

TRAFFIC PENALTY TRIBUNAL DECISION

Hundred of thousands of drivers may have to be reimbursed million of pounds in tolls and penalties following an unprecedented Traffic Penalty Tribunal review hearing decision which confirms that tolls on the new Mersey 'Gateway' bridge are illegal. The Council issued a new Charging Order on the 19th April and the effect of that on Crossings made from the 19th April has not been tested.

The new crossing over the Mersey opened in October last year, there were celebrations and fireworks from the backers of the bridge but a lot of other people were not happy. That was because both the new bridge and the nearby previously free to cross 'Silver Jubilee' bridge were to be tolled unless you lived in the Halton Borough area. Apart from the universal dislike of tolls there was the added problem that instead of toll booths there was a 'cashless' system as was introduced on the Dartford Crossing at the end of 2014.

The problems on the Mersey have been less than at Dartford, but even so the toll collection firm have been issuing fines at the rate of 16,000 a week. When some drivers appealed to the Traffic Penalty Tribunal, the toll collectors did not win a single case. There was a mystery as to why that was happening, and the answer was only revealed recently.

The Traffic Penalty Tribunal released an unprecedented statement on 8th April that disclosed on 16th February an adjudicator had decided that a penalty was not payable as there had been 'procedural improprieties'. In effect this meant that the penalties and tolls were not enforceable.

The Tribunal decision followed an appeal made by 'Miss C' against a penalty issued in November for not paying a toll. The Council responsible for the crossing is Halton Borough and they issued a statement saying that it was "business as usual on Mersey Gateway and motorists should continue to pay tolls."

The Council asked the Tribunal to review their decision and the Tribunal met on Tuesday 8th May at Halton. The decision has been released today and it confirms that the tolls are not enforceable. It is difficult to see how Halton Council can avoid repaying the millions that it has collected in tolls and penalties, as other wise they may face an even bigger bill if thousands of drivers and businesses take them to court.

John McGoldrick for the Scrap Mersey Tolls campaign said "The Council knew three months ago that their tolls were probably not enforceable, yet not only did they continue to collect the tolls they also continued to send out penalty notices at the rate of about 16,000 a week. The Council should immediately refund all the money that it has taken from about seven million tolls and 350,000 penalties up to the 19th April. This fiasco demonstrates what a bad system tolling is and we hope that the Government will decide to remove the tolls completely."

Ends

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

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

Traffic Penalty Tribunal statement on 18 May-

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

Halton Council statement on 18 May-

<http://www.merseygateway.co.uk/2018/05/mgcb-statement-in-response-to-traffic-penalty-tribunals-decision-on-review-hearing-that-took-place-on-8th-may/>