

12th February 2012

## SUPPORT FOR AND OPPOSITION TO THE TUNNELS BILL / ACT

1. The original version of the Bill was introduced in 1999, the opposition was so strong that the Bill was withdrawn. A new Bill was presented in the Commons in 2001 and despite Merseytravel spending a large amount from Tunnels tolls to promote the Bill its progress was slow because of continuing opposition.

2. This is part of what Bob Spink MP said about the new Bill in the Commons in June 2003 after the Bill had been to Cttee –

*“I was the Chairman of the Committee that considered this, then opposed, private Bill some months ago. After one and a half days of sittings, the opponents withdrew and, therefore, the details—including amendments such as those in this group, which relate to tolls, the timing of the increases in tolls and the basis on which those increases would be determined—were not considered by that Committee in any way, shape or form. They were not scrutinised; the Bill itself was not scrutinised, so I must report to the House that what was broadly a bad and undemocratic Bill was not corrected and that it should now be rejected..... “*

(If you want to see a fuller version of what he said then please contact us.)

3. Despite opposition from MPs including three of the four Wirral MPs, the Bill got through the Report stage. As the Bill was a “Private” one, there was still a strong chance that it would never get passed by the Commons. But Merseytravel were not only spending a large amount on lawyers etc to get the Bill through, they also had what seemed to be unprecedented backing from a Government for a Private bill. It was reported that MPs were being whipped to support the Bill and the Leader of the House suspended standing orders “*until any hour*” so that other Commons business took a back seat and MPs would carry on debating the Bill till opponents gave up.
4. The Bill then went to the Lords. It seems that no Lords from Merseyside could be found to steer the Bill through and this was done by Lord Smith of Leigh who chairs the Association of Greater Manchester Authorities. The opposition to the Bill was led by Lord Hunt of Wirral but local Lords who spoke against it included Lord Alton of Liverpool, Lord Chan of Oxton and Lord Harrison (former Labour MEP for Wirral & West Cheshire).
5. At the Second Reading of the Bill, Lord Hunt moved that the Committee which was to consider the Bill should be asked to look at various things. Lord Smith and Merseytravel only defeated the motion by one vote. If Lord Smith had not had “*the attendance of the right reverend Prelate the Bishop of Liverpool, showing his support*”, then Merseytravel may not have won this first round in the Lords.
6. The MTUA had not been formed when the Bill started going through the Commons, but in the Lords we were able to put our case to the Committee. From the makeup up of the committee, we thought that we stood little chance, however strong our case might be. We had a very short time to present our case and call one witness (Frank Field). The Bill escaped any amendment, though there was an almost unprecedented

requirement that Merseytravel give certain written undertakings outside of the legislation.

7. When the Lords as a whole considered the Bill three months later, only one member of the committee that had allowed the Bill through voted for it, the other members were absent or abstained. The Bill passed by ten votes.
8. The above mainly refers to what happened in Parliament. So what was the support and opposition outside?
9. The local papers were strongly opposed to the legislation, e.g. the Liverpool Echo had a "*Stop the Tunnel Tax*" Campaign. In the five years that it took to get a Bill passed, the issue had largely gone off the front pages, but this did not mean that the news media were part of any "universal" support for the Bill. The morning after the Bill was passed the Daily Post editorial was headlined "*Bleak outlook as peers dash tolls fight hopes*" and ended "*It is a black day for the Merseyside economy ...*".
10. In getting the Bill through Merseytravel had carried out a consultation exercise in 2001. Consultees had information supplied to them by Merseytravel and presentations were made to some of them. Those consulted did not hear the other side of the case.
11. The consultation of the five local Councils does not appear to have involved any consultation of or debate by all the Council members. Senior officers in the five Councils wrote letters saying that their Councils supported the Bill, but some indication of how representative this was can be gauged by what Lord Hunt told his fellow peers in 2004 - "*.. it is about local concerns across all parties. Mike Storey, the Leader of the Liberal Democrats in Liverpool, has said that he opposes this Bill. I hope that the Liberal Democrat Benches will listen to that. There is a wide range of outraged public opinion about what is happening here.*" (What he said largely fell on deaf ears as the only Liberal Democrat who voted against the Bill was Lord Thomas of Gresford.)
12. Outside of the Councils, the majority of those consulted appear to have been in favour of one part of the Act – powers to make further sound insulation grants, but were opposed to some or all of the other provisions in the Bill. In particular, the majority of consultees were opposed to the fundamental purpose of the Bill - i.e. increasing tolls to generate a profit on the Tunnels which would be used to finance other Merseytravel services rather than paying off real debts and eventually reducing tolls.
13. We could not find any consultation response from the Wirral Chamber of Commerce, so we consulted them. They said in a letter that we submitted to the Lords in 2004 that "*The Chamber's view is that tolls are detrimental to the wider Merseyside economy and that of the Wirral in particular... The tolls are an added cost to business, a burden which businesses in no other area are forced to bear in the same measure.... it would surely be a nonsense to enshrine tunnel tolls for time immemorial as an extra burden on the local economy long after the period in which they need to be collected at such a high level.*"

END