



Mersey Tunnels Act 2004

2004 CHAPTER ii

An Act to amend provisions of the County of Merseyside Act 1980 relating to the levying, revision and application of tolls for use of the Mersey Tunnels and to amend that Act for other purposes. [1st July 2004]

WHEREAS—

- (1) The Merseyside Passenger Transport Authority (“the Authority”) was established under section 28 of the Local Government Act 1985 (c. 51) and is the passenger transport authority for the metropolitan county of Merseyside under section 9 of the Transport Act 1968 (c. 73):
- (2) By the Mersey Tunnels Order 1986 (S.I. 1986/297) made pursuant to provisions contained in the Local Government Act 1985, the tunnels undertaking of the County Council of Merseyside was transferred to the Authority on 1st April 1986 and the Authority has resolved during the promotion of the Bill for this Act that it wishes the tunnels undertaking to remain in public ownership:
- (3) That undertaking comprises in particular a tunnel for vehicular traffic under the river Mersey between Liverpool and Birkenhead (known as the Queensway Tunnel) and two tunnels for vehicular traffic under that river between Liverpool and Wallasey (known as the Kingsway Tunnel) (“the tunnels”), which were originally authorised by the Mersey Tunnel Acts 1925 to 1972 and which are now largely governed by provisions contained in Part XIII of the [County of Merseyside Act 1980 \(c. x\)](#) (“the 1980 Act”):
- (4) Pursuant to the 1980 Act, the Authority manages, operates and maintains the tunnels and levies tolls for their use, the income from which is applied in defraying operational costs and expenses, in paying interest on and in re-paying the principal of monies borrowed to finance the construction and operation of the tunnels, and in making payments to a reserve and renewals fund maintained in respect of the tunnels:
- (5) The Authority wishes to secure the regular revision of tolls for use of the tunnels with reference to inflation and power to use surplus income from tolls to improve public transport services in Merseyside and it is expedient that the provisions of the 1980 Act

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relating to the levying, revision and application of tolls should be amended for these and related purposes:

- (6) It is expedient that the 1980 Act should be amended for other purposes:
- (7) The purposes of this Act cannot be effected without the authority of Parliament:
- (8) In relation to the promotion of the Bill for this Act the requirements of section 239(4A) of the Local Government Act 1972 (c. 70) (powers of joint and local authorities to apply for further powers, etc.) have been observed:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—