

TRAFFORD COUNCIL

Report to: Council
Date: 13th January 2022
Report for: Decision
Report of: Executive Member for Housing and Regeneration

Report Title

Supplementary Report – Rixton and Warburton Toll Bridge

Summary

This report supplements that published under item I Warburton & Rixton Toll Bridge. It proposes that objection be raised to an additional issue – the proposed transfer of the Bridge into a new company separate to the Manchester Ship Canal Company.

Recommendation(s)

It is recommended that Council:

- (i) In addition to the Objections referenced in the original report, submits an Objection to the Rixton and Warburton Toll Bridge – Transport and Works Act Order as set out in paragraph 2.2 of this report

Contact person for access to background papers and further information:

Name: Adrian Fisher
Extension: adrian.fisher@trafford.gov.uk

Background Papers:

The Warburton and Rixton Toll Bridge TWAO application documents are available on this website:

<https://www.warburtonollbridge.co.uk/twao-application/>

Background Information

Relationship to Corporate Priorities	The successful operation of the bridge supports a number of Trafford Council's corporate priorities,
--------------------------------------	--

	including 'Supporting people out of poverty' and 'Addressing our Climate Crisis'. The bridge provides an important link across the Manchester Ship Canal enabling residents to access opportunities outside of GM in Warrington borough. The bridge also provides a sustainable transport link across the Canal, which is suitable for active travel modes and buses.
Relationship to GM Policy or Strategy Framework	The bridge provides an important strategic transport link between Trafford / GM and Warrington borough and it is one of the few crossings of the Manchester Ship Canal. The successful operation of the bridge therefore supports the GM Strategy.
Financial	The main implication at this stage is officer time and internal resources, but if the matter is pursued to public inquiry costs will be incurred by the appointment of Counsel. There is no existing budgetary provision for such a cost.
Legal Implications	The Council is a statutory objector to a TWAO if it makes objections to the application as the scheme falls within the local authority area -its objection can then be heard by public inquiry or hearing. The authority of a full meeting of the Council is necessary if an objection is to be made. The Secretary of State must decide, within 28 days of the end of the objection period, whether to hold a public inquiry or a hearing, or whether to carry out 'exchanges of written representations' between everyone involved.
Equality/Diversity Implications	Increases in the toll will have an impact on Partington, a community with higher than average levels of deprivation.
Sustainability Implications	The successful operation of the bridge will support sustainable travel modes and provides an important crossing point to Warrington borough.
Carbon Reduction	The bridge provides an important sustainable transport connection between Trafford / GM and Warrington borough. The bridge is currently free to use by buses as well as active travel modes and it will be important this continues in order to support and encourage more journeys by sustainable transport modes.
Staffing/E-Government/Asset Management Implications	Staff resources will be required primarily from the Strategic Planning, Highways and Legal Teams. Further external support may also be required for the formal parliamentary process and in preparing evidence to support Trafford Council's case.
Risk Management Implications	n/a
Health and Safety Implications	n/a

1.0 Background

- 1.1 Following the publication of the Council agenda concerns were expressed that the matter of the proposed transfer of the Toll Bridge into a new distinct company was not addressed in the Council's submissions.
- 1.2 Attendant with the draft Transport & Works Act is a proposal that the Toll Bridge is conveyed away from the Manchester Ship Canal company (as at present) and instead is governed by its own distinct company. This raises the concern that the bridge will be divorced both from the central infrastructure of the canal of which it forms an integral part – and also the much larger Manchester Ship Canal Company with the attendant resources and financial assets. This could lead to a situation where there is insufficient resource within the smaller company to properly maintain the bridge and could lead to a separation of ownership of the canal and the bridge.
- 1.3 In the light of this it is suggested that an additional objection be made to address these concerns. No change is proposed to the representations recommended in the original report.

2.0 Additional Objection

- 2.1 It is suggested that the wording below in Paragraph 2.2 be added to the Council's submissions.
- 2.2 *Transfer of the Undertaking - The Council questions the proposed transfer of all statutory and other powers and duties from MSCC to the proposed Rixton and Warburton Bridge Company, as detailed under Provision 5 of Part 3 - Transfer of the Undertaking. The Toll Bridge was originally constructed, and remains to this day, to facilitate suitable functioning of the Manchester Ship Canal. Separating the ownership of the bridge from the wider canal, may leave it devoid of the resources that are required with the larger operation of maintaining the canal. If the new company becomes financially unviable, without revenues from the wider canal or for any other reason, this may lead to pressure to further increase the proposed toll on the bridge and / or request financial support from the relevant local authorities in order to keep the bridge in operation.*