

The Mersey Tunnels (Revision of Tolls) Order 2009

Made - - - - - 16 February 2009

Coming into force - - - - - 1 April 2009

The Merseyside Integrated Transport Authority, in exercise of the power conferred on it by section 91(7)(a) of the County of Merseyside Act 1980, as amended and modified¹, hereby makes the following Order:-

1. This Order may be cited as the Mersey Tunnels (Revision of Tolls) Order 2009 and shall, in accordance with section 91(7)(a) of the County of Merseyside Act 1980 as amended and modified, come into force on 1st April 2009.
2. The toll that may be levied in respect of each class of traffic included in column (1) of the table in the Schedule to this Order is set out against that class in column (2) of that table.

The common seal of the
Merseyside Integrated Transport Authority
was hereunto affixed in the presence of)
)
)

Neil Scales

Neil Scales
Chief Executive

16 February 2009

COMMON SEAL NO: 254



¹ 1980 (c. x), amended by the Mersey Tunnels Order 1986 (S.I. 1986/297) and the Mersey Tunnels Act 2004 (c. ii), and modified by section 77(4) of the Local Transport Act 2008 (c. 26).

THE SCHEDULE

| | (1) <i>Class of Vehicle</i> ² | (2) <i>Authorised toll</i> ³ |
|------|--|--|
| 1(a) | Motor cycle with side car and 3 wheeled vehicle. | £1.60 |
| 1(b) | Motor car and goods vehicle up to 3.5 tonnes gross weight. | £1.60 |
| 1(c) | Passenger vehicle other than a motor car, with seating capacity for under 9 persons. | £1.60 |
| 2(a) | Motor car and goods vehicle up to 3.5 tonnes gross weight, with trailer. | £3.10 |
| 2(b) | Goods vehicle over 3.5 tonnes gross weight, with two axles. | £3.10 |
| 2(c) | Passenger vehicle with seating capacity for 9 or more persons, with two axles. | £3.10 |
| 3(a) | Goods vehicle over 3.5 tonnes gross weight, with three axles. | £4.70 |
| 3(b) | Passenger vehicle with seating capacity for 9 or more persons, with three axles. | £4.70 |
| 4. | Goods vehicle over 3.5 tonnes gross weight, with 4 or more axles. | £6.20 |

² The terms "motor cycle", "motor car", "passenger vehicle", "goods vehicle" and "gross weight" used in this column are to be construed in accordance with regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1078).

³ This is the authorised toll calculated in accordance with section 91(8) and (9) of the County of Merseyside Act 1980, i.e. before the application of discounts pursuant to section 92C of that Act, for example discounts for AVI (i.e. "fast tag") users.

EXPLANATORY NOTE
(This note is not part of the Order)

This Order has been made by the Merseyside Integrated Transport Authority, which is the public body that owns, operates and maintains the road tunnels known as the Queensway Tunnel and the Kingsway Tunnels. The Authority is obliged to make the Order pursuant to section 91(7) of the County of Merseyside Act 1980 (c. x), as amended by the Mersey Tunnels Order 1986 (S.I. 1986/297) and the Mersey Tunnels Act 2004 (c. ii), and modified by section 77(4) of the Local Transport Act 2008 (c. 26) (referred to below as "the 1980 Act").

The Order, which comes into force on 1st April 2009, fixes the amounts of the tolls to be paid for use of the Mersey Tunnels in accordance with the provisions of section 91(7) to (9) of the 1980 Act.

The classes of vehicles in respect of which tolls may be levied are those established by the Mersey Tunnels (Revision of Tolls and Traffic Classification) Order 1991⁴ (see section 91(6) of the 1980 Act).

Notwithstanding the authorised tolls established by article 2 of this Order and set out in the Schedule to the Order, the Merseyside Passenger Transport Authority⁵ resolved, on 5th February 2009, to discount certain of the tolls from their authorised levels for various reasons. This was done in exercise of its power under section 92C(1) of the 1980 Act, and having complied with its duties under section 92C(2) and (3) of that Act. Accordingly, the tolls that will be charged for each class of traffic at their discounted level are set out in the table below.

| | (1) <i>Class of Vehicle</i> | (2) <i>Authorised toll</i> | (3) <i>Discounted cash toll</i> | (4) <i>Discounted toll for AVI users</i> |
|------|---|-----------------------------------|--|---|
| 1(a) | Motor cycle with side car and 3 wheeled vehicle. | £1.60 | £1.40 | £1.25 |
| 1(b) | Motor car and goods vehicle up to 3.5 tonnes gross weight. | £1.60 | £1.40 | £1.25 |
| 1(c) | Passenger vehicle other than a motor car, with seating capacity for under 9 | £1.60 | £1.40 | £1.25 |

⁴ S.I. 1992/299.

⁵ Prior to the coming into force of section 77(2) of the Local Transport Act 2008 on 9 February 2009, the Merseyside Integrated Transport Authority was known as the Merseyside Passenger Transport Authority.

| | (1) <i>Class of Vehicle</i> | (2) <i>Authorised toll</i> | (3) <i>Discounted cash toll</i> | (4) <i>Discounted toll for AVI users</i> |
|------|--|-----------------------------------|--|---|
| | persons. | | | |
| 2(a) | Motor car and goods vehicle up to 3.5 tonnes gross weight, with trailer. | £3.10 | £2.80 | £2.50 |
| 2(b) | Goods vehicle over 3.5 tonnes gross weight, with two axles. | £3.10 | £2.80 | £2.50 |
| 2(c) | Passenger vehicle with seating capacity for 9 or more persons, with two axles. | £3.10 | £2.80 | £2.50 |
| 3(a) | Goods vehicle over 3.5 tonnes gross weight, with three axles. | £4.70 | £4.20 | £3.75 |
| 3(b) | Passenger vehicle with seating capacity for 9 or more persons, with three axles. | £4.70 | £4.20 | £3.75 |
| 4. | Goods vehicle over 3.5 tonnes gross weight, with 4 or more axles. | £6.20 | £5.60 | £5.00 |