

## Scrap Mersey Tolls Press Release 13 July 2018

### HALTON COUNCIL REFUSE TO REFUND TOLLS AND PENALTIES

Following demands for refund of what were said to be illegal tolls and penalties on the Mersey Gateway crossing, Halton Council have today announced they intend to do nothing. John McGoldrick of Scrap Mersey Tolls said that the announcement was "scandalous".

Today's announcement follows a decision of the Traffic Penalty Tribunal in February that the penalties were unenforceable. Halton Council who are responsible for the crossing asked the Tribunal to review that decision. A review hearing took place on 8th May and on 18th May the Tribunal published the result which confirmed that the penalties were not enforceable. Many people then applied for refund of tolls and penalties and the Council said that they were "reviewing" their position.

The Council now say that "Any suggestion that the Council has no power to charge or enforce tolls or that the Council is acting "illegally" is misleading, inaccurate and wrong in law." They say that they are "under no legal obligation to repay any toll or penalty paid on failing to pay a toll. Consequently, Halton Council will not be repaying any toll or penalty paid on failing to pay a toll."

John McGoldrick of Scrap Mersey Tolls said that "It is clear that the tolls at least up to the 19th April - when the Council rushed through a new charging Order - were not enforceable. It is also likely that the tolls since then have not been enforceable. As a test case I crossed on the 25th April. I received a Penalty Charge Notice and refused to pay it. Merseyflow on behalf of the Council offered not to enforce the notice if I paid them £2. I refused and the Council have taken no further action. If they are so sure of the law then why have they not taken action against me? Is it that they will only bully drivers if they are confident that the driver will not appeal to the Traffic Penalty Tribunal?"

Scrap Mersey Tolls had already planned a "Demand Refunds" protest tomorrow - Saturday 14th - from 9am to 1 pm outside the Merseyflow Offices at Howard Court, Manor Park, RUNCORN, WA7.

The purpose of the protest was to highlight the Council collecting tolls and penalties which have been judged to be unenforceable, and refusing to make refunds. We hope that today's announcement from the Council will encourage more people to join in our protest."

Ends

<http://www.notolls.org.uk/>

<https://www.facebook.com/groups/scrapmerseytolls/>

HBC statement on 13 July-

<http://www.merseygateway.co.uk/2018/07/mersey-gateway-tolls-statement-by-halton-borough-council/>

Traffic Penalty Tribunal statement on 18 May-

<https://www.trafficpenaltytribunal.gov.uk/mersey-gateway-decision/>