

Report to: Executive Board

Date: 19th November 2020

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 30 September 2020 there have been over 66 million crossings of the bridge.
- 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 In preparation for reopening of the Silver Jubilee Bridge and the changes to the road layout on the Runcorn approach to the SJB associated with the Runcorn Station Quarter regeneration there is a requirement to update the existing Order to reflect the new road structure.
- 1.4 On 17 September 2020, Executive Board 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 the Board resolved to conduct a consultation on the proposed revised RUCSO.
- 1.5 The consultation duly ran from 23 September to 14 October 2020 (inclusive). The Mersey Gateway Crossings Board has prepared a report on the consultation responses.
- 1.6 This report asks the Board to make the RUCSO in the form at Appendix 1.

2.0 RECOMMENDATIONS: that the Board 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 leave administration Fees in respect of registering with Mersey Gateway/ Merseyflow unchanged.

3.0 Background

3.1 At the Executive Board meeting on 17th September 2020, its Members agreed that a consultation be held into a proposed updated RUCSO.

3.2 Specifically, the Board 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”).

3.3 Updated RUCSO

3.4 The reasons for making the updated RUCSO remain unchanged since the resolution made by the Executive Board at the 17th September 2020 Meeting.

3.5 In response to the consultation exercise a number of respondents disagreed with the drawings as since the start of the consultation the John Collins Way (the link road between Widnes Loops Junction and West Bank) had now opened. Although this in itself is not material to the definition of scheme roads, the drawings have been updated to incorporate the John Collins Way accordingly.

3.6 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.

3.7 In considering the responses to the consultation (which can be found in Appendix 2 to this Report), it is clear that the responses:

3.7.1 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

3.7.2 from the specific consultees - made practical suggestions for how the Council should implement the updated RUCSO.

- 3.7.3 from a number respondents - expressed concern about the move of table of charges to a schedule, believing that this would remove the need for any changes to the toll charge regime to be subject to public consultation. However this change would not remove any requirement for the Council to consult on any changes to the toll charge regime, and therefore the concerns of the consultees have been addressed.
- 3.8 The majority of respondents supported the inclusion of the updated plans in the new RUCSO as well as the introduction of a new exemption from tolls for Coastguard emergency vehicles, although some suggested that the emergency vehicles should pay the same tolls as other vehicles.
- 3.10 Those responses that did criticise the updated RUCSO are summarised in the Consultation Report (provided at Appendix 2 to this Report). In particular, whilst approximately two-thirds of respondents objected to the tables of charges being moved into one of the RUCSO schedules, the associated explanatory comments from respondents made clear that this related to a wider objection to the general principle of paying tolls rather than the minor re-ordering of the RUCSO in and of itself. The principle of levying tolls was outside the scope of the consultation as the updated RUCSO would not change any of the toll levels and, in any event, it is necessary for tolls to be charged in order to pay for the cost of the infrastructure.
- 3.11 Consequently, on the basis of legal advice received, officers have concluded that there is no need to make any further substantive amendments to the proposed updated RUCSO.
- 3.12 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.

4.0 POLICY IMPLICATIONS

- 4.1 The Orders regulate the toll/charge regime and enforcement arrangements

5.0 FINANCIAL IMPLICATIONS

- 5.1 The cost of proposed amendments to the 2018 Order can be met from the MG Project Account and not from general Council funds.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

There are no implications for this priority.

6.2 **Employment, Learning and Skills in Halton**

There are no implications for this priority.

6.3 **A Healthy Halton**

There are no implications for this priority.

6.4 **A Safer Halton**

There are no implications for this priority.

6.5 **Halton's Urban Renewal**

There are no implications for this priority.

7.0 **Risk**

7.1 The cost of proposed update to the 2018 Road User Charging Order will be met from the MG Project Account and not from general Council funds.

7.2 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.

8.0 **Equality and Diversity**

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

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

9.1 All existing Orders referred to in this report are public documents, hence there are no Background Papers as described in the Act.

List of Appendices

APPENDIX 1 - RUCSO

APPENDIX 2 - Consultation Report

TRANSPORT ACT 2000

The A533 (Mersey Gateway Bridge) and the A557 (Silver Jubilee Bridge) Road User Charging Scheme Order 2020

Made - - - - - [**]

Coming into force - - - [**]

CONTENTS

Preliminary

1.	Citation and commencement	2
	<i>Scheme for imposing charges in respect of the use of The Mersey Gateway Bridge and The Silver Jubilee Bridge</i>	
2.	Interpretation	2
3.	Revocation	3
4.	Duration of the Order	3
	<i>Designation of scheme roads, vehicles and charges</i>	
5.	The scheme roads	3
6.	Imposition of charges	3
7.	Payment of charges	3
8.	Classification of vehicles	5
9.	Vehicles exempt from charges	5
10.	10 year plan for net proceeds	5
11.	Detailed programme for net proceeds	5
	<i>Penalty charges</i>	
12.	Penalty charges	6
13.	Additional penalty charges where powers exercised in respect of vehicles	6
	<i>Powers in respect of motor vehicles</i>	
14.	Powers in respect of motor vehicles	6
15.	Examination of vehicles	6
16.	Entering vehicles	6
17.	Seizure	7
18.	Immobilisation of vehicles	7
19.	Removal, storage and disposal of vehicles	7

SCHEDULES

SCHEDULE 1	—	8
	PART 1 — Road User Charges Payable	9
	PART 2 — Penalty Charges Payable	9
	PART 3 — Classification of Vehicles for the Purposes of Charges	9
SCHEDULE 2		9
	PART 1 — Register of Vehicles Exempt from Charges	9
	PART 2 — The Register of Vehicles Exempt from Charges	9

SCHEDULE 3 — Halton Borough Council’s General Plan for Applying the Net Proceeds of this Scheme During the Opening 10 Year Period	11
SCHEDULE 4 — Halton Borough Council’s Detailed Programme for Applying the Net Proceeds of this Scheme	11

Halton Borough Council makes the following Order, which contains a road user charging scheme, in exercise of the powers conferred by sections 163(3)(a), 164, 168(1) and (2), 170, 171(1) and 172(2) of the Transport Act 2000^(a) and by regulations 4, 5, 22, 23, 24, 25 and 27 of the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013^(b).

Appropriate persons have been consulted in accordance with section 170(1A) and (1C) of the Transport Act 2000.

Preliminary

Citation and commencement

1.—(1) This Order may be cited as The A533 (Mersey Gateway Bridge) and the A557 (Silver Jubilee Bridge) Road User Charging Scheme Order 2020.

(2) The scheme set out in this Order shall have effect.

(3) The Council shall publish notice of the making of this Order in the London Gazette and in at least one newspaper circulating in the Borough of Halton.

Scheme for imposing charges in respect of the use of The Mersey Gateway Bridge and The Silver Jubilee Bridge

Interpretation

2.—(1) In this Order—

“the 2000 Act” means the Transport Act 2000;

“the 2018 Order” means The A533 (Mersey Gateway Bridge) and the A557 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2018;

“appointed day” means the date of this Order;

"authorised person" means the Council or any person so authorised by the Council under article 14(1) to exercise any one or more of the powers in articles 15 to 19;

“concession agreement” means a legally binding arrangement which may be comprised within one or more documents that makes provision for the design, construction, financing, refinancing, operation and maintenance of either the Silver Jubilee Bridge and the scheme roads or a new road crossing over the River Mersey or any of them;

“concessionaire” means any person with whom the Council enters into a concession agreement from time to time together with the successors and assigns of any such person;

“Council” means the Council of the Borough of Halton;

“custodian” means a person authorised in writing by the Council to perform the functions of a custodian described in Part 6 of the Enforcement Regulations;

“deposited plans” means the plans numbered 61034234/RUCO/01 (Rev B), 61034234/RUCO/02 (Rev B), 61034234/RUCO/03 (Rev A), 61034234/RUCO/04 and 61034234/RUCO/05 deposited at the offices of the Council at Municipal Building, Kingsway, Widnes WA8 7QF signed by the Chief Executive of the Council;

(a) 2000 c.38. There are amendments to section 167, 168, 171 and 172 which are not relevant to this Order.
(b) S.I. 2013/1783.

“Enforcement Regulations” means the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England Regulations) 2013;

“new crossing” means the bridge and other roads and structures built pursuant to the River Mersey (Mersey Gateway Bridge) Order 2011(a);

“register” means the register of vehicles being exempt from charges pursuant to the scheme maintained by the Council under article 9;

“scheme” means the scheme for imposing charges for the use or keeping of a vehicle on the scheme roads pursuant to this Order;

“scheme roads” means those parts of:

- (i) the road that approaches and crosses the new crossing; and
 - (ii) the road that approaches and crosses the Silver Jubilee Bridge,
- as are shown on the deposited plans.

“website” means the website maintained by the Mersey Gateway Crossings Board Ltd containing information about the operation of the scheme(b).

Revocation

3. The 2018 Order is hereby revoked.

Duration of the Order

4. This Order shall remain in force indefinitely.

Designation of scheme roads, vehicles and charges

The scheme roads

5. The roads in respect of which this Order applies are the scheme roads.

Imposition of charges

6.—(1) A charge is to be imposed in respect of a vehicle where—

- (a) the vehicle has been used or kept on the scheme roads; and
- (b) the vehicle falls within a class of vehicles in respect of which a charge is imposed by this Order.

(2) The charge imposed is determined by reference to Part 1 of Schedule 1.

(3) The class of vehicles or classes of vehicles in respect of which charges may be levied under this Order shall be those set out in Part 3 of Schedule 1.

(4) Where any vehicle would fall within the description of more than one classification of vehicles or class of vehicles it shall be deemed to fall in the class of vehicles bearing the highest number in Part 3 of Schedule 1.

Payment of charges

7.—(1) Subject to paragraph (3) a charge imposed by this scheme, the amount of which is specified in article 6 paragraph (2) (imposition of charges), shall be paid no later than 23:59 hours on the day immediately following the day upon which the charge has been incurred by a means and by such method as may be specified by the Council on the website or in a document available on

(a) S.I. 2011/41.

(b) www.merseyflow.co.uk

application from the Council or such other means or method as the Council may in the particular circumstances of the case accept.

(2) Subject to such regulations as the Secretary of State may make pursuant to section 172(1) of the 2000 Act, the Council may waive charges (or any part of such charges) and may suspend the charging of charges in whole or in part.

(3) The Council or its agent may enter into an agreement (“composition agreement”) under which persons contract for the payment of charges in respect of the use of the scheme roads by them, by other persons or by any vehicles on such terms as may be provided by the agreement.

(4) A composition agreement may relate to use of the scheme roads on such number of occasions or during such period as may be provided for by the agreement.

(5) Any composition agreement entered into prior to the appointed day and whether or not in respect of this Order shall have effect from that day and from the appointed day this scheme shall apply to that composition agreement and nothing in this scheme shall render a composition agreement entered into other than during the currency of this scheme invalid.

(6) Without prejudice to the generality of paragraph (3), a composition agreement may be entered into for such of the following periods as the Council may agree:

- (a) the duration of a single journey;
- (b) a number of single journeys specified in the composition agreement;
- (c) a single day or any number of single days;
- (d) a period of 5 or 7 consecutive days;
- (e) a period of a single month; or
- (f) a period of one year.

(7) The following provisions shall apply to composition agreements—

- (a) a composition agreement shall be specific to a particular vehicle;
- (b) that vehicle shall be identified by its registration mark; and
- (c) a person entering into a composition agreement with the Council shall specify to the Council or its agent the registration mark of the vehicle to which the composition agreement relates.

(8) Where a composition agreement is entered into or purported to be entered into, and payment is to be made to the Council otherwise than in cash, and payment is not received by the Council or its agent (whether because a cheque is dishonoured or otherwise), the charge or charges to which the composition agreement relates shall be treated as not paid and the composition agreement may be voided by the Council.

(9) The Council may require a vehicle that is subject to a composition agreement to display a document in that vehicle or to carry in or fix equipment to that vehicle.

(10) Where a composition agreement provides for a discount or waiver of any charge or part of any charge and is calculated solely by reference to the use of the scheme roads—

- (a) for a number of journeys; or
- (b) for any period

a user or prospective user of the scheme roads shall not be prevented from entering into such a composition agreement by reason of their place of residence or business.

(11) Where any scheme of discount or waiver is proposed in respect of charges payable or prospectively payable under this scheme the Council shall have regard to the most appropriate means of providing the benefit of such a scheme to those socio-economic groups within the Borough of Halton least able to afford the full price of charges in deciding to apply any such scheme.

(12) The Council may impose such reasonable conditions upon the making of a composition agreement as it considers appropriate including in relation to the transfer of the benefit of composition agreements or the refund of payments.

Classification of vehicles and charges payable

8. Schedule 1 to this Order, which sets out the classification of vehicles in respect of which a charge is imposed by this scheme together with the specification of the charges and penalty charges payable by reference to those classes, shall have effect.

Vehicles exempt from charges

9.—(1) Subject to, and to the extent not inconsistent with, such regulations as the Secretary of State may make pursuant to section 172(1) of the 2000 Act, Part 1 of Schedule 2 to this Order, which sets out the vehicles exempt from charges, shall have effect.

(2) The exemptions from the charges set out in this scheme shall have effect subject to the particulars of the vehicle in respect of which an exemption is claimed being entered upon the register.

(3) The Council may require a vehicle exempt from charges to display a document in that vehicle or to carry in or fix equipment to that vehicle.

(4) The provisions of Part 2 of Schedule 2 shall apply.

10 year plan for net proceeds

10. Schedule 3 to this Order constitutes the general plan of the Council under paragraph 10(1)(a) of Schedule 12 to the 2000 Act for applying the net proceeds of this scheme during the period which begins with the date on which this Order comes into force and ends with the tenth financial year that commences on or after that date.

Detailed programme for net proceeds

11. Schedule 4 to this Order constitutes the detailed programme of the Council under paragraph 10(1)(b) of Schedule 12 to the 2000 Act for applying the net proceeds of this scheme during the period which begins with the date on which this Order comes into force and ends at the time by which the Council's local transport plan is next required to be replaced.

Penalty charges

Penalty charges

12.—(1) A penalty charge is payable in respect of a vehicle upon which a charge has been imposed under this Order and where such charge has not been paid in full at or before 23:59 hours on the day immediately following the day upon which the charge was incurred.

(2) Where a penalty charge has become payable in respect of a vehicle under paragraph (1), the penalty charge rate applicable is determined by reference to Part 2 of Schedule 1.

(3) A penalty charge payable under paragraph (1) is—

- (a) payable in addition to the charge imposed under article 6;
- (b) to be paid in full within the period of 28 days beginning with the date on which a penalty charge notice relating to the charge that has not been paid in full is served;
- (c) reduced by one half provided it is paid in full prior to the end of the fourteenth day of the period referred to in sub-paragraph (3)(b);
- (d) increased by one half if not paid in full before a charge certificate to which it relates is served by or on behalf of the Council (as the charging authority) in accordance with regulation 17 of the Enforcement Regulations.

Additional penalty charges where powers exercised in respect of vehicles

13.—(1) An additional penalty charge in accordance with the table of penalty charge rates displayed on the website will be payable under the charging scheme for the—

- (a) release of a motor vehicle immobilised in accordance with article 18;
- (b) removal of a motor vehicle in accordance with article 19(1);
- (c) storage and release from storage of a vehicle so removed; and
- (d) disposal of a vehicle in accordance with article 19(2).

(2) Any penalty charge payable under paragraph (1) is payable in addition to the charge imposed under article 6.

Powers in respect of motor vehicles

Powers in respect of motor vehicles

14.—(1) The Council may authorise in writing a person to exercise any one or more of the powers in articles 15 to 19.

(2) An authorised person under this Order is an authorised person within the meaning of regulation 21 of the Enforcement Regulations.

Examination of vehicles

15. An authorised person may examine a motor vehicle whilst it is on a road to ascertain if any of the circumstances described in regulation 22 of the Enforcement Regulations exists.

Entering vehicles

16. An authorised person may enter a vehicle whilst it is on a road where the authorised person has reasonable grounds for suspecting that any of the circumstances described in regulation 23(1) of the Enforcement Regulations exists provided that the condition referred to in regulation 23(2) of those Regulations is met.

Seizure

17. An authorised person may seize anything (if necessary by detaching it from a vehicle) as provided for in regulation 24 of the Enforcement Regulations provided that the condition referred to in regulation 24(2) of those Regulations is met.

Immobilisation of vehicles

18. Provided—

- (a) none of the circumstances in paragraph (2) of regulation 25 of the Enforcement Regulations apply; and
- (b) the conditions in paragraph (3) of that regulation do apply,

an authorised person may immobilise a vehicle in accordance with paragraphs (4) and (5) of that regulation.

Removal, storage and disposal of vehicles

19.—(1) Provided regulation 27(1) (a) or (b) of the Enforcement Regulations is satisfied, an authorised person may remove a vehicle and deliver it to a custodian for storage.

(2) The custodian may dispose of the vehicle and its contents in the circumstances described in regulation 28 of the Enforcement Regulations.

THE COMMON SEAL of the **COUNCIL**
OF

THE BOROUGH OF HALTON was
hereunto

affixed the [**] day of November 2020 in the
presence of



Authorised Signatory

SCHEDULES

SCHEDULE 1

Articles 6 and 12

PART 1

Road User Charges Payable

1. The charge payable under article 6 in respect of a vehicle falling within a class specified in column 1 of the table below shall be determined by reference to the corresponding entry in column 2 of the table.

<i>Column 1</i>	<i>Column 2</i>
<i>Class of vehicle</i>	<i>Charge for each vehicle each time it is used or kept on the scheme roads</i>
Class 1 vehicles	Nil
Class 2 vehicles	£2.00
Class 3 vehicles	£6.00
Class 4 vehicles	£8.00

PART 2

Penalty Charges Payable

2. The penalty charge payable under article 12 in respect of a vehicle falling within a class specified in column 1 of the table below shall be determined by reference to the corresponding entry in column 2 of the table.

<i>Column 1</i>	<i>Column 2</i>
<i>Class of vehicle</i>	<i>Penalty Charge rate applicable</i>
Class 1 vehicles	Nil
Class 2 vehicles	£40
Class 3 vehicles	£40
Class 4 vehicles	£40

PART 3

Classification of Vehicles for the Purposes of Charges

<i>Class of Vehicle</i>	<i>Classification</i>
“class 1 vehicle”	means a moped falling within classifications A(a) and A(b); motorcycles falling within classifications B(a) and B(b); motor tricycles falling within classifications C(a) and C(b); and quadricycles falling within classifications D(a), D(b), E(a) and E(b).
“class 2 vehicle”	means motor caravans falling within classifications L(a) and L(b); motor vehicles with at least four wheels, used for the carriage of passengers falling within classifications M ₁ (a) and M ₁ (b); and motor vehicles with

at least four wheels used for the carriage of goods falling within classifications N₁(a) and N₁(b).

“class 3 vehicle” means motor vehicles with at least four wheels used for the carriage of passengers falling within classifications M₂(a) and M₂(b); and motor vehicles with at least four wheels used for the carriage of goods falling within classifications N₂(a) and N₂(b).

“class 4 vehicle” means motor vehicles with at least four wheels used for the carriage of passengers falling within classifications M₃(a) and M₃(b); and motor vehicles with at least four wheels used for the carriage of goods falling within classifications N₃(a) and N₃(b).

Reference to “classifications” in this Schedule 1 are references to the classes of motor vehicles contained or referred to in Part II of the Schedule to the Road User Charging and Work Place Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001(a).

SCHEDULE 2

Article 9

PART 1

Vehicles Exempt from Charges

1. Charges may not be levied in respect of—
 - (a) a vehicle whose details have been recorded on the register in accordance with Part 2 of this Schedule and, in the case of those listed in sub-paragraphs 3(a) to 3(e) of Part 2 of this Schedule, being used in the execution of duty; or
 - (b) a vehicle being used in connection with—
 - (i) the collection of charges; or
 - (ii) the maintenance, improvement or renewal of, or other dealings with, the Silver Jubilee Bridge or the new crossing or any structure, works or apparatus in, on, under or over any part of the new crossing or Silver Jubilee Bridge; or
 - (c) a vehicle which, having broken down on the Silver Jubilee Bridge or the new crossing while travelling in one direction, is travelling in the opposite direction otherwise than under its own power; or
 - (d) a military vehicle, that is, a vehicle used for army, naval or air force purposes, while being driven by persons for the time being subject to the orders of a member of the armed forces of the Crown.

PART 2

The Register of Vehicles Exempt from Charges

2. The Council shall maintain the register in respect of exempt vehicles for the purposes of the provisions of this Schedule which requires particulars of a vehicle to be entered in the register.

3. Vehicles falling within the following descriptions of motor vehicles shall be eligible to be entered upon the register—

(a) S.I. 2001/2793.

- (a) a police vehicle, identifiable as such by writing or markings on it or otherwise by its appearance, or being the property of the Service Authority for the Serious Organised Crime Agency or notified to the Council by reference to its registration mark;
- (b) a fire engine as defined by paragraph 4(2) of Schedule 2 to the Vehicle Excise and Registration Act 1994(a);
- (c) a vehicle which is kept by a fire authority as defined by paragraph 5 of that Schedule;
- (d) an ambulance as defined by paragraph 6(2) or a vehicle falling within paragraph 7 of that Schedule and shall also include vehicles used for the transport of blood, plasma or human organs;
- (e) an emergency response vehicle being the property of Her Majesty's Coastguard notified to the Council by reference to its registration mark;
- (f) a vehicle being used for the transport of a person who has a disabled person's badge and which displays a current disabled person's badge issued under—
 - (i) section 21 of the Chronically Sick and Disabled Persons Act 1970(b), or
 - (ii) section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(c); or
- (g) an omnibus being used for a local service as defined by section 2 of the Transport Act 1985 in respect of crossing the Silver Jubilee Bridge(d); or
- (h) an agricultural tractor as defined by paragraph 20B of Schedule 2 to the Vehicle Excise Registration Act 1994 in respect of crossing the Silver Jubilee Bridge.

4. Registration of a vehicle upon the register, and the use to which that vehicle must be put to qualify as exempt from charges, shall be subject to the imposition of such further conditions as the Council may reasonably impose.

5. The Council may require that an application to enter particulars of a vehicle on the register or to renew the registration of a vehicle—

- (a) shall include all such information as the Council may reasonably require; and
- (b) shall be made by such means as the Council may accept.

6. Where the Council receives an application that complies with paragraph 4 to enter particulars of a vehicle on the register, or to renew the registration of a vehicle and the vehicle falls within the descriptions set out in paragraph 2 of this Part it shall enter the particulars of that vehicle upon the register within twenty working days of receiving such an application.

7. The Council shall remove particulars of a vehicle from the register—

- (a) in the case of a vehicle registered in relation to the holder of a disabled person's badge, when that person ceases to be an eligible person for the purposes of sub-paragraph 3(f) of this Part;
- (b) in the case of any vehicle at the end of the period of 7 consecutive days beginning with the day on which a change in the keeper of the vehicle occurred, unless the Council renews the registration for a further period on application to it by or on behalf of the new keeper.

8. Where the registered keeper of a vehicle is aware that the vehicle has ceased or will cease to be a vehicle eligible to be entered on the register, the keeper shall notify the Council of the fact and the Council shall remove the particulars of the vehicle from the register as soon as reasonably practicable or from the date notified to the Council as the date on which it will cease to be a vehicle eligible to be entered on the register.

9. If the Council is no longer satisfied that a vehicle is an exempt vehicle it shall—

- (a) remove the particulars of a vehicle from the register; and

(a) 1994 c.22.
 (b) 1970 c.44.
 (c) 1978 c.53.
 (d) 1985 c.67.

- (b) notify the registered keeper.

10. Nothing in this paragraph shall prevent the making of a fresh application under Schedule 2 for particulars of a vehicle to be entered in the register after they have been removed from it in accordance with any provision of this Part of this Schedule 2.

SCHEDULE 3

Article 10

Halton Borough Council's General Plan for Applying the Net Proceeds of this Scheme During the Opening 10 Year Period

1. Road user charging under this scheme is due to start in 2018. Paragraph 10(1)(a) of Schedule 12 to the Transport Act 2000 applies to the period that is covered partly by the current Local Transport Plan that fully supports the implementation of the scheme.

2. The net proceeds of the road user charging scheme in the ten year period following the start of the charging scheme will be applied, in such proportions to be decided, towards:

- (a) paying the costs and expenses incurred in designing, constructing, managing, operating and maintaining the new crossing and in managing, operating and maintaining the Silver Jubilee Bridge and the scheme roads or any costs associated with financing any or both;
- (b) providing such funds as are or are likely to be necessary to discharge the obligations of the Council or a concessionaire pursuant to a concession agreement;
- (c) paying the interest on, and repaying the principal of, monies borrowed in respect of the new crossing;
- (d) making payment into any maintenance or reserve fund provided in respect of the Silver Jubilee Bridge and the scheme roads or the new crossing;
- (e) making payments to the Council's general fund for the purpose of directly or indirectly facilitating the achievement of policies relating to public transport in its local transport plan; and
- (f) providing funds for, meeting expenses incurred in, or the cost of securing any necessary authority or consent for, constructing or securing the construction, maintenance and operation of the new crossing or securing the maintenance and operation of the Silver Jubilee Bridge and the scheme roads.

SCHEDULE 4

Article 11

Halton Borough Council's Detailed Programme for Applying the Net Proceeds of this Scheme

1. Road user charging on the Mersey Gateway Bridge began in 2017 to coincide with the opening of the Mersey Gateway Bridge for use by the public. The existing third Local Transport Plan (LTP3) runs from 2011/12 to 2025/26. Therefore, paragraph 10(1)(b) of Schedule 12 to the Transport Act 2000 relates to the second LTP3. The Mersey Gateway Bridge is a key element of the LTP3 as it addresses—

- (a) the worst congestion in Halton - on the approaches to the Silver Jubilee Bridge and on the Weston Point Expressway approach to M56 Junction 12;
- (b) demand management to establish and maintain free flow traffic conditions on the Mersey Gateway Bridge and the Silver Jubilee Bridge; and
- (c) transport resilience to enhance cross-Mersey linkages.

2. The expenditure plans for receipts from the scheme will complement the current LTP3 programme and contribute towards achieving the following LTP3 objectives—

- (a) tackling congestion;

- (b) delivering accessibility;
- (c) securing safer roads; and
- (d) achieving better air quality.

3. Priorities for the scheme revenue expenditure are—

- (a) paying the costs and expenses incurred in designing, constructing, managing, operating and maintaining the Mersey Gateway Bridge and the new crossing and in managing, operating and maintaining the Silver Jubilee Bridge and the scheme roads or any costs associated with financing any or both of them;
- (b) providing such funds as are or are likely to be necessary to discharge the obligations of the Council or a concessionaire pursuant to a concession agreement;
- (c) paying the interest on, and repaying the principal of, monies borrowed in respect of the new crossing;
- (d) making payment into any maintenance or reserve fund provided in respect of the Silver Jubilee Bridge and the scheme roads or the Mersey Gateway Bridge and the new crossing;
- (e) making payments to the Council’s general fund for the purpose of directly or indirectly facilitating the achievement of policies relating to public transport in LTP3; and
- (f) providing funds for, meeting expenses incurred in, or the cost of securing any necessary authority or consent for, the constructing or securing the construction, maintenance and operation of the Mersey Gateway Bridge and the new crossing or securing the maintenance and operation of the Silver Jubilee Bridge and the scheme roads.

EXPLANATORY NOTE

(This note is not part of the Order)

Sections 163(3)(a) and 164 of the Transport Act 2000 authorise the Council of the Borough of Halton to make a charging scheme in respect of roads for which it is the traffic authority. The scheme roads described in article 2 of this Order comprise the Mersey Gateway Bridge and the Silver Jubilee Bridge. Charges are currently levied under the A533 (Mersey Gateway Bridge) and the A557 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2018.

This Order revokes the 2018 Order. It imposes charges for use of either the Mersey Gateway Bridge or the Silver Jubilee Bridge, and contains enforcement provisions.

Article 1 (citation and commencement) deals with preliminary matters.

Article 2 (interpretation) contains interpretation provisions including definitions of the “scheme roads”. It also refers to the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (SI 2013/1783) (the “Enforcement Regulations”) which make provision for or in connection with the imposition and payment of charging scheme penalty charges.

Article 3 (revocation) revokes the 2018 Order.

Article 4 (duration of the Order) provides that the Order remains in force indefinitely.

Article 5 (the scheme roads) provides that the scheme roads are the roads to which charges, penalty charges and enforcement provisions apply.

Article 6 (imposition of charges) describes the event by reference to the happening of which a charge is imposed, namely, a vehicle being used or kept on the scheme roads. The charges imposed are set out in Part 1 of Schedule 1.

Article 7 (payment of charges) provides that the Council may specify how a charge should be paid. It also provides that payments may be under an agreement relating to a number of journeys or a number of days. It also provides that displaying a permit may be required. Paragraph (11) of article 7 continues the existing arrangement relating to scheme discounts.

Article 8 (classification of vehicles) specifies classes of vehicles to which the scheme applies, set out in Part 3 of Schedule 1 of this Order.

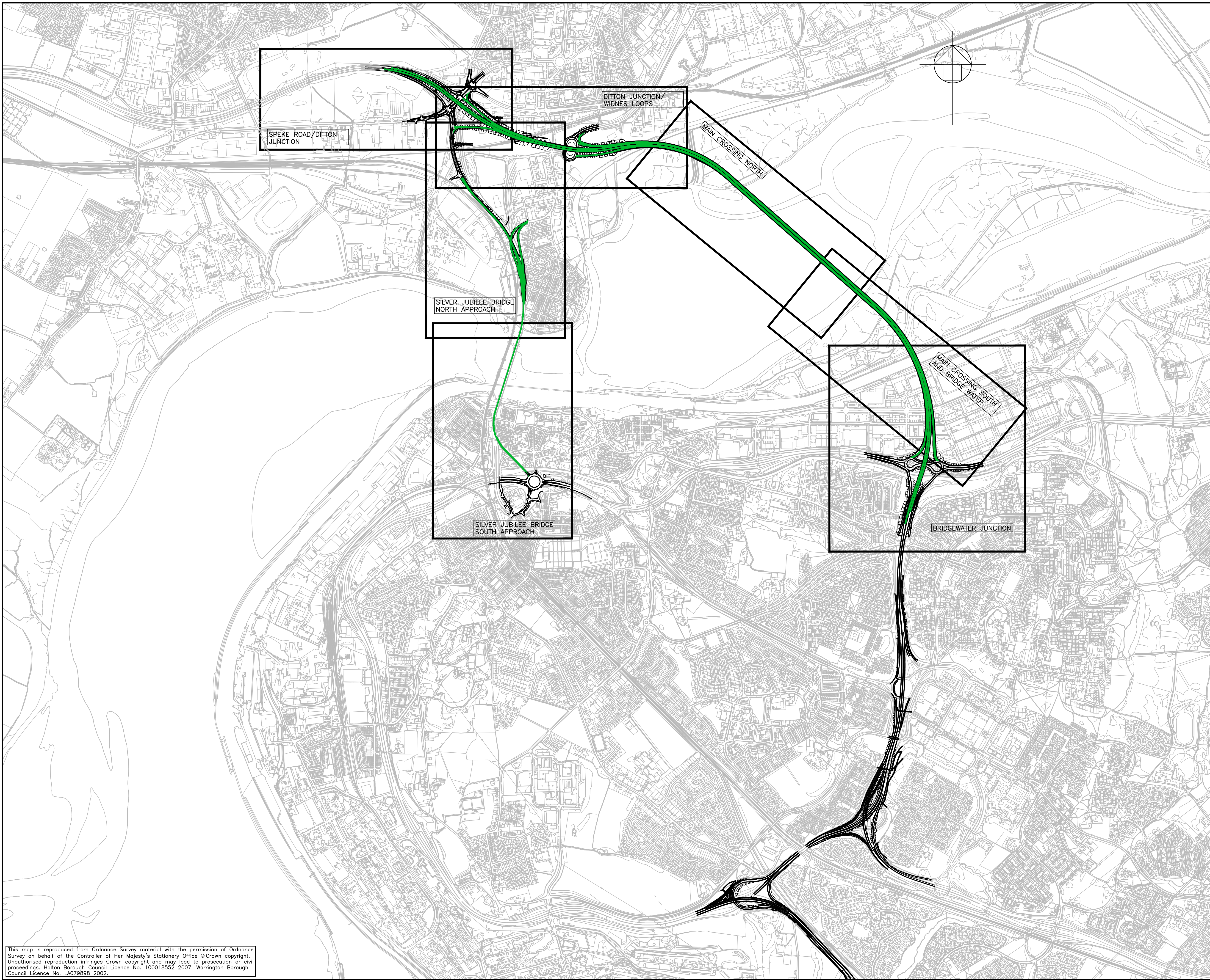
Article 9 (vehicles exempt from charges) provides for the exemption of certain vehicles from paying the charge provided conditions are met, set out in Schedule 2.

Articles 10 and 11 explain to what purposes the charges recovered may be applied.

Article 12 deals with the civil enforcement of unpaid charges through the imposition of penalty charges. Paragraph 12(1) imposes a penalty charge where the charge for using the crossing is not paid in accordance with Article 7. The penalty charge rates are set out in Part 2 of Schedule 1. Paragraph 12(3)(a) explains that the penalty charge is payable in addition to the charge imposed. Paragraphs 12(3)(b) to (d) explain that the penalty charge is payable within 28 days of the penalty charge notice relating to it being served, that the amount of the charge is reduced by half if paid within 14 days or is increased by half if not paid before a charge certificate is served in accordance with regulation 17 of the Enforcement Regulations.

Article 13 imposes additional penalty charges of the amounts set out on the project website where the powers in respect of vehicles described in paragraphs 18 and 19 are exercised.

Articles 14 to 19 contain powers that can be exercised in respect of motor vehicles. These powers are to examine vehicles (article 15), enter vehicles (article 16), seize items (article 17), immobilise vehicles (article 18) and remove, store and dispose of vehicles (article 19). The exercise of those powers must be in accordance with the Enforcement Regulations. In particular the power to immobilise a vehicle or remove a vehicle that has not been immobilised can only be exercised where none of the circumstances in regulation 25(2) of the Enforcement Regulations apply and the conditions in paragraph 25(3) of those regulations do apply.



NOTES

B	BH	BW	EW	FOR INFORMATION
A	LF	BW	CEH	27.02.20
-	DJ	BW	CEH	04.02.15
Rev.	Drawn	Chkd.	Apprd.	Date
	DJ	BW	CEH	04.02.15



Drawing Title

SCHEME ROADS LOCATION PLAN

Scale	Date	Drawn
1:10,000	Jan 2015	DJ

Org. no.	Rev.
61034234/RUCO/01	B

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Halton Borough Council Licence No. 100018552 2007. Warrington Borough Council Licence No. LA079598 2002.

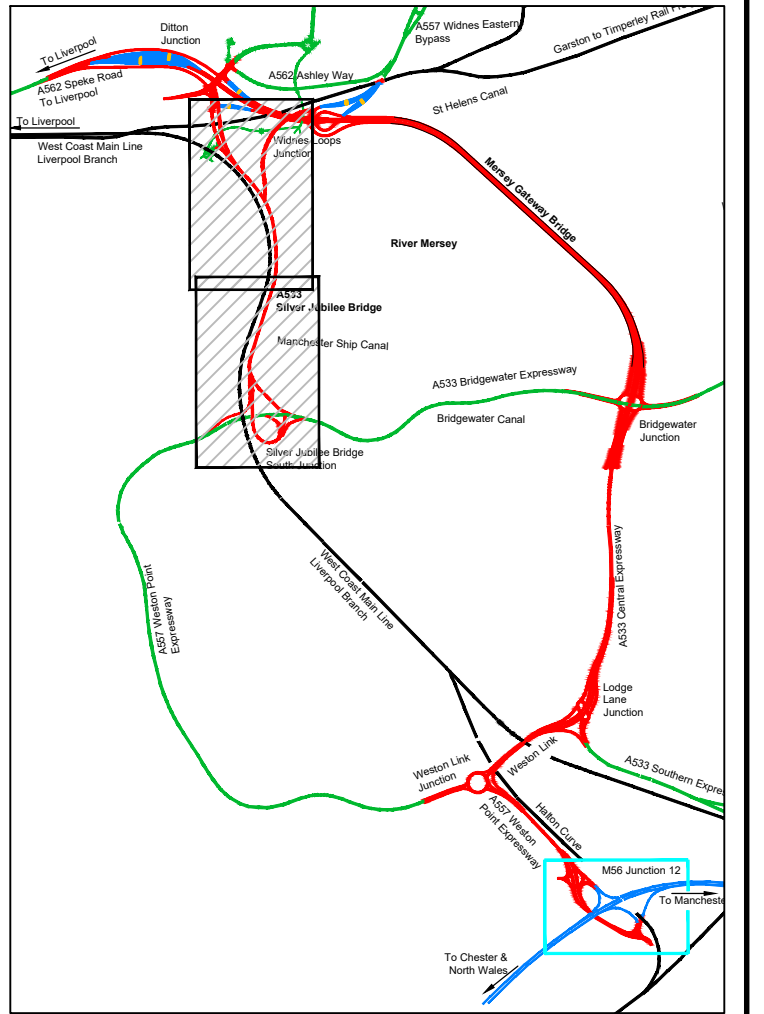


SILVER JUBILEE BRIDGE
NORTH APPROACH



SILVER JUBILEE BRIDGE
SOUTH APPROACH

NOTES



Site Plan

KEY

RUCO Scheme Road

B BH BW 26.10.20 FOR INFORMATION

A LF BW CEH 27.02.20 FOR INFORMATION

- DJ BW CEH 04.02.15 FOR INFORMATION

Rev.	Drawn	Chkd.	Apprd.	Date	Description
-	DJ	BW	CEH	04.02.15	



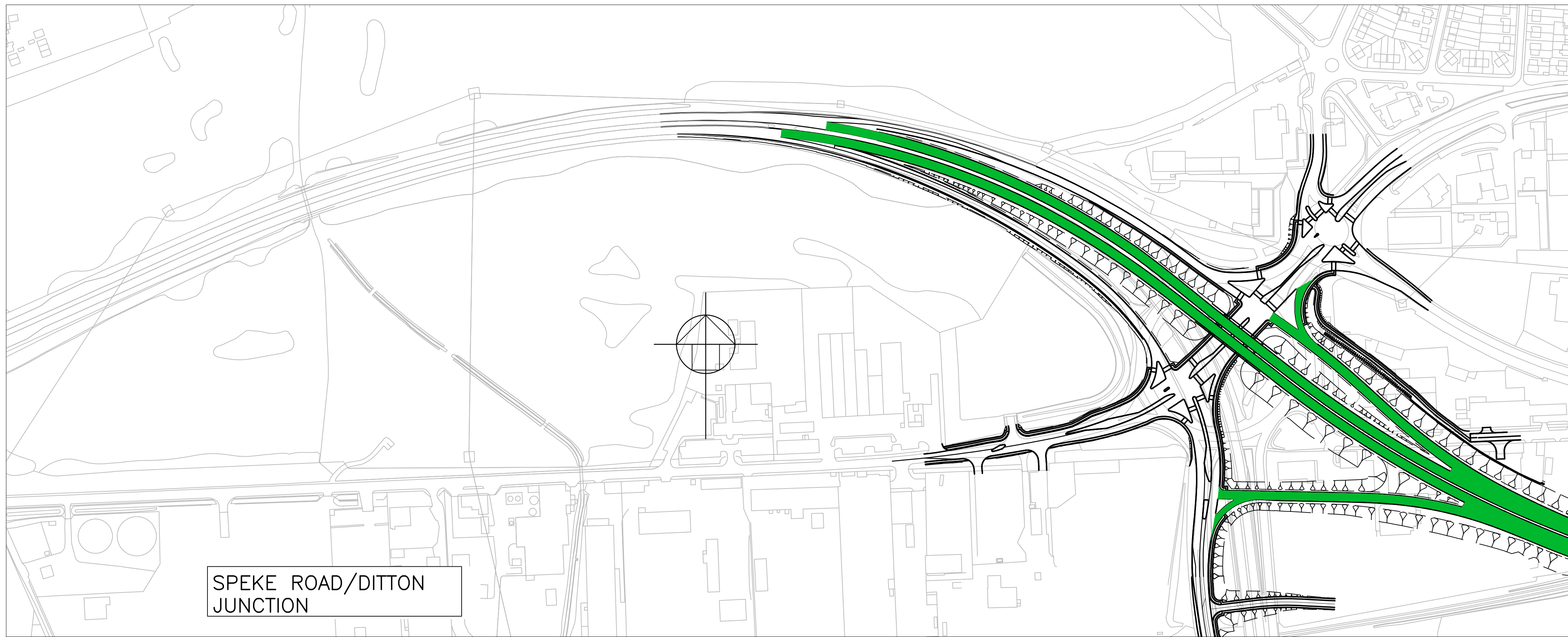
Client
Project

Drawing Title
**SCHEME ROADS
SHEET 2 of 5**

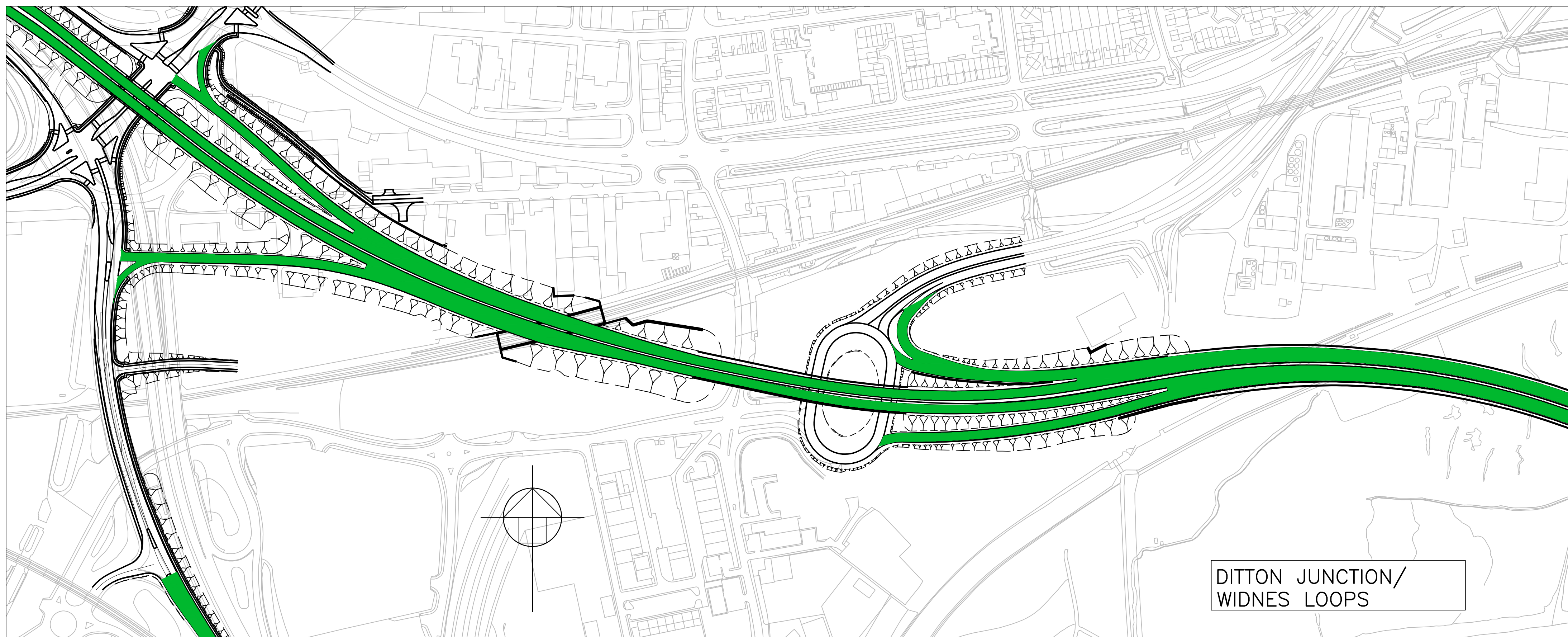
Scale 1:2500	Date Jan 2015	Drawn DJ
-----------------	------------------	-------------

Drw. no. 61034234/RUCO/02	Rev. B
------------------------------	-----------

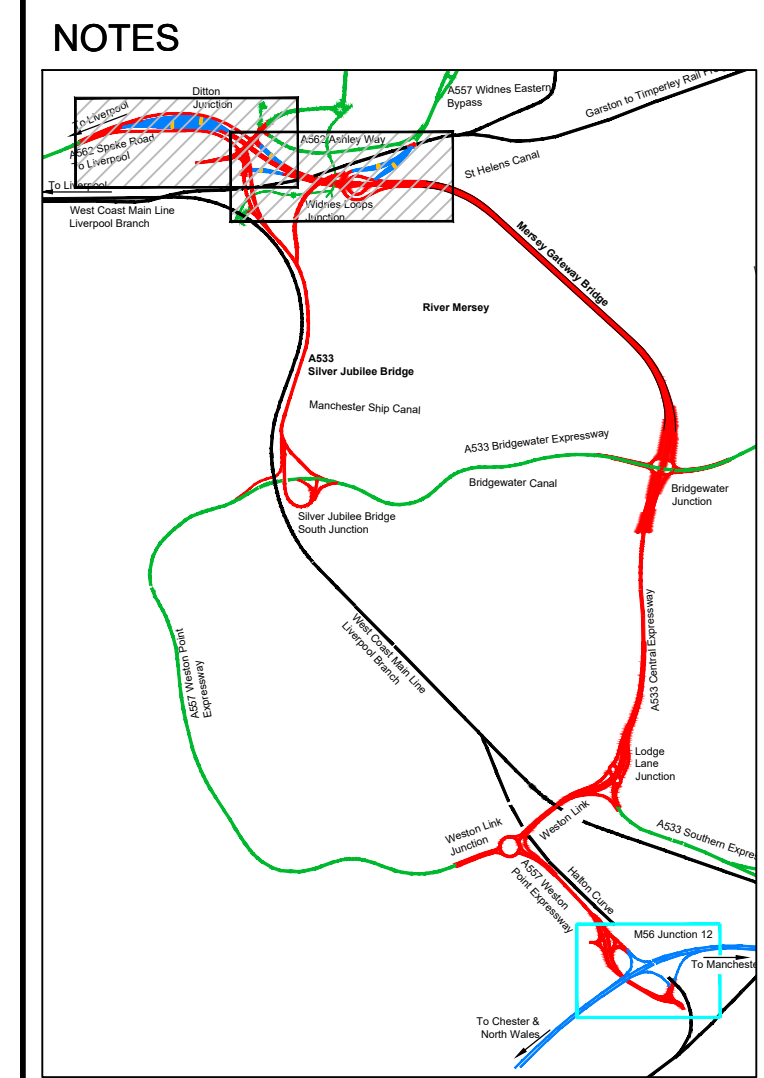
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Halton Borough Council Licence No. 100018552 2007. Warrington Borough Council Licence No. LA079598 2002.



SPEKE ROAD/DITTON JUNCTION



DITTON JUNCTION/
WIDNES LOOPS



Site Plan

KEY

RUCO Scheme Road

Rev.	Drawn	Checked	Approved	Date	Description
A	BH	DJ	CEH	26.10.20	FOR INFORMATION
-	BW	BW	CEH	04.02.15	FOR INFORMATION



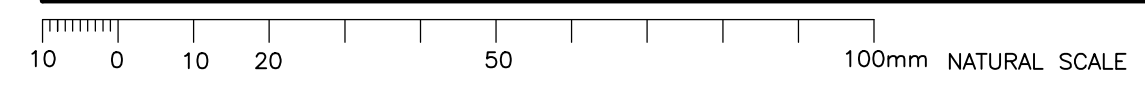
Client
Project

Drawing Title
**SCHEME ROADS
SHEET 3 of 5**

Scale	Date	Drawn
1:2500	Jan 2015	DJ

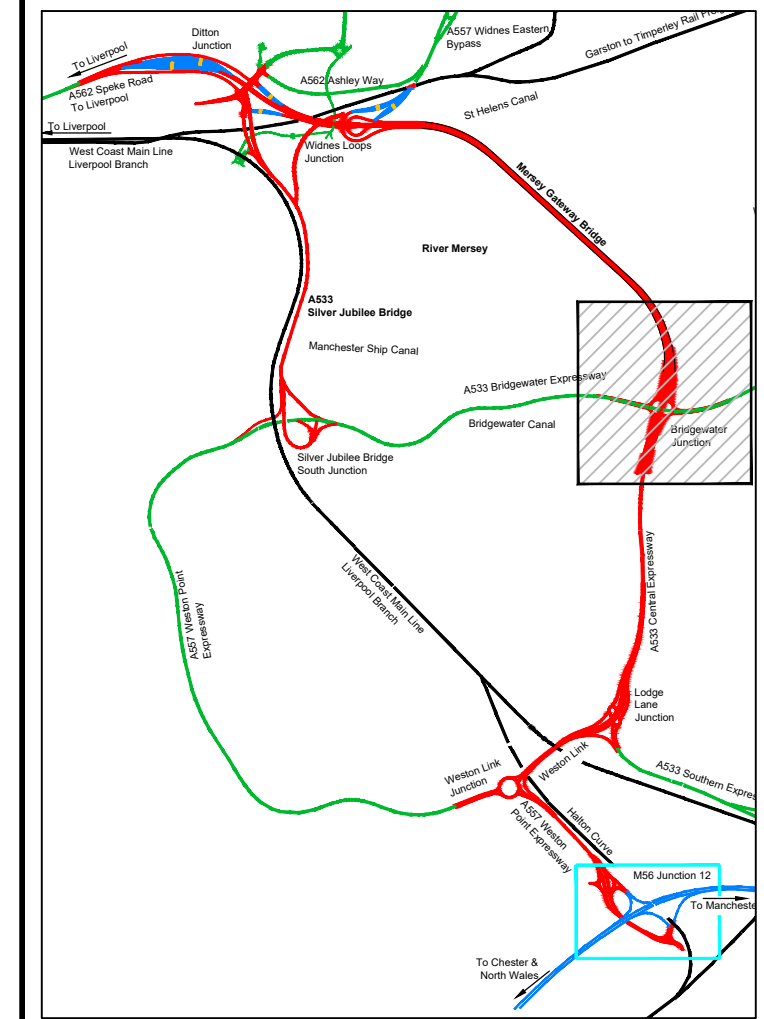
Drwg. no.	Rev.
61034234/RUCO/03	A

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Halton Borough Council Licence No. 100018552 2007. Warrington Borough Council Licence No. LA079589 2002.





NOTES



Site Plan

KEY

 RUCO Scheme Road

Rev.	Drawn	Chkd.	Apprd.	Date	Description
	DJ	BW	CEH	04.02.15	FOR INFORMATION



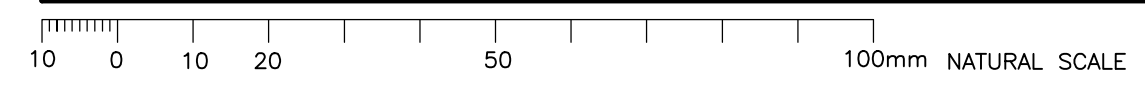
Project
 PROPOSED
 ROAD USER CHARGING
 SCHEME ORDER
 (RUCSO)

Drawing Title
 SCHEME ROADS
 SHEET 5 of 5

Scale	Date	Drawn
1:2500	Jan 2015	DJ

Org. no.	Rev.
61034234/RUCO/05	-

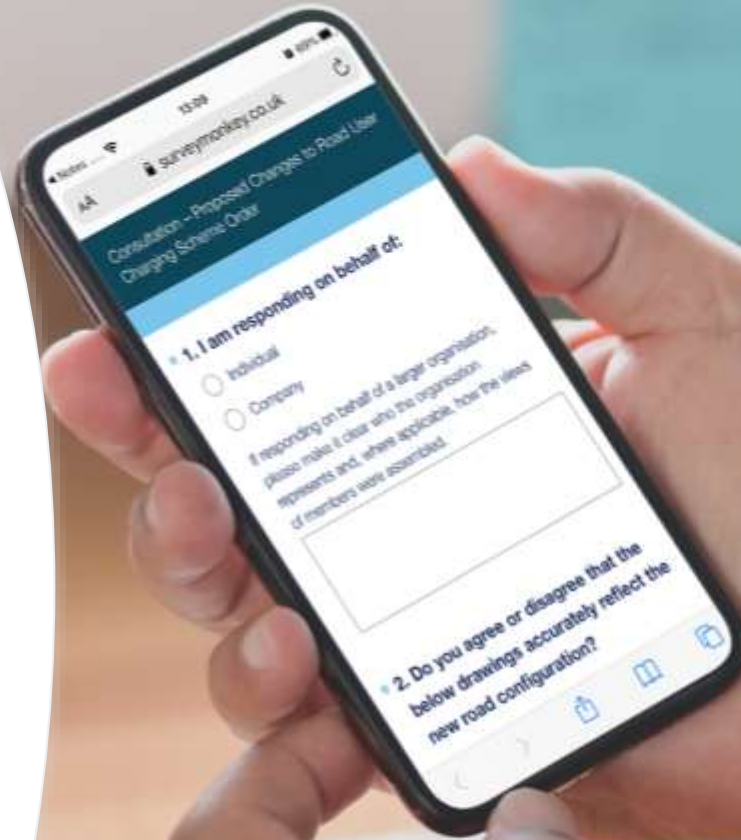
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Halton Borough Council Licence No. 100018552 2007. Warrington Borough Council Licence No. LA079598 2002.



Mersey Gateway Crossings Board

RUCSO Survey – 2020

Response Analysis – Online only



Executive summary

Halton Council undertook consultation in connection with the proposal to update the A533 (Mersey Gateway Bridge) and the A557 (Silver Jubilee Bridge) Road User Charging Scheme Order 2018 (“Order”) between **23 September 2020 and 14 October 2020** inclusive.

The Consultation documents, including a copy of the proposed Order, were placed online on the Mersey Gateway website.

100 x printed copies of the survey and accompanying consultation documents were also made available for public consultation. No hard copies were completed.

Feedback to the survey will help with the introduction of the Silver Jubilee Bridge and assist in the running of the Mersey Gateway crossings in the future.

Consultation – Proposed Changes to Road User Charging Scheme Order



Halton Council is undertaking consultation in connection with the proposal to update the A533 (Mersey Gateway Bridge) and the A557 (Silver Jubilee Bridge) Roads User Charging Scheme Order 2018 ("Order") between 23 September 2020 and 14 October 2020 inclusive.

Consultation documents, including a copy of the proposed Order, can be viewed on the website www.merseygateway.co.uk/consultation2020

Please provide as much supporting evidence as possible with each of your responses to the following questions.

1. I am responding on behalf of:

- an individual a 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.

2. Do you agree or disagree that the following drawings (see inside and back) accurately reflect the new road configuration?

- agree disagree

If you have any other comment about this proposal, please tell us below...

Please continue over page >

Thank you for participating



3. Do you agree or disagree with the proposal to: an emergency response vehicle being the property of Her Majesty's Coastguard, notified to the Council, to be exempt from toll charges by reference to its vehicle registration mark?

- agree disagree

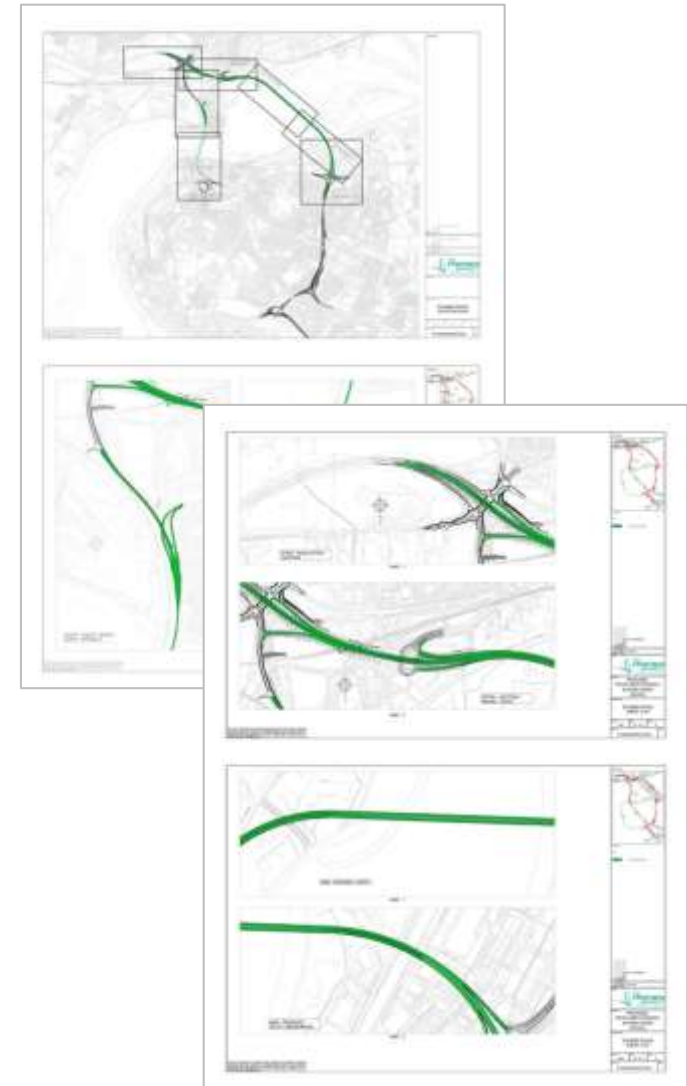
If you have any other comment about this proposal, please tell us below...

4. Do you agree or disagree with the table of charges being moved to the Schedule?

- agree disagree

If you have any other comment about this proposal, please tell us below...

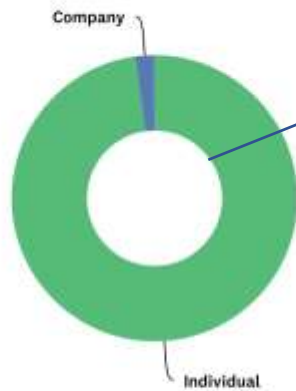
Please return the completed questionnaire to:
Mersey Gateway Crossings Board/Consultation,
c/o Halton Borough Council, Halton Direct Link, Brook St, Widnes WA8 6NB
Alternatively, you can complete this questionnaire online at: www.merseygateway.co.uk/consultation2020



Data explained

I am responding on behalf of:

Answered: 137 Skipped: 0



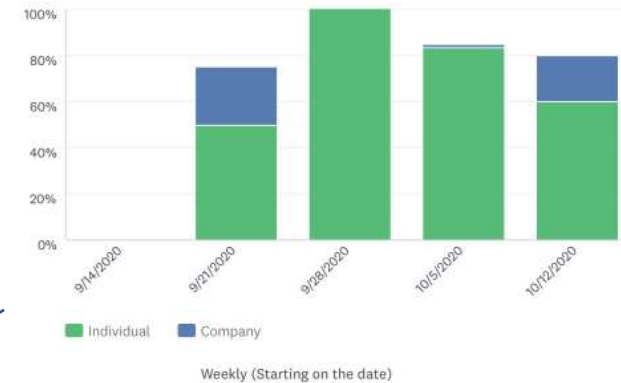
Data highlighting the percentage represented by each of the categories – actual numbers and % shown in the table below

ANSWER CHOICES	RESPONSES	
Individual	97.81%	134
Company	2.19%	3
TOTAL		137

Comments (12)

Word cloud identifying the key words and their frequency of use in the comments – the bigger the word, the more times it appears in the responses. Number of times it was mentioned also indicated by the key below

Response trends throughout duration of survey



Trends in the response times – when users were more active on the survey

Key words extracted from comments

charges crossing tolls Halton Scrap use bridge free



INSIGHTS

137 

Total number of
online responses

2m:44s



Typical time spent

100%



Completion rate

Q5 

Most skipped question

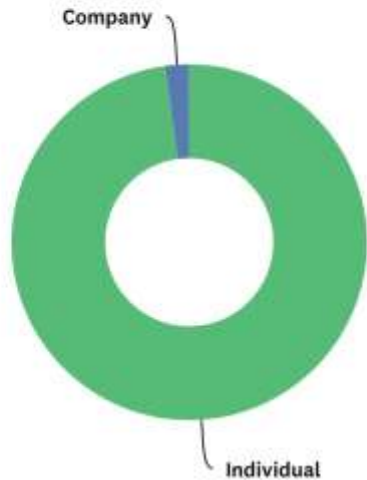
Question 1:

I am responding on behalf of:



I am responding on behalf of:

Answered: 137 Skipped: 0



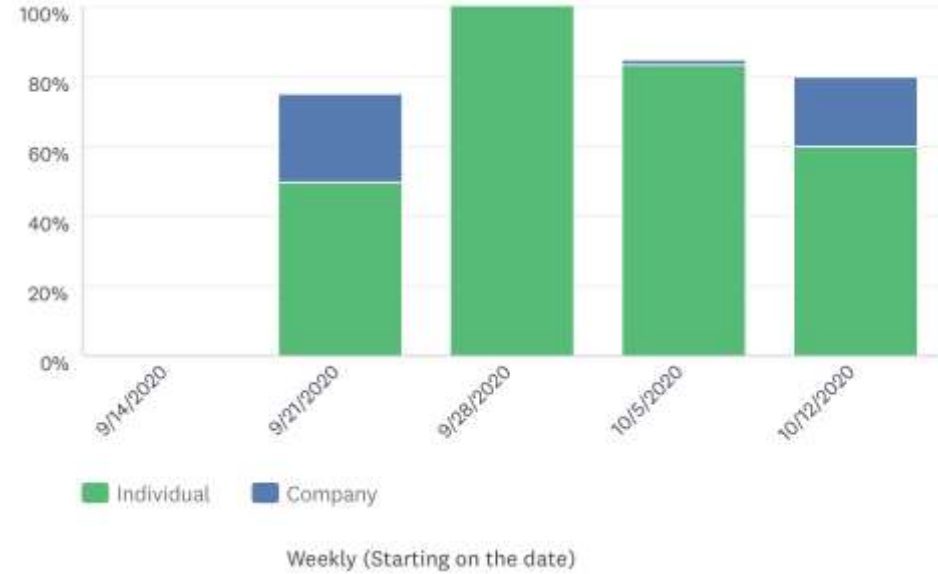
ANSWER CHOICES	RESPONSES	
Individual	97.81%	134
Company	2.19%	3
TOTAL		137

Comments (12)

3 x companies include:

- Road Haulage Association Ltd
- The Camping and Caravanning Club
- Local Halton business

Response trends throughout duration of survey



Key words extracted from comments

charges crossing tolls Halton Scrap use bridge free



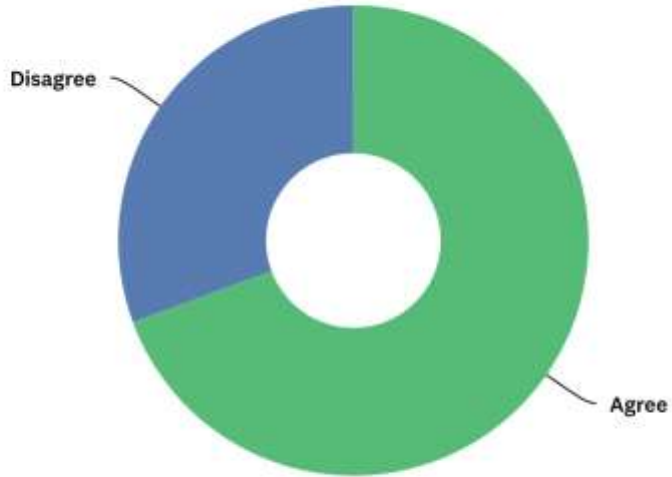


Question 2:

Do you agree or disagree that the below drawings accurately reflect the new road configuration?

Do you agree or disagree that the below drawings accurately reflect the new road configuration?

Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES	
▼ Agree	69.34%	95
▼ Disagree	30.66%	42
TOTAL		137

Comments (28)

Response trends throughout duration of survey



Key words extracted from comments

tolls penalties scrapped working correct show
 toll Bridge use drawings want tolls penalties
 roads new Widnes Loops charge public tolled
 Scrap

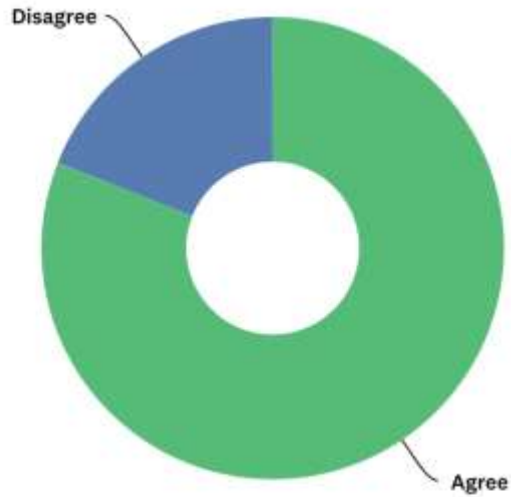


Question 3:

Do you agree or disagree with the proposal to: an emergency response vehicle being the property of Her Majesty's Coastguard, notified to the Council, to be exempt from toll charges by reference to its vehicle registration mark?

Do you agree or disagree with the proposal to: an emergency response vehicle being the property of Her Majesty's Coastguard, notified to the Council, to be exempt from toll charges by reference to its vehicle registration mark?

Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES
Agree	81.02% 111
Disagree	18.98% 26
TOTAL	137

Comments (24)

Response trends throughout duration of survey



Key words extracted from comments

exempt pay charges everyone tolls one scrapped bridge



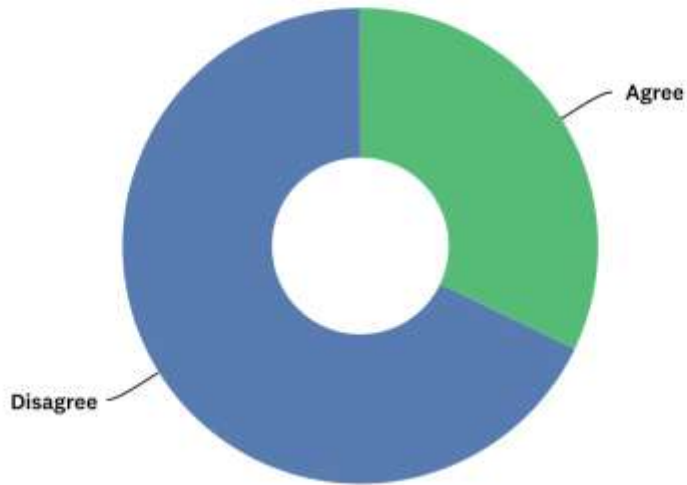


Question 4:

Do you agree or disagree with the table of charges being moved to the Schedule?

Do you agree or disagree with the table of charges being moved to the Schedule?

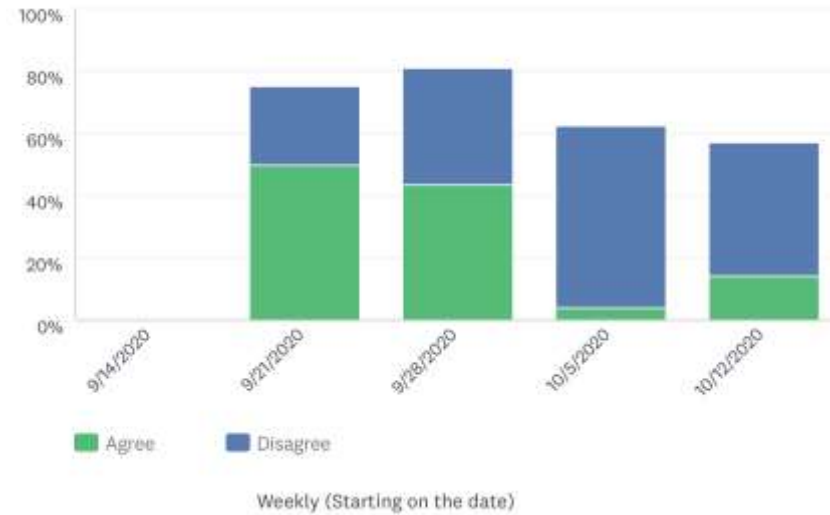
Answered: 137 Skipped: 0



ANSWER CHOICES	RESPONSES
▼ Agree	32.12% 44
▼ Disagree	67.88% 93
TOTAL	137

Comments (56)

Response trends throughout duration of survey



Key words extracted from comments

make easier_{SJB} toll bridge_{work} people_{new} crossing
 new bridge scrapped_{council} road want tolls don t
 charges remain free pay public free tax bridge
 increase Silver Jubilee Bridge_{SJB} free
 free crossing_{years} use_{since} make

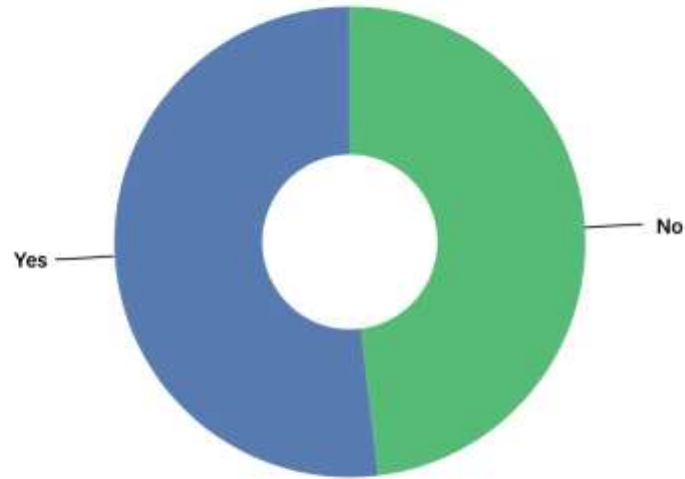


Question 5:

Future contact consent: Please indicate below if you are happy to be contacted at this time and, if so, provide a suitable email address.

Future contact consent

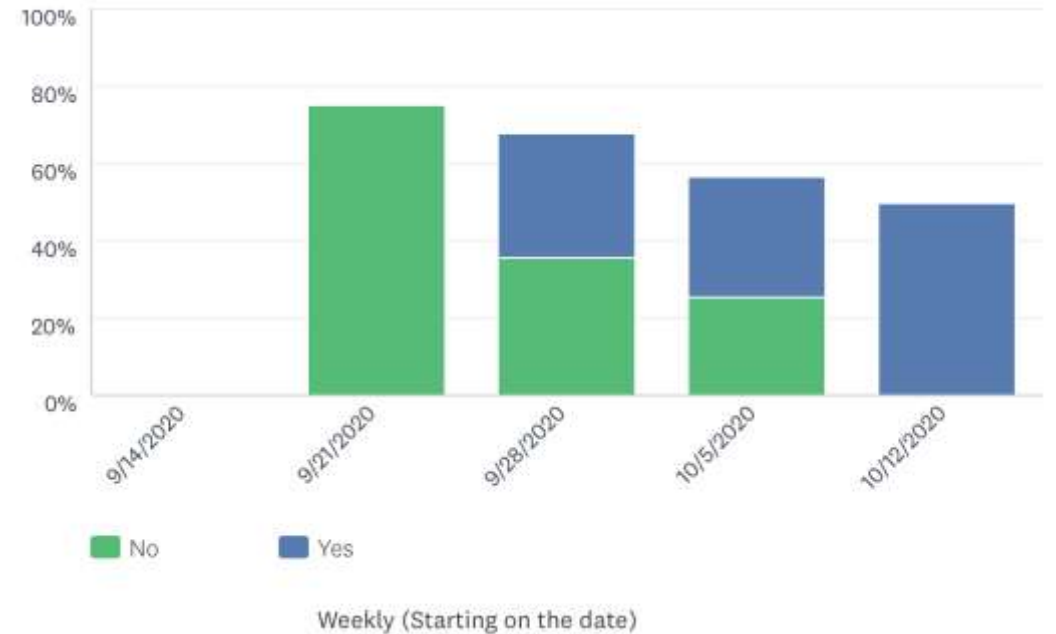
Answered: 129 Skipped: 8



ANSWER CHOICES	RESPONSES	
▼ No	48.06%	62
▼ Yes	51.94%	67
TOTAL		129

Comments (80)

Response trends throughout duration of survey



There were a number of respondents who said NO but then proceeded to supply their email address. To comply with GDPR, only the **'YES'** consents have been extracted for you and placed into an Excel spreadsheet – 64/129. (Three said yes – but supplied no email address)

List of Organisations Contacted

AA (Automobile Association)
Cheshire and Warrington LEP
Cheshire Constabulary
Cheshire Fire and Rescue Service
Cheshire West and Chester Council
Department for Transport
Halton Borough Council (Cllrs)
Knowsley Metropolitan Borough Council
Liverpool City Council
Liverpool City Region Combined Authority
Mersey Fire and Rescue Service
Merseyside Police Service
North West Ambulance Service
North West Transport Roundtable
North West MPs
Caravan and Motorhome Club
The Camping and Caravanning Club
National Farmers Union
PATROL
RAC
Sefton Metropolitan Borough Council
St Helen's Metropolitan Council
Warrington Borough Council
Wirral Metropolitan Borough Council
Road Haulage Association
Logistics UK (ex FTA)
Disability Equality North West