INTRODUCTION

1. This document relates to the Erskine Bridge Tolls Bill introduced in the Scottish Parliament on 4 September 2001. It has been prepared by the Scottish Executive to satisfy Rule 9.3.3(c) of the Parliament’s Standing Orders. The contents are entirely the responsibility of the Scottish Administration and have not been endorsed by the Parliament. Explanatory Notes and other accompanying documents are published separately as SP Bill 33–EN.

POLICY OBJECTIVES OF THE BILL

2. The objective of the Bill is to restore tolling on the Erskine Bridge, originally allowed for by the Erskine Bridge Tolls Act 1968 (“the 1968 Act”). The Bill puts right an administrative failure to promote an Order extending tolling beyond 1 July 2001.

3. The Bill seeks to remedy this legislative gap by authorising the levying of tolls on the bridge for 5 years from 2 July 2001 as if an Order had in fact been made under the 1968 Act. Given that major estuarial crossings are very expensive to build and maintain but provide exceptional benefits to users, it has been the policy of successive administrations that those who use the crossings should contribute towards paying for them. The measures in the Bill will enable this to continue.

4. The Bill seeks to reinstate the position which existed prior to 2 July 2001, in accordance with the provisions of the Erskine Bridge Toll Order 1992 (SI 1992/433) and other regulations. The 1992 Order, made under section 2 of the 1968 Act, determines what vehicles should pay tolls and when, and sets the level of tolls to be charged. The Bill does not affect the power to vary or revoke that Order under the terms of the 1968 Act.

ALTERNATIVE APPROACHES

5. The main alternative would be to do nothing. This would have substantial financial costs as well as having undesirable economic, environmental and social consequences through potentially increased traffic levels on a heavily used facility.
CONSULTATION

6. Because of the need for immediate legislation, no formal consultations have taken place on the Bill.

EFFECTS OF THE BILL

7. The Scottish Executive considers the provisions of the Bill are consistent with the European Convention on Human Rights and will not have any adverse effect on human rights.

8. Because the Bill seeks to reinstate the position which existed prior to 2 July 2001 it will have no additional direct effects on equal opportunities, children, island communities, local government or sustainable development.

9. However, in the absence of the provisions in the Bill it is likely that there would be a higher rate of increase in traffic levels on the bridge, leading to greater congestion, with consequent economic, social and environmental impacts.
This memorandum relates to the Erskine Bridge Tolls Bill (SP Bill 33) as introduced in the Scottish Parliament on 4 September 2001

ERSKINE BRIDGE TOLLS BILL

POLICY MEMORANDUM

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