

## Scrap Mersey Tolls Press Release 19 April 2018

### HALTON COUNCIL MADE LATE CHANGES TO THE NEW GATEWAY TOLLS ORDER FOLLOWING SUGGESTIONS FROM TRIBUNAL

Further to last night's meeting where Halton Council agreed a new Charging Order for the Mersey Gateway Tolls and penalties, anti toll campaigns have made a startling discovery.

John McGoldrick from Scrap Mersey Tolls claims that "It seems that the Order that Halton Council passed last night was NOT the Order that Halton Council had gone through the motions of consulting the people about. It is NOT the Order that was originally on the agenda for last night's meeting and which as required by law had to be made publicly available a week before the meeting."

"The supplementary report that refers to changes in the Order is dated the 16th April and can not have been available a week before the meeting on the 18th. The Council has not complied with the law. It may claim that there was urgency and that it has been handled in accordance with the rules for urgent items. We do not know if that is the case, but as the Council has been claiming that the existing Order was legal then why would there be any urgency?"

"We are also disturbed that the reason for these last minute changes is that the Traffic Penalty Tribunal were consulted by the Council and pointed out seven ways in which they thought that the new Order was still deficient. For most of these points the Council has changed the order. The Tribunal acts as a court, and it was a Tribunal adjudicator who has ruled that "Both the Penalty Charge Notice and liability for the crossing charge must be cancelled. There is nothing to pay. There has been a procedural impropriety on the part of the Charging Authority." How can it be proper that the Tribunal which on the 8th May is meeting to review its decision that the tolls and penalties are illegal is in the meantime checking the work of the Council lawyers and advising then how to keep with the law?"

Ends

Notes

Link to Halton Council agenda for last night's meeting. Near the bottom you will see that it says "There are a further 4 documents". These have been added since the agenda was published last week-

<http://councillors.halton.gov.uk/ieListDocuments.aspx...>

Section 100B of the Local Government Act 1972 says that copies of agendas must be available for the public to see at least five working days before a meeting-

<http://www.legislation.gov.uk/ukpga/1972/70/section/100B>