

Clifton Suspension Bridge Toll Increase - Account of the May 2013 Public Inquiry

Introduction

1. A Public Inquiry was held between Wednesday 29th and Friday 31st May 2013 into an application by the Clifton Suspension Bridge Trust to double the tolls on the bridge. The Inquiry was held at the Mansion in Ashton Park just outside Bristol.
2. There are no set rules for toll increase Inquiries, and Inspectors generally use the rules meant for Highways Inquiries. The proceedings seem to favour the owners of crossings as they generally get the last word.
3. At the start of the Inquiry, the Inspector said that there were these issues -
 - a. Damage to the environment.
 - b. Character of the area.
 - c. Cost of travel.
 - d. Use of tolls for other purposes.
 - e. Whether there were sufficient funds.
 - f. Pedestrians and cyclists.
 - g. Other ways of funding.
 - h. Affordability.
 - i. 'Leigh Woods' residents.
 - j. Traffic congestion due to avoiding toll.
 - k. Reduce expenditure.
 - l. Justification.
 - m. Inefficient method of collection.
 - n. Reduced usage = reduced income.
 - o. Validity of the Inquiry - legal point.

The Trust and its supporter

4. The Trust were represented by a solicitor and called three witnesses who read out the statements that had been submitted by their witnesses - the Bridge Master, a Director from Flint and Neill consulting engineers and the Clerk to the Trust. The statements can be seen by clicking on our link to "The Trust's further submission of May 2013". The witnesses were questioned by the objectors and the Inspector. This took up nearly all of the Wednesday and half of the Thursday.
5. The Trust had one supporter - David Redgewell, who was also the only person who supported them at the Inquiry in 2006, (what he said then can be seen at our link to "NAAT outline of what happened at the 2006 Inquiry". He was speaking then on behalf of Transport 2000 (who changed their name in 2007 to the 'Campaign for Better Transport'). He spoke just before the lunch break on the Thursday. He said that he was from 'South West Transport Network' and had discussed the Inquiry with them, but was representing himself. (The SWT Network don't seem to be connected to CfBT and it is not clear how big they are.) Mr Redgewell said that tolls were the 'norm' in the Bristol area as there were also tolls in Bath and to cross the Severn. He was strongly in favour of charging tolls on users of the bridge, but was strongly against tolls if the users were pedestrians and cyclists. He was in favour of discounts for 'locals'.

The Objectors

6. There had been about 150 written objections, but only four objectors spoke at the Inquiry. .
7. Mr Ian McKay, a resident of Leigh Woods, spoke on the Wednesday afternoon, as he was not otherwise available.
He said that the Trust instead of forecasting expenditure and income up 2018 should have a 20 to 25 year plan. He thought that would show the need for further bigger toll increases. He suggested that the Trust should have both financial and management help from the two Councils. He asked that this increase application be rejected and another submitted based on a longer time period.
8. Dave Newman, another local resident, was the first of the three objectors who spoke on the Thursday afternoon. He had also been one of the main objectors at the 2006 Inquiry. He raised a lot of points including -
 - a. Application was not legal.
 - b. Delay in Trust making documents available.
 - c. Lack of openness at the Trust.
 - d. The investment losses and whether the Trust had policies that would limit the losses.
 - e. Why the toll machines had a facility for a £2 toll.
 - f. Cyclists and pedestrians not being charged.
 - g. The way that inessential items like very expensive new lampposts, the toll house, illuminations, visitor centre and other “vanity projects” were prioritised.
 - h. Less well off would not be getting the discount for paying for crossings in advance and would be hardest hit by the tolls doubling.
 - i. The letters of ‘support’ from the two Councils were from 2011 and were out of date, in particular they did not take into account the Bristol’s Mayor’s proposals for a resident’s parking scheme.
 - j. Effect of traffic diverting on to other routes
 - k. He referred to a letter ‘Further toll rises will be needed’ from Tim Stanley in the Bristol Post on the 9th April which gave various reasons why traffic on the bridge would fall. (Mr Stanley appears to have been a member of the Trust till about a year ago.)
 - l. Trust had virtually not looked at other sources of income both from the Councils and commercial.
 - m. The current “financial climate” was not the time for the Trust to have a spending binge at the expense of those who crossed the bridge.
9. The Leigh Woods Society, was represented by their chairman - Kate Buss who spoke after Mr Newman.
Mrs Buss though she criticised various things, appeared not to be opposing the toll increase in so far as it affected people who were not “regular users”, and was mainly concerned about the effect on Leigh Woods residents of both the increased tolls and increased car parking (as people would park in Leigh Woods and cross the bridge on foot to avoid the toll).
She read out an epetition started by one of the residents and which at that point had about 1,200 signatures.
Most of the Leigh Woods residents apparently use prepaid cards and the Trust had said that the price of these would only increase by a small amount. The Society wanted a written guarantee of this, but the Trust told the Inquiry that as the future was uncertain they were not going to

give any guarantees, not even verbal ones. The Society at their own initiative had met with the Trust twice in the last year.

Among other things she queried was where the income from the Visitor Centre was coming from. She also said that the two Councils should contribute to the cost of maintaining the bridge.

She finished by reminding the Inquiry that the bridge had been the site of the first modern bungee jump on 1st April 1979.

The Society had revised their submission, but you can see the original version at our link to “Leigh Woods Society submission to the Inquiry”.

10. The last to speak on the Thursday was John McGoldrick (on behalf of the NAAT (there is a link to what we submitted)).

Conclusion of the Inquiry

11. On the Friday, there was some further questioning of John McGoldrick by the Trust, and there was a Closing statement by the Trust. Objectors were not allowed to make any closing statement nor to comment on or query what the Trust had said in their statement. An arrangement was made for a ‘site visit’ (including a tour of the Leigh Woods area and the alternative route. The Inspector was to be accompanied by the Bridge Master representing the Trust and Mrs Buss representing the objectors.

Some of the points that emerged during questioning at the Inquiry

(In the main this does not cover the points that we made in our written submission)

Toll increase

12. The Inspector asked what was the cost of the application for a toll increase including the cost of the Inquiry. The Trust did not supply a figure.
13. The Trust was asked if there was anything in writing to prove that they had actually ever formally applied to the DfT for the advertised increase - nothing was forthcoming.
14. It was confirmed that Trustees and bridge employees don’t pay to use the bridge.
15. The Trust were asked why, if they had decided in September 2009 to increase tolls because they were in need of more money, they did not apply for the toll increase till May 2012, and did not intend to apply the increase till January 2014. The Trust said that it was the fault of the local authorities. They also said that though they had submitted figures showing the toll not going up till January 2014, they might increase them earlier.
16. The Trust said that they could not have a concession that only applied to Leigh Woods residents as the law (1952 Act Section 43(3)) says that “*In fixing the tolls ...the Trustees shall not show undue preference to an person or class of persons and shall not exercise any undue discrimination against any person or class of persons*”. NAAT had mentioned the discounts for locals at Dartford, but as we later told the Inquiry that was not a relevant example as legally the Dartford toll was not a toll but a ‘road charge’ under the Transport Act 2000.

17. The Trust were very hazy about when the prepaid charges had been increased and at one stage suggested that there had been only one increase since 2001. They also claimed that any increase had only been about 2.5 pence per crossing, though they later said there had been a 5 pence increase in January 2009. (As we have pointed out elsewhere from 2005 to 2009, the cost of a 1,000 crossing card had gone up from 12 pence to 32.5 pence a crossing.)
18. The Trust don't accept that parking in Leigh Woods is due to the tolls. Though they say that they are forecasting a further fall in traffic using the bridge of 30 per cent because of the toll increase, they don't think that this will have any effect on parking in Leigh Woods or add to congestion on alternative routes, which the Trust denies exists.
19. The Trust had said in their evidence that their figures had been "prudently" based - traffic would decline without a toll increase and the proposed toll increase would cause a further drop off of 25% of the cash crossings and 5% of the pre paid crossings, i.e. 30% in total due to the toll increase. We pointed out that what they said did not match their figures, which showed far smaller drop offs. We gave the example of the cash crossings in 2022, their figures showed income with a toll increase of £778K, and after doubling toll prices an income of £1,385K. That implies a drop off of 11%, not 25%. The Trust denied our arithmetic was correct, and the Inspector also seemed to think that $(778 \times 2) - 25\% = 1,385$.
20. The Trust said that charging pedestrians and cyclists would be very difficult and that the cyclists would try and evade payment. They also said that if the Trust planned to apply or increase the tolls (not currently enforced) on pedestrians and cyclists then there would be "thousands" of cyclists at the Inquiry causing a clamour. The Trust also said that such a toll would be a "burden" on residents and they wanted to assist the Councils to promote cycling and walking.
21. The Trust were reminded that when the car toll was 20 pence, the pedestrian toll was 5 pence, and if the pedestrian toll had kept 'pace', then this would be a significant amount of money and worth collecting. The Trust stuck to their line that it was not economic.
22. The new toll system had cost £400K - £100K in this year and £300K in last year.

Finance

23. The Trust attempted to show that all of the claims made by the NAAT - about the Trust always producing figures that turn out to be pessimistic - were false. To do this they ignored all of our submission apart from one paragraph which related to 2010, where the Trust had shown in their 'Economic Case' a loss of £267,000 when the accounts showed that their reserves increased by £1,460,000.
The Trust gave various reasons (that could apply to almost any year) as to why the actual would have been different from their estimate. But the Trust either did not understand or chose to ignore the point of this (and other) paragraphs. Their Economic Case was dated "November 2010", i.e. very close to the end of the year (December 2010) when one would think that the Trust should have a good idea what the actual might be. And even worse, this was the document that the Trust had submitted to the DfT in May 2012 as part of their application, and they then knew what the actual figures were and should not have been submitting as the main part of their application a document which contained what turned out to be a very poor estimate when they had the actual figures.

24. The Trust had said that it was unlikely that it would get any help from the Government. We agreed that this was so but pointed out that - a) the Trust had not sought help when times were better before the 2008 banking crisis, and b) even now there was some flexibility as the current Government had written off a large part of the Humber Bridge debt, this had allowed the tolls there to halve from April 2012.
25. The Trust suggested to the NAAT that the Trust had powers to spend money on anything to do with the bridge even though the expenditure was not necessary to the bridge as a crossing. We disagreed and said that this was not explicit in the 1952 Act, and that in the context of the time - food rationing did not end till 1954 - it was unlikely that the MPs in 1952 expected that there would be spending on anything that was not essential.
26. The Board's witnesses had spoken about the careful way in which the Trust looks at what they need to spend on and then draw up their maintenance programmes. They said that actual spending on any one scheme was often different to the estimates but that to some extent there was swings and roundabouts - "*Whilst estimates for the individual projects may fluctuate, it is considered that the estimates of maintenance expenditure are appropriate*". We pointed out that the Trust had in fact considerably bumped up their estimates for the ten year programme. They had submitted one to the DfT in May 2012, and then an updated one in May 2013. Seven years (2013 to 2019) were common to both versions of the programme. For this seven years the estimated expenditure had gone up from £4.85 million to £8.70 million (that's nearly 80 per cent increase). It was suggested that the figures had been bumped up, but the Trust denied this.
27. Income from overpaid tolls and facilities fees (such as filming on the bridge) is treated as a donation to the Visitor Centre and thus reduces the amount that the Trust claim that they will repay to the 'bridge'. Though the Trust later muddled the clarity of this by saying that these 'donations' went to General Trust funds rather than to the Visitor Centre.
28. The Trust claimed that all the money being spent on the past and future Visitor Centres would be "repaid", they were asked if they had 'business plans' to show this.. They said that they had "detailed" plans but would not show them as they were "not relevant" to the Inquiry.
29. The bridge is insured at a very high premium to cover risks that are most unlikely to happen. The Bridgemaster estimated that the bridge would cost £65 million to rebuild.
30. The Trust say that the public are ignorant and not in a position to judge the need for any of the Trust's spending.
31. The Bridgemaster says that they "*need*" an 'Emergency Repairs Fund' of £10 million.
32. The Bridgemaster was asked about one of the fortunately rare bridge disasters - the fire in 1970 that badly damaged Stephenson's Britannia bridge (opened in 1850) over the Menai Straits, which meant that the main part of the bridge had to be replaced and the stone towers restored. He agreed that this was all paid for out of public funds, but said that if something similar happened to Brunel's bridge then it would not be repaired out of public funds as it was a tolled bridge.
33. The Trust made various claims about the 'Emergency Repairs Fund' having already been "drawn down". We pointed out that in no year had the fund gone down (2008 was £4.625M, 2009 £4.8M, 2010 £5.0M, 2011 £5.2M and 2012 £5.2M). As with similar inconsistencies

between what the Trust claimed and what the figures showed, the response of the Trust was that what they said was correct.

34. The Bridgmaster denied that his written statement meant that they were building up funds for a point at which the bridge might be closed to traffic.
35. The Flint & Neill director said that the bridge needed its large reserves because of its unique ownership - public authorities and companies had other sources of money.
36. It had been suggested that “21 years ago” the Trust had had reserves of “£40 million”. The Trust said that this suggestion was “rubbish”.
37. The Trust never borrows, because it wants to pay now rather than later.
38. The Trust implied that there had been various attempts to obtain money from other sources.
39. Though the Government had said that the Trust was liable to VAT on the tolls, they had told the Customs this was wrong and the Customs did not charge them VAT.
40. Bridge employees used to be in a local authority defined benefit scheme, but most recent employees (about half of the current total) are in a lower cost scheme, though this seems to have a £0.5 million deficit. None of the Trustees get a pension.
41. The Bridgmaster had said that the “*2006 Business Plan projected expenditure of £400,000 per annum .. but turned out around £700,000 for 2008 to 2012*”. It was pointed out that the “Maintenance Projects 2004-2008” plan submitted to the 2006 inquiry showed a total cost of £2,917,000 spread over the five years and that was nearly £600,000 a year. The Trust were adamant that this was not relevant, the projected expenditure in the (unseen) 2006 plan was what they said it was.
42. One of the items of ‘essential’ expenditure was £656,000 on replacing the present “*not properly insulated*” staff accommodation with a “*modern energy-efficient building*”. The Trust were asked how much energy they would save, but did not say.

Misc other

43. The many hundreds of thousands being spent on the stonework was because they had used the wrong sort of mortar when the stonework was last repointed, but they claimed that no one knew any better then.
44. The Flint and Neill director criticised the bridge maintenance prior to about six years ago. He said it had been “slack” and that they were now having to spend a lot of money to correct previous deficiencies.
45. The Trust denied that much of the spending on stonework was for the purpose of the Visitor Centre rather than to stabilise the slopes.
46. An objector pointed out that the Trust on their website were inviting youth groups to come to the Visitor Centre and build “*spaghetti bridges*”.

47. The submission from the Flint & Neill Director implied that tolled bridges were better maintained and safer, but when pressed as to how it was safer than say the very similar bridge of Telford's over the Menai Straits, he did not say how this was so. He also did not comment when it was pointed out that the worst reported bridge problem in the UK was the corrosion of cables on the Forth road bridge, and that had happened when it was tolled.
48. It was suggested that the failure of one of the Clifton bridge hangers noticed in April 2009 was due to heavy vehicles on the bridge while the roadway was being replaced in 2008, but the Trust denied this. They said that it had failed because part of the hanger that was supposed to have some flexibility had over the years become rigid (no reason was given for this).
49. Work was arranged by inviting firms that were thought to be suitable and interested in that type of work to tender.
50. The Bridgmaster denied that the main reason that they needed 13 attendants was to look after and monitor the cyclists and pedestrians.

End