

APPENDIX 1 – RECORD OF ENGAGEMENT WITH STAKEHOLDERS

Date	Format	Parties
9 th November 2013	Letter	Warburton Parish Council → MSCC
10 th February 2014	Letter	Warburton Parish Council → MSCC
February 2016	Letter	Barbara Keeley MP → MSCC
29 th March 2016	Letter	Barbara Keeley MP → MSCC
29 th June 2016	Letter	David Mowat MP → MSCC
6 th July 2016	Letter	MSCC → David Mowat MP
12 th July 2016	Letter	Warrington Borough Council → MSCC
28 th July 2016	Letter	MSCC → Warrington Borough Council
23 rd August 2016	Letter	Trafford Council → MSCC
20 th September 2016	Letter	Warburton Parish Council → MSCC
5 th December 2016	Letter	MSCC → Warrington Borough Council
3 rd April 2017	Letter	Warrington Borough Council → MSCC
7 th November 2017	Letter	Kate Green MP → MSCC
28 th November 2017	Letter	MSCC → Kate Green MP
20 th December 2017	Letter	Graham Brady MP → MSCC
28 th December 2017	Letter	MSCC → Warburton Parish Council
29 th December 2017	Letter	Warburton Parish Council → MSCC
23 rd January 2018	Meeting	Trafford/Warrington Councils Warburton Parish Council Action Group
13 th February 2018	Meeting	Warburton Parish Council Action Group
28 th March 2018	Letter	Graham Brady MP → MSCC
9 th April 2018	Meeting	Trafford Council
17 th April 2018	Meeting	Trafford/Warrington Councils

Date	Format	Parties
		Warburton Parish Council Action Group
9 th May 2018	Letter	MSCC → Graham Brady MP
24 th May 2018	Meeting	Trafford Council
24 th May 2018	Letter	Barbara Keeley MP → MSCC
1 st June 2018	Letter	MSCC → Barbara Keeley MP
21 st August 2018	Meeting	Trafford/Warrington Councils
5 th November 2018	Meeting	Trafford/Warrington Councils
13 th January 2020	Meeting	Trafford/Warrington Councils Warburton Parish Council Action Group
4 th November 2020	Video conference	Trafford/Warrington Councils
11 th November 2020	Video conference	Warrington Borough Council
12 th November 2020	Letter	Warrington Borough Council → MSCC
19 th November 2020	Letter	MSCC → Warrington Borough Council
20 th November 2020	Letter	Trafford Council → MSCC
25 th November 2020	Letter	Warrington Borough Council → MSCC
25 th November 2020	Letter	MSCC → Trafford Council
3 rd February 2021	Video conference	Trafford/Warrington Councils
15 th March 2021	Video conference	Trafford/Warrington Councils
7 th July 2021	Video conference	Trafford/Warrington Councils
24 th July 2021	Letter	Glazebrook Parish Council → MSCC
9 th August 2021	Letter	Lymm Parish Council → MSCC
18 th August 2021	Letter	Trafford Council → MSCC
19 th August 2021	Letter	Charlotte Nichols MP → MSCC

Date	Format	Parties
20 th August 2021	Letter	Warrington Borough Council → MSCC
20 th September 2021	Letter	Graham Brady MP → MSCC
4 th October 2021	Video conference	Lymm & Warburton Parish Councils
12 th October 2021	Letter	MSCC → Graham Brady MP

APPENDIX 2 – SUSTAINABLE INVESTMENT PLAN



Warburton

— Toll Bridge —

Rixton & Warburton Toll Bridge

Sustainable Investment Plan

The Manchester Ship Canal Company Ltd



	Toll Charge B 5159 Warburton Bridge
Single journey	
All day pass	
Annual pass available online www.warburtontollbridge.co.uk	

July 2021

Over 150 Years of History

The existence of a toll bridge crossing the River Mersey in Warburton dates back to 1863 when the construction of the bridge and turnpike roads were authorised by the Rixton & Warburton Bridge Act 1863 and included the levying of the tolls. That original stone bridge spanned the River Mersey.

In 1885, Parliament passed the Manchester Ship Canal Act authorising the construction of the canal, which was inaugurated in 1894. As a result, the River Mersey was diverted and its course dried up. Subsequent legislation provided for the diversion of the toll bridge to a new high-level bridge over the canal.

Looking to the Future

We are now seeking to take the bridge undertaking into the 21st century in a financially sustainable manner with a new business plan, while addressing the concerns raised by customers and the local community, recognising that the bridge, approach roads, and toll collection system, are in need of a significant upgrade.

We also need appropriate powers to restrict unsuitable vehicles and enforce such restrictions to improve the protection of the bridge in the future and ensure secure, safe navigation of the Manchester Ship Canal.

The different elements of the plan are integral to each other and it is proposed that they are promoted together under the Transport and Works Act 1992 in a form of statutory instrument called a Transport and Works Act Order (TWAO).

While we are currently in discussion with the relevant government department to progress our proposals, we wish to continue working collaboratively with Warrington Borough Council, Trafford Borough Council, and all other relevant stakeholders during this process.

As part of that ongoing process of collaborative working, which currently includes a Memorandum of Understanding with Warrington Borough Council that covers lifting tolls if there are problems with the M6, and cessation of toll collection during Sale Sharks rugby team home games, we have prepared this consultation brochure of our proposed Sustainable Investment Plan for the Rixton & Warburton Toll Bridge.

We are now seeking initial feedback over the next month for our proposals from stakeholders ahead of starting the formal statutory process for the required authorisations. We provide details at the end of this document on how such feedback can be provided.



Sustainable Investment Plan

We have developed the Sustainable Investment Plan, with independent support and input from various parties on future costs and revenues, through the following steps:

- Assess the current situation and outline a plan going forward in a financially sustainable manner.
- Identify the steps required for delivering the plan, including indicative cost programs for refurbishment and maintenance, along with proposals for toll collection in the future.
- Calculate the implications of this plan on the future toll level required, and how such requirements would fit within the principles of the legislation that currently covers toll increases.
- Balance the various capital and operational costs with the likely toll level required to fund then and obtain a preferred balance between the two.



Current State of Affairs

The original 1863 Act authorising the levying of tolls “over, along, or upon the Bridge and Roads, or any of them, or any Part thereof respectively” identified the maximum one way toll at 12.5p (i.e. two and a half old shillings). However, as 0.5p coins no longer exist the toll for a single trip is currently set at 12p, with 20% VAT, this means only 10p per trip actually goes to the operation of the bridge.

To date we have endeavoured to operate within the constraint of 10p per trip. To our knowledge we are the only private toll facility in England that has never asked for a toll increase since its original founding legislation so there has been no uplift in 158 years.

Current traffic levels give us less than £250,000 revenue per annum once VAT is removed and before deduction of operating costs. It is increasingly clear that the small surplus has meant the bridge, approach roads, and toll collection system have deteriorated to the point where major refurbishment costing many millions of pounds is needed.

The bridge also needs more robust protection to deter overweight vehicles so that any refurbishment delivers the anticipated benefits for the expected lifetime.

No Action is No Longer an Option

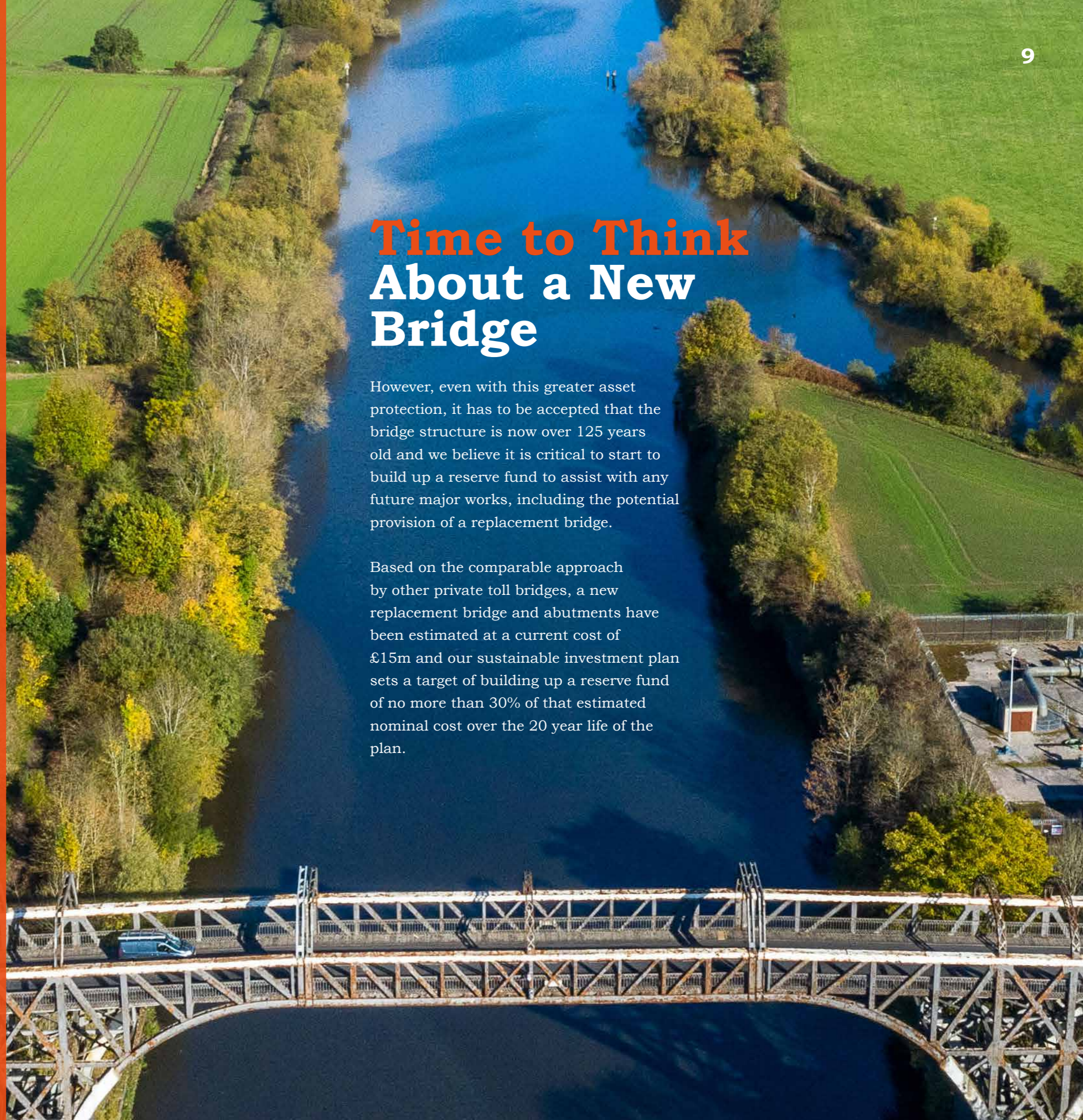
We acknowledge that something now needs to be done, not only to remedy these issues, but to ensure a sustainable financial footing going forward. To achieve this, an upgrade strategy has been developed to include the following:

- Funding a major capital investment program in the bridge to reverse the physical decline and investigate allowing a weight limit of 7.5t, although general access by vehicles would still be limited to under 3t. Only a small number of vehicles between 3t and 7.5t that are of social value, such as the emergency services or buses, would be allowed.
- Upgrade the approach roads, in terms of the vehicle running surface. These will then be maintained going forward on a more consistent basis. This will address one of the major concerns of current customers, namely vehicle damage from potholes. We also hope these improvements will encourage more sustainable travel such as walking and cycling.
- Assess options to allow us to control vehicle access more directly in terms of weight, height, width, and their speed, as well obtaining powers so that we can enforce such restrictions.

Time to Think About a New Bridge

However, even with this greater asset protection, it has to be accepted that the bridge structure is now over 125 years old and we believe it is critical to start to build up a reserve fund to assist with any future major works, including the potential provision of a replacement bridge.

Based on the comparable approach by other private toll bridges, a new replacement bridge and abutments have been estimated at a current cost of £15m and our sustainable investment plan sets a target of building up a reserve fund of no more than 30% of that estimated nominal cost over the 20 year life of the plan.

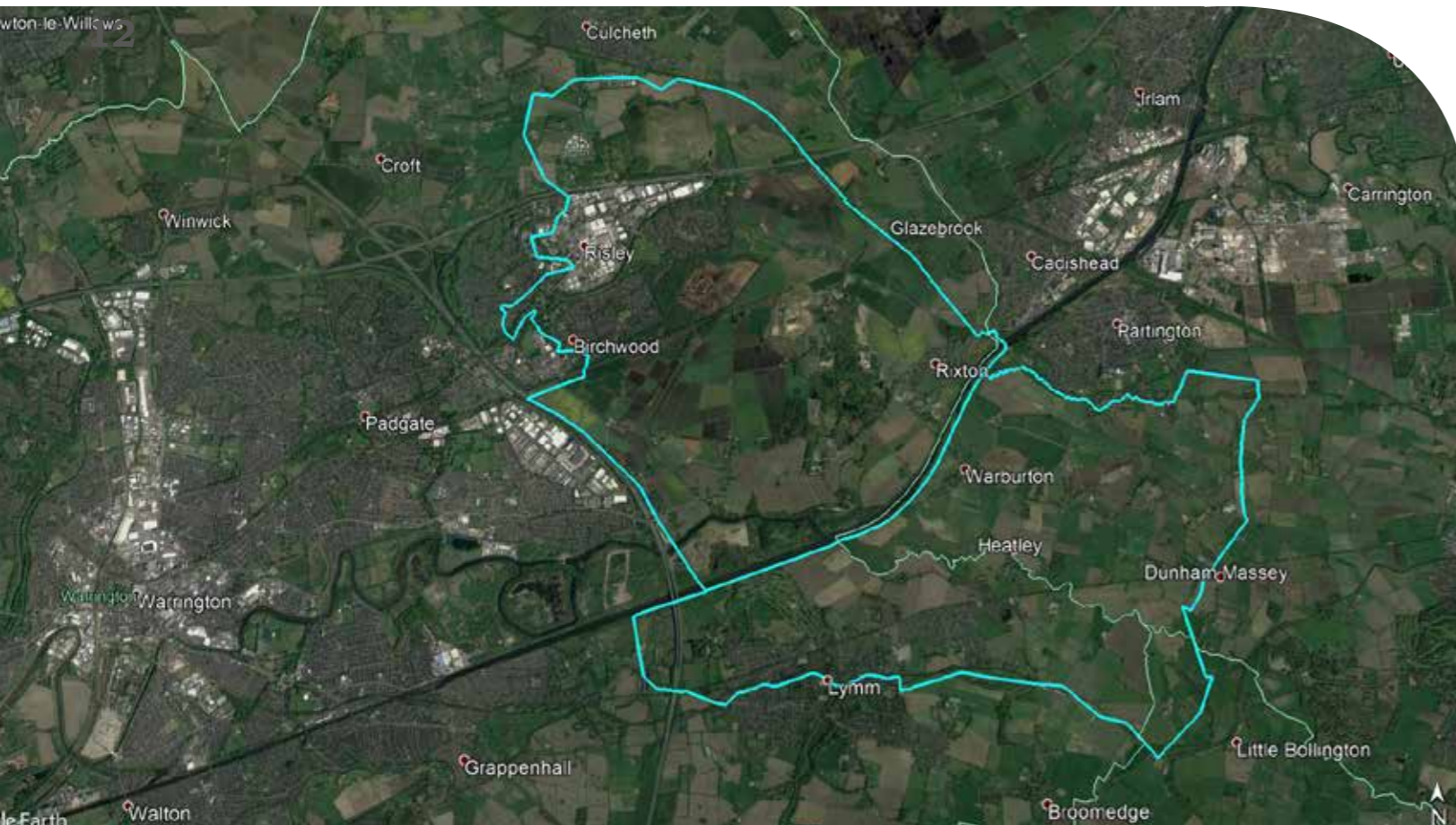


Time To Address Delays During Toll Collection

We are aware that a major concern of customers is the build-up of queues at the toll barrier particularly during peak periods. This arises because there is also only one lane per direction, with cash collection only, so even the smallest issue or delay in paying can quickly result in a queue. This also has implications for access to, and air quality in the village of Warburton at those times. The ongoing pandemic has also called into question the safety of, and precautions required, in the physical passing across of coins and notes.

We therefore propose, as part of the upgrade programme, to improve the toll collection system to address this issue by harnessing technology for free-flow tolling. This would remove the need for any toll collection booth, and hence any delay. We will consider whether interoperability with other Mersey Crossing toll facilities is possible, and as part of the statutory application we will be seeking powers to both set and enforce free flow tolls.





The Impact On The Level of The Toll

Even if every single penny of the tolls collected were directed to funding the refurbishment costs without considering any operating or maintenance costs, there is still a very large gap between the budget cap we have set for the refurbishment works (circa. £6.5m) and the revenues of less than £250,000 (excluding VAT) a year.

Revenues raised from a net toll of 10p a trip simply cannot fund an investment program of this scale. Tolls will therefore need to be increased significantly.

Our sustainable investment plan therefore includes us seeking permission to increase the toll to up to £1.00 (Inc. VAT at the current rate of 20%) per trip, and to index this to a yearly increase of inflation minus 1%. For residents of the defined local geographical area above (Postcodes WA3 6 and WA13 9) we can consider a local customer discount, which we would aim to set at around 50% (i.e. 50p including VAT at the current rate of 20%).

This level of toll can be contrasted with the two other tolled Mersey Crossings in the region which have headline tolls (i.e. without discounts and exemptions) for cars of £1.80 (Mersey Tunnels) and £2.00 (Mersey Gateway).

The Business Case

In order to support the economic case for this investment, a cash flow business model was developed. This considered the financial position of the Bridge pre-COVID, the likely impacts on traffic in a post-COVID environment, and calculates future projections of finances relating to the upgrade works.

It then allows one to calculate the increase in the toll needed to cover future projections in capital, operating, and financing costs, as well as the size of any reserved fund.

The refurbishment costs for the upgrade program, along with setting up a back office management system for free-flow tolling operation are estimated in total to be circa. £6.5m.

The physical works are extensive and will impact on the level of service received by customers. Consequently, we are proposing that during these periods of work the toll will be suspended. This could be for as long as one year.

In order to fund and finance this investment, pay it off every 20 years so that we are ready to fund the next refurbishment package, and create a reserve fund for a new bridge, there is a need to set the potential toll level to an appropriate level.

Sensitivity testing of the business plan indicates that the headline toll of £1 (Inc. VAT at the current rate of 20%) should be adequate to insure the refurbishment of the bridge under a range of different traffic and financing scenarios, although in the worst case the reserved fund for the new bridge may not be as large as desired. These sensitivity tests also indicate the headline toll could be set lower, or more discounts given, if the outturn traffic and financing costs are better than anticipated.

The new toll levels would only apply once the upgrade works are completed, and would be accompanied by exemptions in line with those currently offered, with discounts for high frequency use, similar in principle to those available today as well as an additional reduced toll for residents of the defined local discount postcode area.



Frequently Asked Questions

We have listed below some frequently asked questions, along with our answer.

Q1 – Can the Local Highway Authorities take responsibility for the bridge and remove the toll?

A1 – The cost of refurbishing and then maintaining the bridge and loss of toll revenue would be considerable and both Trafford and Warrington Councils have confirmed that they cannot even consider taking on those additional significant financial liabilities without additional support from central Government and/or increases in Council Tax.

Q2 – What is the Government’s policy on private toll facilities such as the Rixton & Warburton Toll Bridge?

A2 – We believe the last policy statement on this topic was made by the then Parliamentary Under-Secretary for the Department for Transport (Jesse Norman MP) as a response to a Parliamentary Question in February 2018 by Helen Jones MP (Warrington North).

The question was as to whether the Secretary of State for Transport would “make it his policy to bring forward legislative proposals to repeal charges

on toll bridges established under 19th Century Acts of Parliament”. The reply was “These toll bridges are privately owned and operated. The operation and management of these privately owned crossings are a matter for the respective individual companies and Government has no plans to repeal the legislation in respect of these charges”.

Q3 – Is there a Rixton & Warburton Toll Bridge Company

A3 – At present there is not, with all costs and revenues appearing in our wider company accounts (although management accounts do identify many of the costs and all the revenues related to the Bridge). However, in the future we will establish a new bridge company as part of the proposed TWAO, to deliver the future management and operations of the Bridge.

The creation of a new company does not change our commitment to the Bridge as its maintenance and safe operation is needed to ensure that the future secure and safe operation of the Manchester Ship Canal as a Statutory Harbour Authority is not put at risk. This company will have its own statutory accounts which will be published. As such, there will be more public transparency in terms of the income and expenditure relating to the Bridge.

Q4 – Will the toll always be set to the maximum level allowed?

A4 – No, the toll will be set at a level which achieves the objective of the safe efficient and economic management, operation, and maintenance of the Bridge, including making a contribution to a reserve fund. These principles are set out in the TWAO and follow the spirit of the Transport Charges (Miscellaneous Provisions) Act 1954. This means the toll could be lower than the maximum level, although it cannot exceed the maximum.

Q5 - Will I have to pay the full toll for every trip across the Bridge?

A5 – No, as with the current toll rates, we anticipate at least two discounts. Assuming the toll for a single trip is up to £1.00 (Inc.VAT at the current rate of 20%), we will cap any daily tolls to the total for two trips or £2.00 (Inc.VAT at the current rate of 20%) (similar to the current 25p all day ticket). With free flow tolling we anticipate this being done automatically. We will also offer a yearly pass, as we do now, that would allow unlimited crossings at a price to be agreed.

Should the upgrade costs be noticeably lower, and/or traffic levels higher, than expected, a lower toll and larger discounts could be considered.

Q6 – Have discounts for local residents based on where they live been considered?

A6 – Geographical discount schemes and their administration add to operating costs when compared to other discounts based on things such as frequency. Also, the larger the discount area, the higher the headline toll for other customers has to be, to ensure adequate total revenues are raised. Despite this, and to address valid concerns of very local residents on affordability, while keeping the toll for other customers as low as possible, we are considering allowing those residing within two local postcodes (WA3 6 and WA13 9), upon provision of proof that the vehicle is registered at an address in this area, to provide a discount on all trips. We believe around 30% of trips using the bridge each day are from this area. So, as an example, if the headline toll was £1 (Inc. VAT at the current rate of 20%) and a 50% discount were offered, the toll for these local customers would be reduced toll to 50p (Inc. VAT at the current rate of 20%), and it would still be capped for multiple trips at £1.00p (Inc. VAT at the current rate of 20%). The precise level of discount may need to be adjusted depending on future traffic levels, but the business case analysis indicates a 50% discount should be sustainable. Alternatively, if no local discount were to be offered we believe the headline toll could be reduced by around 20% for all users.

Q7 – Will any vehicles be exempt from the toll?

A7 – Yes, we will maintain an official register of exemptions that will list out those vehicles exempt from the toll. With free flow tolling it is likely some of those seeking exemption will need to pre-register and there may need to be minor changes to reflect how the technology works. While this will be regularly reviewed, at present the plan assumes the same exemptions as currently apply. Exemption from paying the toll would therefore apply, amongst others, to pedestrians, cyclists, motorcycles, emergency services (ambulances, fire engines and police), public transport vehicles, and the armed forces. The current list of exemptions can be found on the bridge website under “terms and conditions”.

Q8 – How frequently will the toll change?

A8 – Tolls will change no more than once a year. The level of toll will be reviewed at the start of each year, with the change in toll occurring at the start of April. Any change will be externally publicised. The exemptions register will also be reviewed and updated at that time. However, tolls will not automatically be increased, and the changes once a year could also include variations in the type or level of discounts.

Q9 – How much disruption will there be when the Bridge refurbishment starts?

A9 – The precise timing and nature of the disruption during the refurbishment will only be known once we have appointed a contractor to undertake the work. However, unfortunately, based on our experience with other similar structures across the canal, we believe it will be necessary to go to one way working for a significant period of time, and possibly as long as one year.

We appreciate this will result in significant disruption to Bridge customers and therefore do not propose collecting the toll during these periods. Further, any new toll rate will not be introduced until all the works are completed.

Q10 – Will the refurbishment of the Bridge mean a lot more trucks using the Bridge?

A10 – No, as we will still limit general traffic to a maximum of 3t, as occurs now. We will allow buses and other socially valuable vehicles up to 7.5t to use the bridge, but these will be an exception, and we anticipate these will be very small in number. Further, we intend to investigate additional physical measures, along with increased enforcement powers, to ensure overweight vehicles do not use the bridge in the future.

Q11 – With the introduction of free flow tolling, will I need a TAG or other device in my car, or open an online account, before I can use the Bridge?

A11 – We are still investigating the various technology options for introducing free flow tolling, including interoperability with other local toll facilities, but our choice will be guided by our desire to keep costs (and therefore the level of toll) as low as possible, while still providing an easy to use and accessible system for our customers. However, it is likely some in vehicle device or on line account will be required, especially for accessing any discounts.

Q12 – What will happen with free flow tolling if drivers use the Bridge accidentally without paying or do not have the necessary TAG or account?

A12 – We will be obtaining enforcement powers to allow us to pursue non-payment of tolls, and where appropriate, levy additional fees and penalties. However, we also believe people should be provided with adequate time to rectify any non payment before we class them as in breach. We therefore anticipate a grace period following a non-payment trip before classing a trip as a breach.

Q13 – What are the next steps and when is all this going to happen?

A13 – Following receipt and consideration of feedback on our current proposals, we will finalise our plans, and submit an application for a TWAO to the Department of Transport (DfT). At present we believe this will be within the next 6 months.

What happens after that is dependent upon the DfT, and the recovery from Covid-19 restrictions. However, we currently anticipate that the Secretary of State’s decision in respect of the TWAO would be given by the end of 2022 at the latest and if the TWAO is granted would allow the refurbishment to commence in 2023.

Q14 – What will happen if VAT is increased higher than 20%?

A14 – The toll will increase to protect the net revenue position.

How to Respond

We are now inviting written feedback and comment on our proposed Sustainable Investment Plan as outlined in this consultation brochure.

This consultation phase is non-statutory and there will be formal consultation with the prescribed consultees as part of the Transport and Works Act Order (TWAO) procedure in due course.

Formal responses can be submitted no later than 20 August 2021 to the following email address:
warburtontollbridge@peelports.com

Further information is also available from our dedicated website:
<https://www.warburtontollbridge.co.uk/>

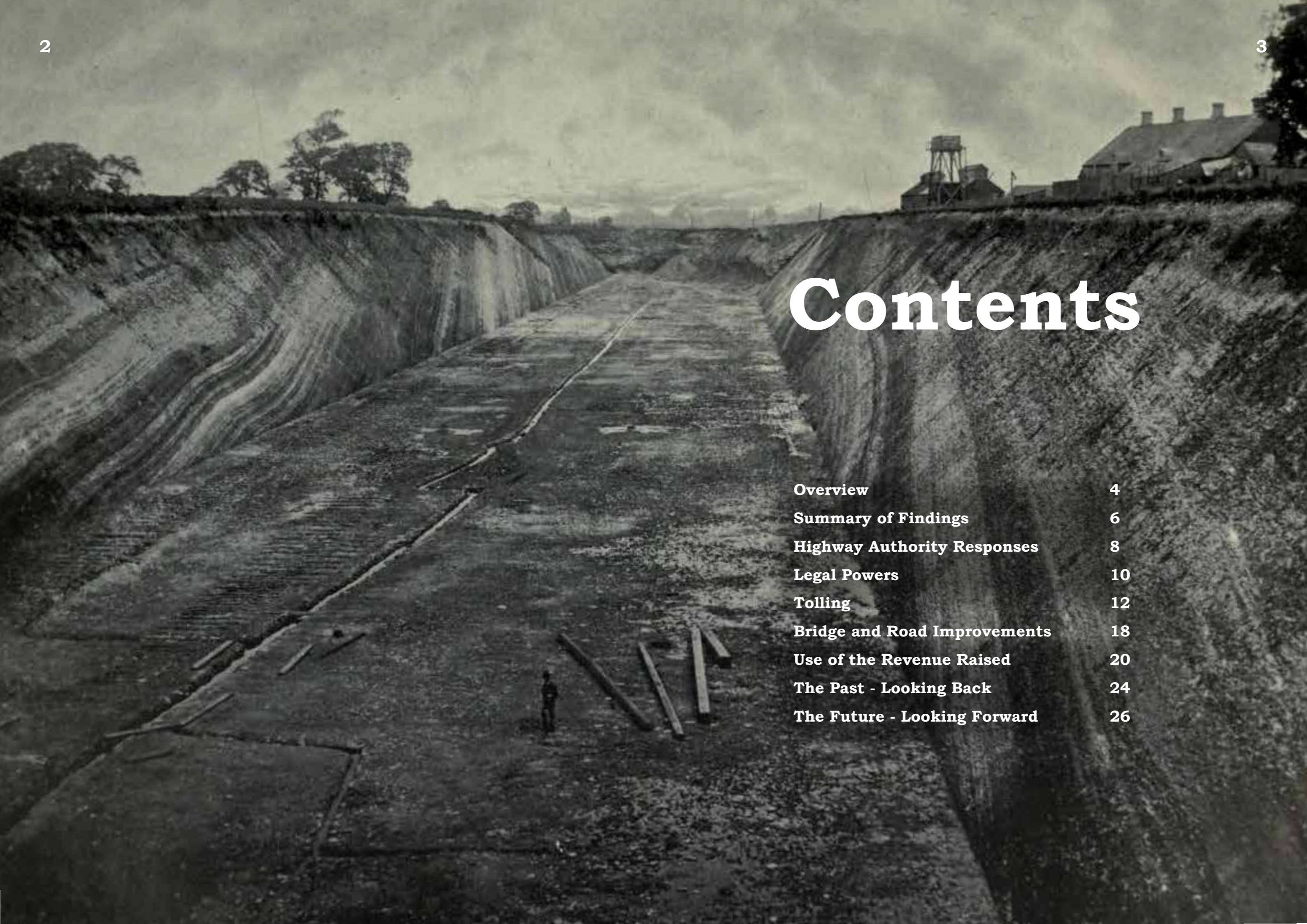
Indicative Timeline

	Months					
Where we are now	July					
Non-Statutory Consultation		1 Month				
Consultation Feedback Analysis			1 Month			
TWAO Process				Up to 18 Months		
Design and Tendering					6 Months	
Physical Works						Up to 12 Months

APPENDIX 3 – CONSULTATION FEEDBACK REPORT

Rixton & Warburton Toll Bridge

Consultation Feedback Report



Contents

Overview	4
Summary of Findings	6
Highway Authority Responses	8
Legal Powers	10
Tolling	12
Bridge and Road Improvements	18
Use of the Revenue Raised	20
The Past - Looking Back	24
The Future - Looking Forward	26

Overview

The Manchester Ship Canal Company (MSCCo) is proposing to upgrade the Rixton & Warburton Toll Bridge, approach roads and toll collection system, in line with customer and local concerns and to ensure a sustainable financial future for this important part of the local highway network. These proposals are set out in the Sustainable Investment Plan (the Plan) which was published in July 2021 and consulted on with the stakeholders as part of non-statutory consultation in July and August 2021.

The Plan sets out to

- Improve the physical condition of the bridge but retain a 3t weight limit for general traffic
- Allow a weight limit of up to 7.5t for a small number of socially important vehicles
- Upgrade the running surface of the approach roads
- Improve access for pedestrians and cyclists
- Control heavy and high vehicle access more directly to protect the bridge
- Control vehicle speeds to improve safety
- Remove the toll barrier and upgrade the toll collection system to free flow
- Establish a toll bridge company to set future tolls at the level needed to meet defined objectives and improve financial transparency
- Once improvements are completed, increase the one-way trip toll to a maximum of £1 (incl VAT)
- Allow tolls to then increase over time at a maximum of 1% below inflation on an annual basis
- Offer a 50% local user discount, an annual season ticket, and cap other user tolls at two trips per day
- Build up a reserve fund for a possible replacement bridge in the future
- Protect navigation on the Manchester Ship Canal from bridge related incidents

Summary of Findings

In July and August 2021, a non-statutory consultation was undertaken on the Plan to obtain feedback from stakeholders.

A total of 83 responses were received, with Table 1-1 broadly identifying the groups represented.

To put this number in context, in September 2019, just under 9,000 vehicles per day crossed the bridge in both directions, and assuming each vehicle used the bridge twice, this would suggest there were just under 4,500 users of the bridge each day before the Covid-19 Pandemic, equating to a response rate of 1.8%

Table 1-1 Distribution of Stakeholder Responses by Group

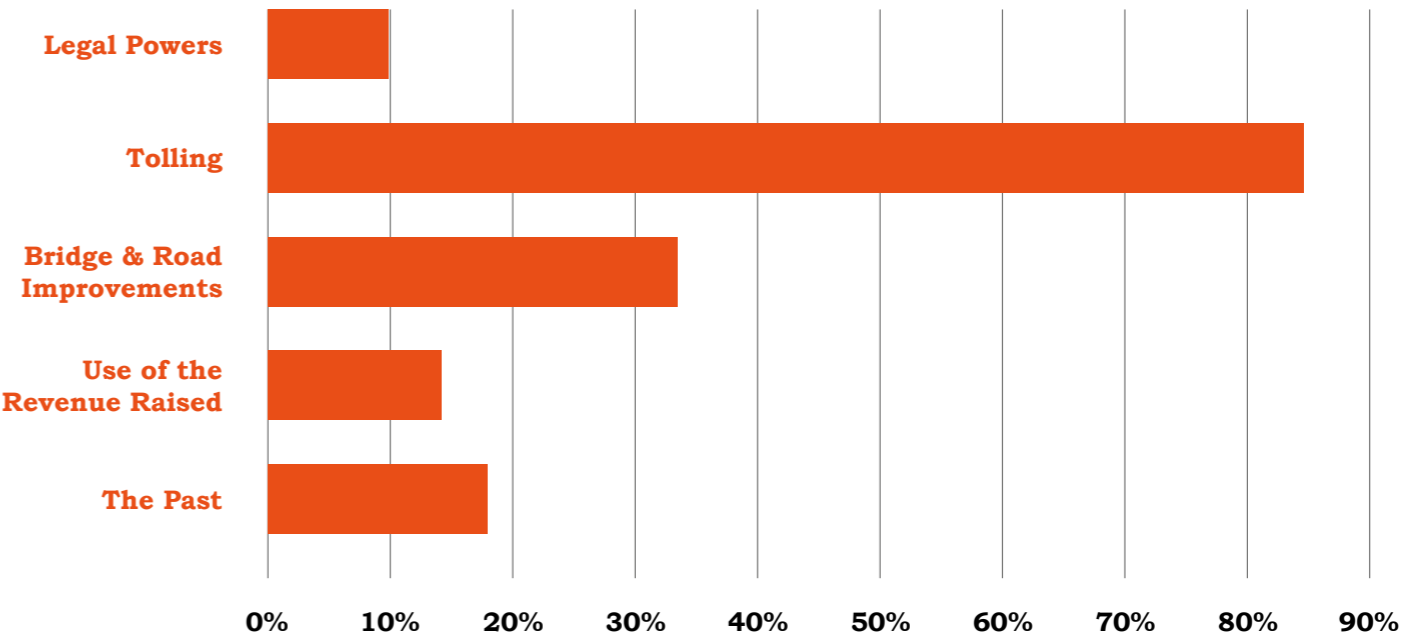
Group	Number of responses
Local Council / Highway Authority	2
Parish Council	2
Councillors	3
Member of Parliament	1
Local Businesses & Societies	3
General Public	72

Having reviewed the responses, we have categorised them into five overarching themes:

- Legal powers
- Tolling
- Bridge and road improvements
- Use of revenues raised
- The past

Table 1-2 below shows the proportion of responses mentioning each of the key themes. Note that in total, these exceed 100% as some respondents addressed more than one theme. In the following sections, we then distil the various detailed comments into more general themes that address in principle the different issues raised.

Table 1-2 Proportion of Responses Categorised by Theme



Highway Authority Responses

Trafford Council and Warrington Council are the Highways Authorities on either side of the bridge. They are not, however, responsible for the Rixton & Warburton Toll Bridge, which falls to MSCCo.

Both Councils responded to this non-statutory consultation. Their responses are summarised in Table below:

Theme	Trafford Council	Warrington Council
Tolling	<p>Supports the proposal for toll discounts for local residents, as well as annual passes. Request that both Warburton and Partington Parishes be included within the geographical discount area.</p> <p>Supports the exemption of specific vehicles, including emergency service vehicles, public transport, cyclists and motorcyclists.</p> <p>Suggests additional considerations should be made to enhance the Toll Bridge’s sustainability impact, through reductions in congestion, leading to improved air quality in the region and alignment with Trafford/Greater Manchester’s Transport Strategy 2040.</p>	<p>Welcomes plans for toll discounts for local residents and high frequency users.</p> <p>Believes free flow tolling will greatly reduce delays and congestion and thus improve air quality as a consequence.</p>
Bridge and Road Improvements	<p>Notes a sustainable future for the bridge is key due to its importance as a local highway and active travel route connecting Trafford/Greater Manchester and Warrington</p>	<p>Supports proposals for bridge and approach road improvements, as well as free flow tolling.</p> <p>Is also supportive of strengthening the bridge to allow buses to travel over it.</p>
Use of Revenue Raised		<p>Opposes the scale of the toll increase and believes the improvements should not be financed from an increase in tolls.</p>

The Councils are in broad agreement with the proposed improvements to the bridge and surrounding roads. Free flow tolling will improve congestion in the area and ultimately improve local air quality. Continued discussions will be had with the Councils to continue the collaborative working to date on the proposals.

Warrington Council states they are strongly opposed to the toll being increased by the extent proposed and would be keen to find an alternative funding source for the refurbishments.

MSCCo are happy to explore alternative funding sources with Warrington Council and Trafford Council, including lobbying for the removal of VAT. However, given the scale of the costs to undertake the improvements, and without alternative funding sources, a significant toll increase is considered the only option to ensure long term financial sustainability. It should also be stressed that the toll will not be automatically set at £1 (or indeed any other value), but will be set each year by the new bridge company to meet the agreed objectives.



Legal Powers

Introduction

Responses falling under the legal powers theme often referred to the Rixton and Warburton Bridge Act 1863 (the 1863 Act) that originally allowed for the levying of tolls. A frequent request is in relation to the statutory authorisation required in order to conduct any upgrades or changes. Additionally, many refer to the law as being outdated. Responses relating to Legal Powers make up only 10% of the overall responses collected and have been summarised in the comments below.

Comment and Response

As an Act of Parliament governs this toll, how can the toll be increased without the permission of Parliament?

The increase of the toll charges on the Rixton & Warburton Toll Bridge does require statutory authorisation which is why MSCCo are proposing to apply for an order under the Transport and Works Act 1992 (TWA0).

The increase of toll charges is generally governed by section 6(2) of the Transport Charges (Miscellaneous Provisions) Act 1954 (the 1954 Act). This permits the submission of an application to the Secretary of State for Transport at any time to revise the toll charges. However, to deliver all the elements of the Plan, including free flow tolling, greater restrictions on heavy and high vehicles which should not use the bridge, and improved safety through speed restrictions, we need to pursue a TWA0.

This will also be submitted to the Secretary of State for Transport. In both cases a public inquiry to examine the proposals would be anticipated.

Will data provided to obtain a toll pass or pay the toll electronically be protected?

Data security would be taken very seriously and protected in line with industry best practice and all relevant legislation, including the Data Protection Act 2018 and General Data Protection Regulations (GDPR).

How will the laws, particularly related to display and disclosure, be complied with?

The signage on the road with regard to the toll will be in accordance with design standards and agreed with the highway authorities. Toll rates will also be advertised on the bridge website, and any changes in tolls will follow the rules for notices on toll changes outlined in the proposed TWA0. These will include where such changes need to be published, and the period of notice for any change.

How will the responses to this non-statutory consultation, and any later statutory consultation, be used?

The responses to this non-statutory consultation will now be used by MSCCo to refine and optimise the proposals. This report, along with the comments that arise from the later statutory consultation, will

be submitted as part of the TWA0 to the Secretary of State for Transport.

Acts of Parliament imply that the toll can only fund the original Stone Bridge and not the current High-Level Bridge, so this later bridge should be funded from other sources than tolls.

The Manchester Ship Canal (Various Powers) Act 1890 (the 1890 Act) authorised the diversion of the existing Rixton and Warburton Road and construction of the replacement bridge road and the replacement Rixton & Warburton Bridge. The same Act provided for the diversion to be substituted for the existing road (which included the Bridge) within the Rixton and Warburton Bridge Company undertaking, including in respect of the levying of tolls, and for that undertaking to be part of MSCCo's undertaking. This included the power to levy tolls in respect of those parts of the undertaking.

Tolling

Introduction

Tolling was the focus for 84% of responses, making it the dominant theme. The responses grouped into this theme focus on the toll charge itself, possible discount schemes, as well as the method of tolling. Although the majority of responses were opposed to increasing the toll charge to a maximum of £1 (inc. VAT), others were accepting of a smaller increase in charge. Those that agreed with the increase cited the benefits of the infrastructure investment, which would include better regulation of the toll and reduced congestion through automatic collection.

Comment and Response

Why does there need to be a toll at all?

The toll finances the operation and maintenance of the bridge and so without it, the bridge risks closure. Closure of the bridge would likely cause greater congestion on alternative routes and longer journey times. MSCCo are happy to explore alternative funding sources but at this stage, none have yet been identified.

Can the Councils acquire the Bridge and the tolls be removed?

Both Trafford and Warrington Councils have confirmed that they cannot afford to take on the Rixton & Warburton Toll Bridge, due to the costs of refurbishment and maintenance associated with the bridge. If they were to take on this financial liability, they would likely require additional support from central Government and/or increases in Council Tax.



Tolling

How will paying the toll be accessible to those without a computer or smartphone or who lack the skills to use such devices?

The technology options for free flow tolling are still being investigated. However, other free flow toll facilities, such as the Mersey Gateway, include options for payment that do not require such equipment or skills, such as payment over the phone and payment at “payzone” outlets. We will explore these same principles of good practise to ensure there is a similar alternative or alternatives for payment.

For regular users the toll will substantially increase monthly/annual outgoings making the cost of travel unaffordable.

The new bridge company will set the toll level to meet the agreed objectives and will endeavour to keep them as low as possible. However, the cost of the improvement works is estimated to be very large and therefore a noticeably higher toll is now required. Should the upgrade costs of the Plan be noticeably lower and/or traffic levels higher than expected, a lower toll will be adopted. Further, we will offer a range of different discounts for regular users, including the local discount, the annual pass, and the cap per day of two trips (irrespective of how often the bridge is crossed). We also believe, with

current petrol prices of over £1.30 per litre, the toll to use the bridge, while higher than the current level, still offers users significant benefits when compared to an alternative diversionary route. Finally, we are informing users of our intentions now, but the actual new toll will not be implemented until Q4 2024 at the earliest, so users have time to plan alternatives should they no longer wish to use the bridge at the higher toll.

Which areas will benefit from ‘local discounts’ and what constitutes a ‘regular user’?

As outlined in the Plan, two local postcodes are being considered for local discounts. These are WA3 6 and WA13 9, where those residents will likely receive a 50% discount on the toll rate. This has been based on user analysis and the impacts to revenues that discounts have on funding the improvements.

Annual passes will also be offered to anyone who wishes to purchase one. It will allow pass holders to make unlimited number of trips across the bridge at a price that is still yet to be determined. Additional discounts have not been considered at this stage, but a review of the discount policy would be undertaken every year. However, it should be remembered that a discount to one user or

community means a higher toll for others.

The higher toll will result in people seeking alternative routes, which will be detrimental to local air quality through increased fuel emissions.

If the toll is not increased, the bridge cannot be maintained, and ultimately closure of the bridge would result in all traffic having to find another route. We also believe the increase is at a level for many users that is still less than the increased costs of fuel, vehicle wear and tear, and time lost, associated with taking an alternative route. We do expect some diversion, but these cases will be because alternative routes are cheaper, and hence are likely to involve less fuel.

The key benefit of free flow tolling is to reduce delays and congestion at the bridge, and hence improve air quality in this area. However, delays and congestion elsewhere on the network are the responsibility of the highway authorities. The proposed bridge improvements will also enable better provision of walking and cycling infrastructure, as well as being accessible by buses, thus encouraging greater use of sustainable transport modes, further contributing to improved air quality.

How can you ensure areas like Lymm will not become congested with traffic diverting due to the higher toll?

Whilst we believe the increased toll will result in some diversion away from the bridge, the levels should be modest. In September 2019, peak hour flows were only 500-600 vehicles an hour per direction and for much of the day were between 100 and 300, of which we anticipate these being lower post Covid-19 due to increased working from home. Consequently, a small proportion of these diverting should not noticeably impact on congestion. Further, as local residents will be able to take advantage of the 50% discount, diversion is likely to be more focused on trips from further away, who will divert onto the M6 and M60 away from Lymm and the other local villages.

Tolling

The Covid-19 pandemic has impacted on people's finances and increasing the toll will only exacerbate this.

Any new toll rate will not be implemented until after all refurbishment work has been completed. The date of this is still to be determined, however, it is unlikely to be before Q4 2024. We believe the economic impacts of Covid-19 will have abated by then, although we have allowed for lower traffic in the future as a consequence of increased working from home.

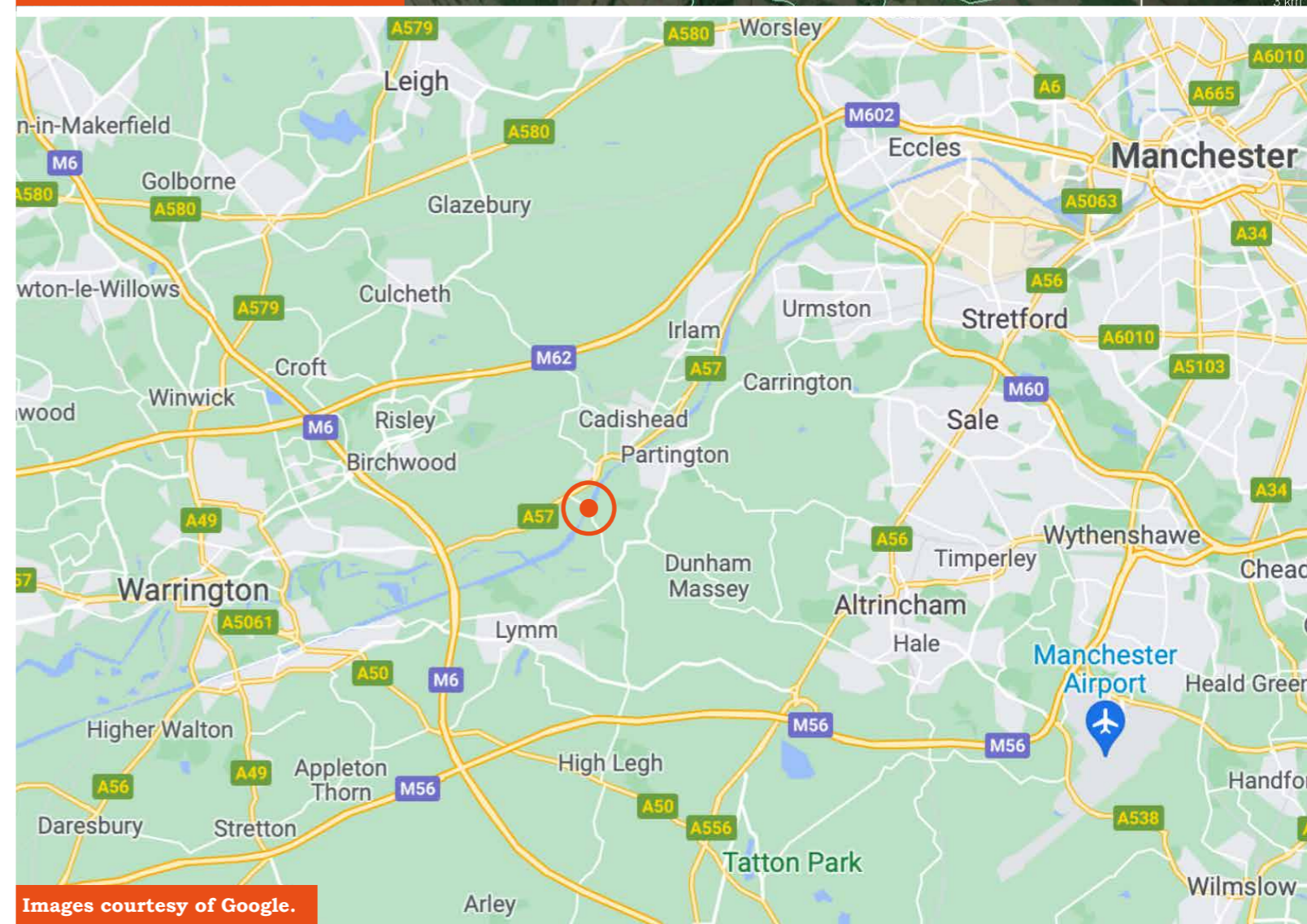
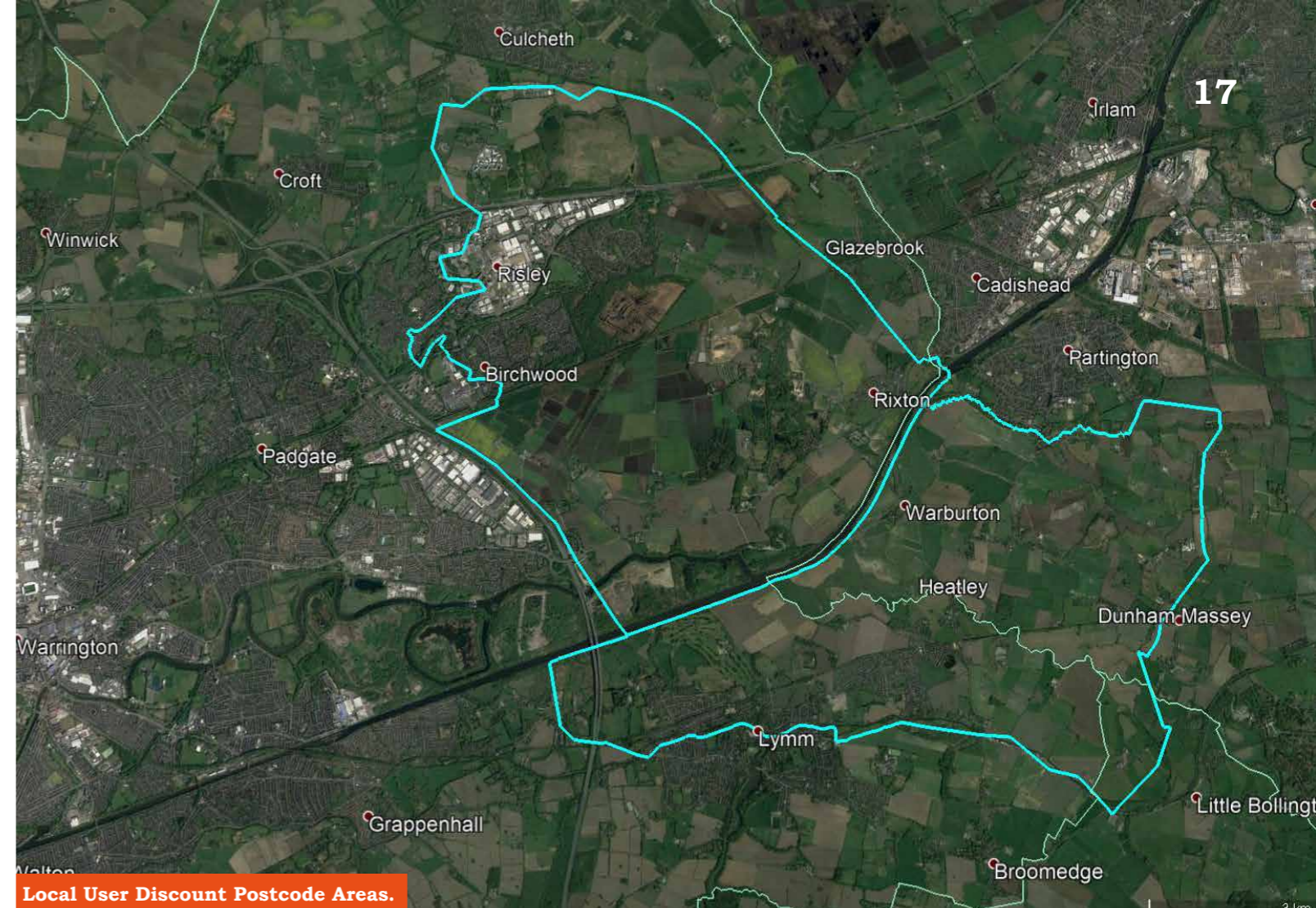
Why does this bridge have a toll while other bridges across the Ship Canal do not?

The Rixton & Warburton Toll Bridge is the only bridge between the M6 and the M60, and the right to collect a toll at this location was originally granted by the 1863 Act. The right to collect that toll was transferred to the ship canal when in the 1890 Act, providing compensation to cover the cost of providing and maintaining this bridge for public use. MSCCo are happy to consider other funding sources, and even transferring the bridge to the local authorities, but no other funding sources have been identified and neither council has offered to take responsibility for the bridge. Further, the Government has indicated that the operation and

management of private tolled crossings are the responsibility of the owner and not the Government.

The £1 toll charge has been compared with the other tolled Mersey crossings. These other crossings are more substantial and different to the Rixton & Warburton Toll Bridge. Does this not suggest that a charge lower than £1 should be charged?

The maximum toll identified for the Rixton & Warburton Toll Bridge is defined by the anticipated costs to improve, maintain, and operate the bridge divided by the volume of traffic using the bridge. The other tolled crossings are very different in age and type resulting in different costs to maintain and operate, and they carry very different traffic volumes. However, we do believe a maximum toll of £1 is not excessive with regard to other crossings of the Mersey (Mersey Gateway maximum for cars is £2.00 and Mersey Tunnels maximum for cars is £1.80). It is also worth noting that public sector bridges and crossings are VAT exempt unlike private bridge crossings such as that over the Ship Canal.



Bridge & Road Improvements

Introduction

The responses categorised in this theme relate to the proposed improvements on the toll bridge and its approach roads. This includes resurfacing the roads and strengthening the bridge to allow for vehicles weighing up to 7.5t (although general traffic will still be limited to 3t).

This was the second most common theme raised, with 34% mentioning the proposed bridge and/or road improvements. Nearly all of these responses, including those of the Highways Authorities, were in favour of upgrading the bridge and approach roads. Particular support was given to the proposed improvements allowing for greater active travel provision (such as walking and cycling) and the potential for public transport vehicle access. Those who were averse to the improvements were primarily against the increase in toll, rather than the improvements themselves.

Comment and Response

Why has it taken so long to bring forward plans to improve the bridge?

The last major works on the bridge were in 1998, and these costs are still being paid off, and will be for another decade. The current proposals started to be developed five years ago, but the process has been delayed by a number of factors including agreeing the appropriate legal route to follow, disruption due to the arson attack in 2018, and most recently the uncertainty around the long-term impact of the Covid-19 pandemic. At the request of both local Councils our consultation was also postponed due to the local elections.

While the process has taken some time, we believe it is important that the Plan creates a platform and process, not just for funding these improvements, but for the ongoing long-term maintenance and operation of the bridge, ensuring that it is available for local people long into the future.

How will the improvements address non-motorised travel, including equestrian usage?

Upgrades to the bridge and road will be designed in an appropriate manner, supported by signage and speed limits, so that pedestrians, cyclists and horses can safely share the road with other vehicles. Horses will be exempt from any toll charges, as will other active travel modes such as walking and cycling.

How might HS2 proposals impact the Rixton & Warburton Toll Bridge?

We understand that the HS2 route crosses the Ship Canal further east near Hollins Green and we see no reason why these proposals should impact on the proposals for the Rixton & Warburton Toll Bridge.

Have new bridges in alternative locations been considered?

MSSCo are only responsible for the bridges currently in place over the canal, including the Rixton & Warburton Toll Bridge. Any new location for a crossing would need to be promoted by the local Councils as the highway and planning authorities for the area. To date neither of the two Councils have proposed to MSSCo that another bridge location should be considered.



Use of the Revenue Raised

Introduction

The majority of responses grouped in the Revenue theme enquire how the money collected from the previous years has been spent, and whether this can, be used to fund the much needed improvements. References are also made that the public should not have to fund the improvements. The responses in this theme often also relate to opposition to increasing the charge. Approximately 15% of all responses raised revenue as a topic.

Comment and Response

What have tolls collected in previous years been spent on?

The tolls on the Rixton & Warburton Bridge can by law, only be used for certain purposes, including covering costs of operations, management, and maintenance, making contributions to any reserve or contingency funds that are deemed appropriate, and providing a reasonable return for the investors.

The revenues collected have traditionally been focused on covering costs such as the labour contract. The toll for cars has been slowly escalated over time (it was 5p until 1981 when it increased to 10p, and it was raised to 12p in 2001) and there has been some modest traffic growth in the past. However, these have struggled to keep pace with the ongoing escalation of costs and inflation, heightened by the fact that traffic has recently stopped growing.

It is also worth noting that 5p in 1963, which is the earliest date we have for a car toll being charged escalated by inflation, would give a toll of £1 today. The 2003 imposition of VAT also resulted in a significant reduction in net revenues, further compounding the problem of high operating costs and low revenues.



Use of the Revenue Raised

Why can't the canal fund the improvements?

The MSCCo operates a canal and port, it is not a toll road operator. The existence and operation of the bridge is not required as part of the operation of the canal, and the 1890 Act that transferred the right to toll the bridge over the canal reflected this. The aim being that the toll bridge was self-financing and not a burden to the canal.

While traditionally MSCCo has endeavoured to absorb difficult financial periods, such as the arson attack and Covid-19 restrictions, the scale of the costs for the improvements is far beyond what could be expected to be funded by the MSCCo. This means, in the absence of any other Government funding or adoption by the Highway Authorities, that the funding has to come from tolls.

How will the toll revenues be ringfenced for future maintenance, or if required, a replacement bridge?

A new bridge company will be established as part of the TWAO. This company will be responsible going forward for the future management and operations of the bridge, including the setting of tolls each year, along

with defining any exemptions or discounts. This will allow for greater transparency relating to income and expenditure associated with the bridge, including any funds ringfenced for future maintenance or a replacement bridge.

How much profit will be made from this toll increase?

At present, a detailed funding strategy has not been developed, including any split between debt and equity, and it is not anticipated that this will be undertaken until after the confirmation of the TWAO and the receipt of final pricing on the upgrade works. This is because it is intended that the most cost-effective financing will be adopted by the new bridge company when the monies need to be raised, and that may be different to what one might assume today.

Once this split has been set, then the profit, or return on the investment represented by equity, will be defined in accordance with the principles of the 1954 Act, which allows for a "reasonable return" to be made, as this principle has been carried forward into the TWAO. While the split of debt and equity has not been fixed, the business plan has been developed with sufficient flexibility

to accommodate the cost of financing the upgrade works.

How will rural vehicles, which are not permitted on motorways, and therefore have to use the bridge, be accommodated under the new toll?

The proposals do not change the regulations as to which vehicles may or may not use the bridge, other than to allow access by a small number of additional socially important vehicles between 3t and 7.5t, and various discounts. Therefore, any vehicle that is accommodated under the current toll will be accommodated under the new toll. In addition, MSCCo (and the new bridge company once it exists) are always or will be prepared to discuss individual specific cases where there are exceptional circumstances. For example, at present, a registered funeral cortege is exempt from the toll. Individuals using agricultural vehicles should contact the new bridge company nearer the time of the introduction of the new toll to raise their specific individual circumstances (noting the new toll will not be introduced before Q4 2024).



The Past Looking Back

Introduction

This theme focuses on the history of the Rixton & Warburton Toll Bridge operations. Of the 17% of responses that fall into this theme, the majority refer to the 1863 Act and how it might relate to the Sustainable Investment Plan. Whilst this is referenced in responses, responses in this theme often fall into at least one of the other themes previously discussed in this report.

Comment and Response

Why is the toll charge being increased in one large step rather than incrementally over a number of years?

In the past MSCCo have endeavoured to abide by the 1863 Act and operate within the 10p per trip (less VAT) maximum constraint. In the past a number of factors, including slowly increasing the car toll along with traffic growth, facilitated this. However, recent events, including reaching the toll limit for cars, slowing traffic growth, and the imposition of VAT, along with expected traffic declines post Covid-19, have meant this is no longer the way forward.

When it became clear 5 years ago that a significant future investment was required, one option considered was to start increasing tolls under the 1954 Act. However, on balance, it was felt that any toll increase should only be implemented once the improvements identified in the Plan were made and users could appreciate the benefits. While this does result in a large step in tolls, it is only being implemented in Q4 2024 at the earliest, allowing users to prepare for the change, and meanwhile, users can continue to benefit from the current very low toll.

It is suggested this is the only private toll facility to never have asked for a toll increase, but local residents remember the toll being less than 12p in the past.

The 1863 Act allows for a maximum toll of two and a half shillings (12.5p). In the past, MSCCo always endeavoured to keep the toll as low as possible within that maximum allowance, so previously cars were charged less than maximum 12.5p permitted, although heavy vehicles, when they could also use the bridge, were charged a higher toll than cars. However, no toll for any vehicle, was ever above the 12.5p maximum.

The loss of the 0.5p coin has also made the collection of the maximum impractical, hence the toll is now by default capped at 12p for a one-way trip, although the maximum is 12.5p. There is also a daily cap of 25p for 2 or more trips available.

The bridge was originally over the River Mersey, but the river no longer exists, so is the toll no longer valid.

The 1890 Act authorised the construction of the Manchester Ship Canal, including the construction of the replacement bridge road and the replacement Rixton & Warburton Bridge. The 1890 Act also authorised for the said road and the replacement bridge to be part of MSCCo's undertaking, including the levying of tolls.

The Future Looking Forward

Following this non-statutory consultation, MSCCo will review the proposals in the light of comments received. Following that review, MSCCo will proceed with the TWAO process. It is anticipated that this process could take up to 18 months. Subject to confirmation of the TWAO, it is anticipated that the design and tendering for the upgrades takes 6 months, whilst the actual refurbishment of the bridge and road improvements could take up to 12 months.

Task	Indicative Timeline
Non-statutory Consultation Analysis	Q3 2021
TWAO process	Q4 2021 to Q1 2023
Design and tendering	Q2 to Q4 2023
Construction	Q1 to Q4 2024
New Toll Charged	Q4 2024 or Q1 2025



