

Scrap Mersey Tolls - Note for Press 11 March 2019

TRAFFIC PENALTY TRIBUNAL DECISION EXPECTED SOON ON MERSEY GATEWAY TOLL PENALTIES

A decision is expected soon on whether the toll penalties on the Mersey Gateway are enforceable or not. Scrap Mersey Tolls does not know what the decision will be but we will give our comments as soon as we hear.

Last year following an appeal by a Miss C the Traffic Penalty Tribunal ruled that the tolls on the Mersey Gateway were not enforceable as Halton Council had failed to specify the tolls in their 2017 Tolls Order. The Council made a new Order in April 2018 but there have been claims that the toll penalties are still not enforceable because of sundry 'procedural improprieties'.

Since the April 2018 Order was made there have been about 750,000 new penalties issued by Merseyflow. Some drivers contested the penalties and went as far as appealing to the Tribunal. Scrap Mersey Tolls believe that the earliest appeals following the making of the new Order reached the Tribunal last June. The vast majority of appeals have been settled and in no case has the driver had to pay the penalty. But a number of appeals have been on hold for up to eight months while the Tribunal has considered one, possibly more, test cases. There will only be one to two hundred appellants directly affected by the test cases, but the decision may affect all those who currently are required to pay the tolls and penalties.

Last year the ruling that the tolls were not enforceable was made on 16th February, 2018 but not made public till 9th April. This time it is expected that the decision will quickly be made public.

A review of the February 2018 decision was requested by Halton Council. The review hearing took place on the 8th May and the Tribunal announced on the 18th May that the review had confirmed the decision that the toll penalties were not enforceable for the period up to 18th April 2018. There were demands for refunds but it was announced on 13th July 2018 that Halton Council thought that what they were doing was legal and they refused to refund any money. It is expected that if the new ruling goes against the Council that they will again ignore it.

TPT announcement on 18 May 2018 -

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

Mersey Gateway Crossings Board Ltd announcement on 13 July 2018 -

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

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

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