

ANTI-TOLL protester considers new action

ONE OF the leading anti-toll campaigners is considering going back to court in an attempt to prove the £1 fee on the Forth Road Bridge is illegal.

Tom Minogue, a retired business man from Fife, claims the formal process which led to the creation of the Forth Estuary Transport Authority was flawed.

Mr Minogue, who stood for the National Alliance Against Tolls (NAAT), has already raised a legal action along similar lines.

In 2004, he and fellow campaigner George Campbell tried to take out an injunction to prevent an inquiry into the last toll hike from 80 pence to £1.

The pair argued that because the proper procedure had not been followed in the Scottish Parliament the toll legislation was invalid.

At the time the judge decided that the inquiry should go ahead, but the main issue was never determined.

Mr Minogue said, "The FETA Order 2002 is vitiated (made faulty) by the fact that it did not proceed through Parliament in a proper manner.

"Namely, there was no executive motion for the order.

"There had been an executive motion for an earlier FETA Order, but the order was revoked and withdrawn by the executive."

He added, "The executive, by not having followed the necessary procedures under the terms of the Forth Bridge Act 1958 to extend the 1997 Toll Order, do not have the right to collect tolls."

Mr Minogue said the tolls were a "burden equivalent to taxation" and not something that could therefore be extended under the FETA Order 2002.

The anti-toll campaigners are angry at FETA's proposal to introduce variable charging on the bridge in an attempt to cut congestion. This could see the introduction of a £4 toll at peak periods.



Cones channel traffic during alterations to the Forth Bridge toll booths.

MSPs WILL today decide on the future of congestion charging on Scottish roads—including controversial plans for a £4 peak time toll on the Forth Road Bridge, writes Steve Bargeton, political editor.

Three weeks ago the Holyrood transport committee was due to rubber stamp three statutory instruments which would have given the green light to congestion charging under the 2001 Transport Act.

But because of the political storm raging over the tolls during the Dunfermline and West Fife by-election, MSPs deferred the decision.

If the committee votes down the statutory instruments, it would kill off plans for road charging schemes on the Forth Bridge and anywhere else.

Transport minister Tavish Scott, who delayed his appearance before the committee because of the by-election, is expected to argue for the regulations to be approved.

Last night the Scottish

Voting on congestion charging

Tories called on the other main parties on the transport committee to oppose congestion charging and vote down the three statutory instruments.

"Labour, the Lib Dems and the SNP all voted for congestion charging in 2000," said transport spokesman David Davidson.

"It was these votes that led directly to Edinburgh Council's ill-fated attempt to introduce road tolls and a congestion charge toll proposal of £4 on the Forth Bridge.

"Five years ago, Lib Dems and SNP MSPs argued that the decision to charge higher tolls should rest with local councillors, a position they now seem to have abandoned. Since then, we have been treated to rank hypocrisy, especially from

the Lib Dems who now claim that they are against the price hike but ignore the fact that two of their three councillors on the FETA (Forth Estuary Transport Association) Board voted for the £4 toll.

"We tried to bring this up during the Dunfermline and West Fife by-election as we felt it was an issue of great importance but the Lib Dem transport minister announced he would not be attending the scheduled committee meeting on February 7, two days before the poll."

Mr Davidson said today's vote by the transport committee was a chance for the other parties to "come clean." He added, "The Scottish Conservative position is clear—we oppose congestion charging full stop."

A spokesman for the Scottish Executive said, "This is about the principle of allowing an appropriate road user charging scheme to be implemented when one comes forward. This is not about the proposed FETA charges."