



Rt. Hon. Grant Shapps MP
Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

17 January 2022

Dear Secretary of State

**Formal letter of objection to the
Rixton and Warburton Bridge Transport and Works Act Order**

The Manchester Ship Canal Company (MSCC) has submitted an application for an Order under section 3 of the Transport and Works Act 1992. This order proposes new procedures for the operation of the Bridge, including new tolls, concessions, byelaws and collection arrangements.

I am writing to register my objections to the Rixton and Warburton Bridge Transport and Works Act Order. I do so as the Member of Parliament for Warrington North. The concerns set out below are shared by many of my constituents.

The bridge was created after the passing of the Rixton and Warburton Toll Bridge Act 1863, which gave the Manchester Ship Canal Company the right to build the bridge and charge those using it.

It is strategically significant as the only route across the River Mersey and Manchester Ship Canal between the M6 and M60. It also links the villages of Rixton in Warrington, Cheshire to the north, with Warburton in Trafford, Greater Manchester to the south. It is a vital link between local communities and a key route for many travelling to work, to see family, to attend medical appointments and for many other local journeys. It is heavily used each week.

Since my election, I have been contacted by a large number of constituents who have raised concerns about the bridge. And, on their behalf I have spoken out on this issue, making it clear that I believe the owners must start to take their maintenance obligations seriously and that the costs to do so must not be passed onto the motorists. I was therefore disappointed to learn that the Manchester Ship Canal Company had chosen to pursue the changes via the proposed Order.

Constituency Office:

Orford Jubilee Hub, Jubilee Way, Orford, Warrington WA2 8HE
charlotte.nichols.mp@parliament.uk
www.charlottenicholsmp.com



I have outlined below a number of concerns and objections and I urge you to take these into consideration when taking further action on this issue.

Current state of Warburton Toll Bridge

The bridge has not had significant maintenance work undertaken for quite some time and is long overdue investment. Motorists using the Warburton Toll Bridge to cross the Manchester Ship Canal are charged 12p, which can only be paid by hand and in cash. This routinely causes a build-up of traffic congestion in the area. This in turn has led to a great deal of anger and frustration from my constituents who are affected by the problems associated with this bridge every day.

In addition to this, the junction of Warburton Bridge Road and the A57 is also prone to flooding – on occasions leaving vehicles stranded.

The bridge owner's failure to tackle these issues to date – despite concerns being raised for some time by residents, Members of Parliament, and the surrounding councils – totally disregards the impact these problems are having on local people.

I do not dispute the need for both improvement works and the modernisation of this piece of infrastructure. Both are crucial to ensure its longevity. However, I strongly oppose local residents being forced to foot the £6.5 million bill. I firmly believe that it is the owner's responsibility for the upkeep of the bridge and the owner's responsibility to carry out these works in a timely way.

The proposed Order presents an increase in the toll as being the only way to ensure the repair works can be undertaken. I disagree.

Tolls Clause 8. (7) states that the tolls or charges charged may be applied in connection with safe efficient and economic management, operation and maintenance of the Bridge. Clauses 8. (7)(a to e) allow for suitable provision for the collected charges to cover costs, expenses and obligations for the maintenance and operation of the Bridge. Given that the toll has been collected for such a significant period of time, it seems likely that the owners would have sufficient funds at their disposal in order to undertake the necessary works themselves. Therefore, I hope you would acknowledge that the owners already have had the funds, and indeed the obligation, to invest in the maintenance and upgrading of the Bridge from their annual income.

I agree that the cash only, toll booth payment method needs to be updated. It is an archaic system which results in queues and delays and brings major frustration to motorists. But as with the repairs that are needed, motorists should not be forced to pick up the tab for the long overdue investment works.

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Toll increases

Currently, all vehicles wishing to cross are charged 12p, with a daily pass available for 25p. However, the Manchester Ship Canal Company is seeking to increase the charge of a one-way journey from 12p to £1. This is an eye-watering increase of more than 700 percent. This charge will have a real financial impact on motorists, particularly local residents who routinely use the bridge. I strongly oppose this proposed toll increase.

In addition to the above, the Order does not make clear whether it includes pedestrians or cyclists; nor does it specify whether the charge would be capped if a person crossed multiple times per day (as is currently in place). This could result in even higher costs.

This Order affords no financial protection to the local community who routinely rely on this strategic link. Peel Ports' Rixton & Warburton Toll Bridge Sustainable Investment Plan (July 2021) stated that a local customer discount set at around 50% for the residents of postcodes WA3 6 and WA13 9 could be considered. The area of Glazebrook was not mentioned at this time – however it must be included in any discount scheme.

Despite the discounts identified above, this draft Order fails to make reference to these postcodes, nor does it set out any other geographic concessions. This must be rectified.

I am also concerned that the proposed increases are just the tip of the iceberg.

The applicant's document asks for permission to increase the one-way trip *"to a maximum of £1"*, but to also allow tolls to increase over time at a maximum of 1% below inflation. It also states that the toll would *"not automatically be set at £1 - or indeed any other value - but would be set each year by the new bridge company at an appropriate level"*. Clause 8. (7)(f) also allows for 'providing a return on investment in the Undertaking'. And, Clause 8. (7)(f) appears to allow for an unspecified level of profit to be taken from the toll beyond maintenance and operation.

Sc1, Part, paragraphs 2 to 5 allows for Peel Ports to make an adjustment in April of any year limited to the increase in the consumer price index minus one per cent (excluding any amount changes to VAT). The Office for National Statistics latest data indicates that the consumer price index rose by 2.9% in the 12 months to September 2021. I do not support toll rises in relation to price index rises.

In regards to income derived from penalty charge notices for non-payment of the toll – if penalties are enforced, the income should be ring fenced for use to maintain the bridge. This income should not be taken as profit by the Manchester Ship Canal Company.

The proposals as set out pave the way for routine increases in the toll and allow for an unspecified amount of profit to be made. In doing so, this removes the current protections motorists currently

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have from rising charges and this comes at the same time as the cost of living continues to soar, wages are stagnating, taxes are rising and gas and electricity charges are skyrocketing.

In conclusion

The bridge is in a state of disrepair due to a lack of planning and a lack of investment over time, which has resulted in a considerable backlog of maintenance issues. The responsibility for this sits solely with the owners of the bridge. While I welcome proposals to repair and modernise the bridge, I object strongly to any plans that would see the costs of this work being passed onto motorists through significant increases in toll charges. I believe that the Manchester Ship Canal Company should use the existing toll charges that have been collected over time to carry out the works as required and in doing so, all repairs and updates could then be achieved without the need for this Order.

The proposals as set out do not simply increase the costs charged for the toll, they are sweeping changes – including the introduction of byelaws and the extension of powers - which my constituents have made clear they believe are a clear over-reach of power. I agree with Warrington Borough Council who state that *“the use of Traffic Orders is the way the use of the road and bridge should be regulated.”* Given this, I therefore question why the applicant would require their own additional powers to make byelaws for the regulation of the use of the road in question?

Finally, given the length of time that the toll has been in existence and the money that has been made from the toll charges, I question why there is a need to continue to charge a toll. I ask you, as the Secretary of State, to review this issue and to consider scrapping the toll altogether. This would be an action that would be widely welcomed and would have a hugely beneficial impact on my constituents.

In conclusion, for the reasons outlined above, I formally object to the Rixton and Warburton Bridge Transport and Works Act Order and I urge you as the Secretary of State to refuse the applicant the permission they seek to make these changes.

Yours sincerely,

Charlotte Nichols MP
Labour Member of Parliament for Warrington North