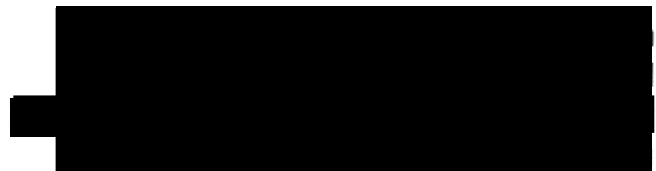
Question 10

Do you have any other comments on the proposed Order?

Question 11

Do you have any other comments on the proposed RUCSO?

With the potential for greater use of toll and charging systems the Association consulted widely on the overall issue which resulted in the establishment of a Road Tolling Charter. The charter lays down the principle that would be acceptable to freight operators where tolling is used and we have added this information as an attachment to our response to inform the consultation.



COMMERCIAL VEHICLE OPERATORS ROAD TOLLING CHARTER



FTA members are open to ideas about how new road infrastructure should be charged for in the future. However, there are a series of conditions that would need to be met to secure support. FTA has summarised these expectations in the Commercial Vehicle Operators' Road Toll Charter

- 1. Visibility of charging elements**
What is the basis of the charge; how is it calculated and what are the costs that it seeks to recover? There must be no discriminatory pricing against commercial vehicles
- 2. Compensatory reduction in fuel duty**
Road users already pay over £40 billion in taxes and commercial vehicle operators about £25 billion in fuel duty alone. Any new tolls or charges must be offset by an equivalent reduction in fuel duty and other taxes. There can be no Double Taxation!
- 3. Availability of alternative non-tolled route**
The Government cannot grant a monopoly to a road operator on routes where no suitable alternative exists to the tolled route (for example the M6 alternative to the M6 Toll)
- 4. Minimum service levels**
Any contract to manage and charge for a new road must be accompanied by minimum standards of service, including route availability in severe weather, breakdown recovery and assistance times, minimum transit times and parking and rest facilities. Operators will expect value for money and compensation when service falls short of promised standards.
- 5. Lower rates for less polluting and less road-wearing vehicles**
Vehicles meeting the latest low emission standards should be offered discounts to incentivise their use and recognise the contribution they make to improved environmental standards. As with VED, charges should be lower for vehicles with fewer axles or lower weights that cause less impact to the road surface.
- 6. Harmonise charging/tolling nationally / interchangeability**
There should be a common national basis for the charge and the payment technology should allow the interchangeability of charging technologies and avoid the current requirement to have different Tag for different bridges and tunnels.
- 7. Toll revenue to be invested in the roads to which they apply**
Tolls and charges should be first invested in the route to which they apply so as to guarantee a high standard of road condition and provision of services
- 8. Declaration of new building programme**
The Government should publish a long term plan for investment in the roads network and identify proposed new routes on which tolling would be expected to be applied.

4. CONSULTATION QUESTIONS

Responding on behalf of:

Individual

Company

If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

On behalf of Liverpool and Sefton Chambers of Commerce and its members, please accept this response to the consultation on the introduction of enforcement measures for use of the Mersey Gateway Bridge and Silver Jubilee Bridge on a 'free-flow' tolling basis. We have focused our response on those areas of most relevance to our members.

Liverpool and Sefton Chambers of Commerce represent more than 2,000 businesses in the Liverpool city Region and more than 50,000 employees. The City Region itself is an area that provides essential goods and services to, and supports employment for, the fast growing regional economy that extends beyond the LCR to include West Cheshire, and North East Wales, thus serving a population of 2.5m and generating an annual GVA of £43bn.

Question 1

Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

We fully support the need to ensure that motorists using the Mersey Gateway and Silver Jubilee Bridges are given adequate opportunity to pay for their crossing. At present, payment methods are geared towards registered users and monthly pass holders, and there seems to be little or no provision for "pay as you go" style casual/occasional use. Since Open Road Tolling is a relatively new concept in the UK, we consider a post-pay period is essential.

We are, however, concerned that the 24 hour period proposed in this draft order is far too short. Whilst we understand the need to set a timescale, it is not clear at present how payment will be collected from motorists who have neither registered or prepaid, and may be unaware of how to pay for their crossing. This is quite separate from motorists who may have intentionally not paid (which is covered under Q2).

We envisage that many of our members will choose to use the Bridges, but until they are familiar with the charging mechanism, it would seem disingenuous that they are issued with a PCN when the Mersey Gateway have not been clear about how and when payment can be made. It may be appropriate to introduce a "grace" period of up to 6 months following the introduction of

the charges, allowing users up to, say, a week to pay the charge, before the post-pay period is capped at 24 hours. It is important that the procedure for payment is adequately publicised during this time, perhaps with a marketing campaign targeted at local businesses. Since residents are more likely to pre-register, we feel that many of our members, who are spread across the City Region, will benefit from this approach.

Question 2

Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

We understand, and support, the need to enforce payment of the road user toll/charge. Since barriers (toll booths) minimise the need for enforcement, and are an established approach to tolled river crossings (such as the Mersey Tunnels), then as indicated in Q1, we would suggest a “bedding in” period may be appropriate whilst motorists and road users become familiar with open road tolling. After this period, then provision to enforce payment, should toll evasion become apparent, would be the logical next step.

Question 3

Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

We agree with the proposals

Question 4

Do you agree with the proposal to set the same penalty charge rate for all vehicles?

We are unclear of the rationale for this, and as such cannot give an opinion on the equity of the policy.

Question 5

Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

It is presumed that this is designed to introduce a degree of variability in the penalty charges, since the penalty charge itself is proposed as a flat rate. Again, without supporting justification, it is difficult to comment on this proposal.

Question 6

Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

We do

Question 7

Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

It is obviously appropriate that a protocol be devised for the management of this policy, to ensure it is managed consistently.

Question 8

Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

We do

Question 9

Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

Whilst we understand the reasoning for this, we do not consider that the road user charging orders can be completely detached from Combined Authority policy. Since the LTPs for both Merseyside and Halton are concerned with the effective movement of people and goods, we cannot see how the Bridges can be considered independently of the policy agenda of the CA.

Question 10

Do you have any other comments on the proposed Order?

We do not.

Question 11

Do you have any other comments on the proposed RUCSO?

We are not clear as to why Section 5 of the RUSCO cannot be updated to reflect the goals and aims of the third LTPs for both Merseyside and Halton, since the 2nd LTPs expired in 2011. The Merseyside and Halton LTPs are long term, running to 2024 and 2026 respectively and remain in place as the Liverpool City Region's statutory transport strategies.



TWAO Toll Enforcement Powers Consultation **Response by Merseytravel**

Introduction

This is a formal response following the publication of the formal consultation document by the Mersey Gateway Crossings Board regarding the above matter.

This response is submitted by Merseytravel in its capacity as transport executive to the Combined Authority, and specifically as the operator of two Mersey Tunnels on the Combined Authority's behalf. It is thus an operational, rather than a strategic-level response.

Q1 - Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

Response

Throughout the development of the Mersey Gateway crossing and the consultation to date, Merseytravel has assumed such enforcement powers would be in place and has no objections to such. The only potential issue to consider is whether the 24 hour period proposed in this draft Order is a sufficient timescale to allow for every circumstance. Instances may occur when a customer travels through the crossing and is unaware how to make payment until the enforcement notice arrives at their home address. Merseytravel assumes this issue will be considered and addressed by the operator.

Q2 Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

Response

Merseytravel has no experience of open road tolling operations that would require enforcement. Existing toll barrier operations minimise the need for enforcement, but if toll evasion is obvious then the Mersey Tunnels byelaws can be enforced to prevent or enforce such.

Q3 Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

Response

Merseytravel has no specific comment in respect of the proposed penalty charges to be levied.

Q4 Do you agree with the proposal to set the same penalty charge rate for all vehicles?

Response

Whilst Merseytravel can see the benefit of such an approach for consistency and publication, this in effect means that the lower vehicle classes (i.e. the smaller the vehicle) will have a disproportionate amount of penalty fare to pay when compared with the toll level than the larger vehicles.

Q5 Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

Response

Merseytravel has no comment to make in response to this point.

Q6 Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

Response

Transparency of the potential penalty fares will be key to maximising compliance with payment, whether via pre-registration or post payment within the required period. Merseytravel would suggest as wide a publication of potential penalty fares to prevent this. The website is considered just one potential outlet for publication.

Q7 Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

Response

Without detailed information of how a season ticket will operate, it is difficult for Merseytravel to comment in any great detail. The principle of such an approach seems to be fair.

Q8 Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

Response

Merseytravel currently adopts a policy that all Mersey Tunnel users pay regardless of the circumstances, apart from emergency vehicles displaying blue lights and eligible concession holders. It is believed that such an approach ensures fair and equitable treatment of users and avoids challenge from other users.

However, Halton's aims of reprioritising the Silver Jubilee crossing and encouraging public transport usage on this crossing are noted and supported.

Q9 Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

Response

It is noted that the Combined Authority has no jurisdiction or influence over the management of the Mersey Crossings and this proposed provision is consistent with this approach.

Q10 Do you have any other comments on the proposed Order?

Response

It is stressed that the responses above relate to the operational experience of Merseytravel rather than as a strategic transport advisor to the Combined Authority.

Q11 Do you have any other comments on the proposed RUCSO?

Response

Merseytravel has no additional comments on the proposed RUCSO, other than to suggest that operating models may be assisted by reference to the London congestion charging arrangements, e.g. penalty levels and non-enforcement periods, as what may be reasonable to members of the public.



4. CONSULTATION QUESTIONS

Responding on behalf of:

- Individual
- Company

If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

TALL Security Print Limited based in Manor Park, Runcorn

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Question 1

Do you agree with the proposal to introduce a post-pay period that would allow road users to pay a toll/charge following use of either of the Bridges and prior to being subject to enforcement?

Yes

Question 2

Do you agree with the proposal to introduce provisions to enforce payment of the road user toll/charge for use of either Bridge?

Normal debt collection

Question 3

Do you agree that the levels of penalty charge should be at the levels specified, which are lower than the maximum allowed under the Enforcement Regulations?

No

Question 4

Do you agree with the proposal to set the same penalty charge rate for all vehicles?

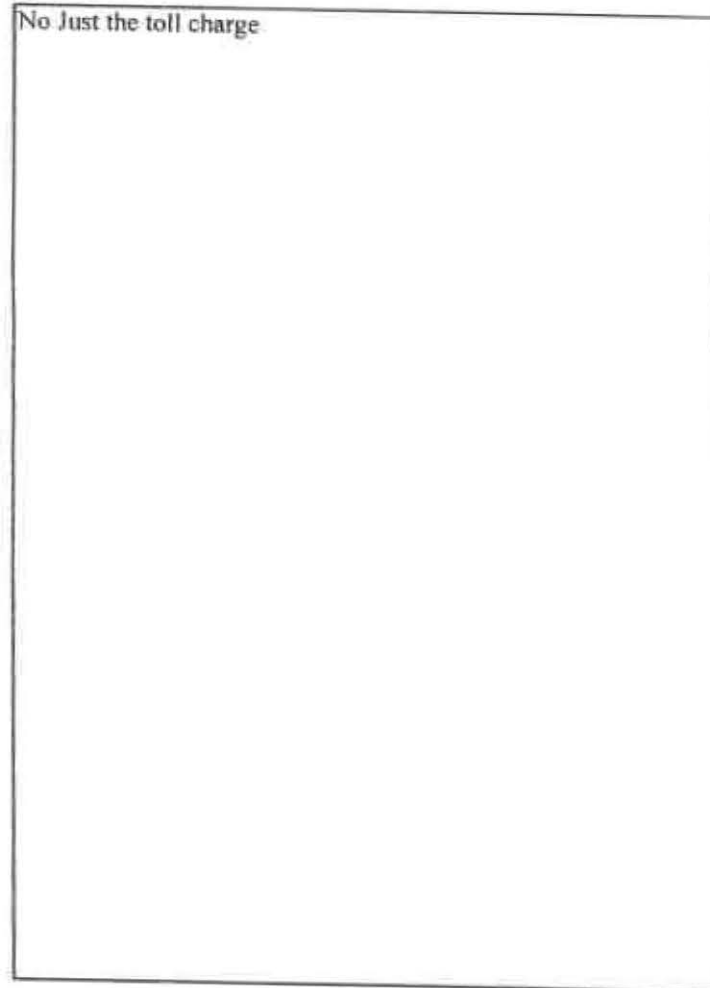
No



Question 5

Do you agree with the proposal that the original road user toll/charge (at each level) would be payable in addition to the penalty charge?

No Just the toll charge



Question 6

Do you agree with the proposal to include a statutory requirement to publish the penalty charge rates on the Project website?

No

Question 7

Do you agree the Council should have an ability to use its discretion whether to void a season ticket agreement if payments due under such an agreement are not made?

Not sure why a season ticket would be issued without payment in advance

Question 8

Do you agree that local bus services should be exempt from paying the toll/charge for using the Silver Jubilee Bridge?

Yes

Question 9

Do you agree that road user charging orders relating to the Bridges should not have to facilitate the achievement of the Combined Authority's local transport policies?

Unsure

Question 10

Do you have any other comments on the proposed Order?

Post Payment periods

It would be helpful if a wide range of payment facilities were available.

This would include payment via the Post Office within Halton.

Payment methods should include cheque and cash to make payment easier for users.

Might be useful if the operator provided a paying-in book to users so that payment could be made at their local branch.

A post payment period of 3 weeks would be preferable.

This would give time for holiday makers to make payment on their return from abroad.

Question 11

Do you have any other comments on the proposed RUCSO?

If there are no toll booths, how will an employee or company obtain a receipt ?

Is the toll charge inclusive of VAT ?

For those travelling through to the airport, could a counter be set up at Liverpool Airport to pay the toll charges?

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