

Bircham Dyson Bell

Road User Charging

In this bulletin we consider road pricing as a form of toll. We also give a general update on road user charging.

Road Pricing: What's the Fuss?

Is there anything inherently new about road pricing? Isn't it just another form of toll?

Tolls

There are about 40 tolls around the UK. We have 6 publicly owned tolls authorised by statute: for the Mersey and Tyne tunnels and the bridge crossings for the Severn, Humber, Itchen and Cleddau. There would be 10 if the Scottish Executive had not scrapped 4 bridge tolls (Skye, Erskine, Forth and Tay).

We have 8 tolls authorised by Parliament that are privately owned or operated but which form part of the public highway: Aldwark Bridge, Clifton Suspension Bridge, Dunham Bridge, Rixton and Warburton Bridge, Shrewsbury (Kingsland) Bridge, Swinford Bridge, Whitchurch Bridge and Witney-on-Wye Bridge.

We have a number of private toll roads around the UK, eg College Road, Dulwich, Rye Road, Hoddesdon, Braunton Toll Road, Barnstaple, Porlock Manor Estate, Kewstone Toll Road, Weston-super-Mare (not currently collected) and beach access roads at Kimmeridge, Dorset and Sandwich, Kent.

A number of Forestry Commission roads are also tolled, eg Cropton, Dalby, Galloway, Hamsterley and Kielder.



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11th to 18th centuries

In medieval Britain, it was possible to apply to the King for 'pavage' or 'pontage' – a grant of a right to levy a charge or toll on users of a road or bridge for its construction or maintenance.

In Elizabethan Britain, parishes became responsible for the upkeep of roads, but a parish never had the means to maintain roads adequately. The best roads were no more than dirt tracks with some gravel.

For much of the 17th and 18th centuries, every able-bodied man was required to devote 6 days a year of unpaid statute labour repairing the roads but this system suffered widespread abuse.

Turnpike Trusts

In 1663, the first Turnpike Act was passed for a road at Wadesmill, Hertfordshire. A barrier or 'turnpike' was set across the road to control the passage of horses and carts. You were not allowed to pass through the barrier unless you paid a charge.

During the following 200 years, hundreds of Turnpike Acts were passed by Parliament. In each case, a body of trustees would be appointed to maintain or improve a length of road in exchange for the right to levy a toll. This would be

achieved by the erection of a turnpike. There would be a turnpike keeper who would police the toll from a toll booth. The revenue would be spent on surveyors and road workers to maintain and improve the road.

Under the typical Turnpike Act, there would be a tariff according to distance to be travelled, type of vehicle (including weight, width of the wheels and number of horses), goods being carried and frequency of journey.

There would be exemptions, eg members of the Royal Family, pedestrians, wagons in use for agriculture, post horses, people going to church on Sunday, ministers visiting the sick and people travelling to vote at elections.

Turnpike trusts became prevalent in most parts of the UK. In the 18th century, over 1,100 turnpike Acts were passed, covering over 20,000 miles of road and yielding an annual income in excess of £1.5m.

It was piecemeal but eventually national arteries such as the Great North Road from London to Edinburgh, the road from London to Holyhead, and the Great Western Road from London to Exeter, became the subject of turnpike trusts for

the whole of their length. A long journey would entail paying a series of tolls along the way. Turnpike roads became the main roads of Britain.

It was only in the late 19th century, that roads became 'adopted' and turnpike trusts gradually disappeared. The last turnpike toll was levied in 1895.

In 1920, the Road Fund Tax was introduced, leaving just a few tolls, although the framework legislation for turnpike trusts was not repealed until 1981.

Road pricing today

A road pricing scheme today will have almost precisely the same features as a turnpike of 200 years ago:

- identification of the road
- a chargeable event (such as crossing a line)
- a tariff according to the type of vehicle and frequency of journey
- operating times
- exemptions, eg emergency services, military vehicles
- enforcement provisions for non-payers
- regulation of how the revenue may be spent.

Even satellite tracking of your vehicle (the so-called 'spy in the sky') is little different in principle from being watched by turnpike keepers.

The main difference between the past and now is that road pricing is now seen as a toll for managing traffic rather than for the upkeep of the road; but why should that make a difference? If the proceeds are, as they must be, hypothecated to improving transport, is this much different from the Turnpike Acts under which the revenue had to be spent on maintaining and improving the road?

Road pricing today is controversial because schemes for large conurbations are so ambitious. It is regarded as another tax. Opponents mistakenly believe that 'the right of Her Majesty's subjects to pass and repass freely without let or hindrance along the Queen's highway' is some kind of human right or fundamental freedom. In fact, public rights of way on our main roads are no more than about 150 years old.

If traffic authorities were to promote more modest schemes to address particular hotspots, perhaps public

acceptability would not be such an issue. Airports, national parks and tourist spots in the summer suffer congestion just as city centres do. Schemes of this kind could help to manage congestion and produce useful extra revenue. Is the traffic situation in Saddler Street, Durham so unique that similar schemes would not be beneficial elsewhere? The government could introduce tolled expressways on our motorways.

With simpler schemes, the perception of road pricing could change. Tolls and road pricing may not be popular but there is nothing radical about them.

Road User Charging Update

Greater Manchester

On 12 December 2008 it was announced that almost 80% of local residents had voted against Greater Manchester councils' TIF proposals, which included a cordon-based congestion charging scheme. Transport Secretary, Geoff Hoon, has made it clear that Greater Manchester will no longer qualify for a share of the Fund.

West of England Partnership

In 2008, Bristol, Bath & North East Somerset, North Somerset and South Gloucestershire were awarded £2.7m of pump prime funding from the TIF. If a bid is made for a share of the main fund, it will not be submitted before 2010. Anti-charge campaigners in Bristol have been calling for a local referendum.

Cambridgeshire

Cambridgeshire Transport Commission is trying to identify a set of transport and congestion relief proposals which

will enjoy public support. There has been an online survey. The Commission is now conducting a series of public hearings. A final report is expected soon.

London

Western Extension

Following a public consultation, Mayor Johnson announced on 27 November 2008 his intention to scrap the Western Extension of the London Congestion Charging Zone. The charge will continue to apply in the western zone until the appropriate legal steps have been taken to end it. The Mayor's Transport Strategy will require revision. TfL must make a formal variation to the scheme. Both procedures must incorporate further public consultation. The earliest that the charge will cease is Spring 2010.

London Low Emission Zone (LEZ)

Mayor Johnson has announced that Phase 3 of the Low Emission Zone



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scheme is to be postponed indefinitely due to the detrimental impact it may have on small businesses. Phase 3 would have introduced emissions standards for light goods vehicles, vans up to 3.5 tonnes and minibuses under 5 tonnes. Revisions to the Mayor's Transport and Air Quality Strategies and to the scheme itself will be required.

The Mayor remains committed to Phases 1 and 2 and vehicle standards will rise again in January 2012.

'Intelligent' Congestion Charging

TfL is considering replacing the fixed £8 per day charge with an 'intelligent' charging system, with the amount depending on the time of travel. As the Mayor has already ruled out an increase, it would seem that a variable rate could only mean a reduction at certain times. Later this year, IBM will take over operation of the scheme. The Mayor is also reviewing payment options.

Workplace Parking Levy

In December 2008, the Government published draft WPL regulations. The regulations will complete the legal framework, including enforcement,

needed before a WPL scheme can be introduced. The consultation closed on 5 March 2009.

Nottingham WPL

A decision is still awaited by the Government on Nottingham's WPL scheme. The scheme was debated in the House of Commons on 23 February 2009. Transport Minister, Paul Clark, indicated that a decision would be made 'as soon as possible' but not before responses to the consultation on WPL regulations had been considered.

Road Pricing Demonstrations Project

The Government has commenced a £10m road pricing demonstrations project to show how road pricing based on time, distance and place could operate reliably, accurately and affordably. Seven technology companies are looking at options for in-vehicle equipment and how a more advanced system can be operated fairly.

The project is expected to last for two years. A number of road trials will take place, with several hundred volunteers expected to participate. Volunteers'

vehicles will be installed with equipment designed to identify the types of road they are using. Simulated statements will be issued to enable the volunteers to review the accuracy of the information captured. Systems to 'anonymise' data by storing and transmitting only the data relating to charges and not location of the vehicle are also being examined.

The DfT has indicated that results will be shared with local authorities bidding for TIF money.

Transport Select Committee

The House of Commons Transport Select Committee has been conducting an inquiry into Taxes and Charges on Road Users. The evidence has covered taxes and charges currently paid to government, how much revenue these raise and how this compares with national and local government expenditure on roads.

On road pricing, witnesses contended that any referendum held in advance of a new scheme is likely to result in a 'no' vote, as happened in Manchester and Edinburgh. Some suggested that this could be overcome if a scheme were introduced first, with a referendum afterwards to decide whether to keep it, as happened in Stockholm. Witnesses have also suggested that national road pricing should be handed to an independent body.

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