

THE MANCHESTER SHIP CANAL COMPANY LIMITED

RIXTON AND WARBURTON BRIDGE BYELAWS 2024

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Maritime Centre
Port of Liverpool
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In accordance with article 3(18) of the Rixton and Warburton Toll Bridge Order 2024, the following byelaws (which are set out in Schedule 4 of the Rixton and Warburton Toll Bridge Order 2024) may be cited as the **Rixton and Warburton Bridge Byelaws 2024** and are to be treated as byelaws made by The Manchester Ship Canal Company Limited and confirmed by the Secretary of State on the date that the Rixton and Warburton Toll Bridge Order 2024 came into force (i.e. 30 May 2024).

These byelaws will continue to have effect until such time as they are amended or revoked by further byelaws made in accordance with article 3(1) of the Rixton and Warburton Toll Bridge Order 2024.

Part 1 – Interpretation

1. In these byelaws—

“the 1863 Act” means the Rixton and Warburton Bridge Act 1863^(a);

“the 1890 Act” means the Manchester Ship Canal (Various Powers) Act 1890^(b);

“Account” means the account containing a person’s details for the purposes of paying a toll or charge for a vehicle, or registering a discount, which is identified by a unique account number;

“ANPR” means automatic number plate recognition;

“authorised person” means a person or servant or agent or contractor appointed by or authorised by the undertaker to carry out duties in relation to the regulation, direction and control of traffic and for the purposes of the byelaws set out in Part 2 (regulation of traffic in the Rixton and Warburton Bridge) and in Part 7 (prevention of damage and nuisance generally) of the byelaws additionally means any police constable or police community support officer;

“the Bridge” means the bridge known as the Rixton and Warburton Bridge authorised by the 1863 Act and the 1890 Act;

“the bridge road” means the length of the highway commencing from the A57 Manchester Road in the north at national grid reference SJ6915390429 to Warburton Bridge Road at national grid reference SJ6980489711 in the south;

“the Canal” means the Manchester Ship Canal;

“the Company” means Rixton and Warburton Bridge Company Limited (Company No. 13617881 incorporated under the Companies Act 2006^(c) and having its registered office at Maritime Centre, Port of Liverpool, Liverpool L21 1LA;

“exemptions register” means the register of vehicles exempt from tolls maintained by MSCC in accordance with article 8 (tolls) of, and Schedule 2 (register of vehicles exempt from tolls) to, the Order;

“MSCC” means The Manchester Ship Canal Company Limited;

(a) 1863 c. lxiii.
(b) 1890 c. ccxxvii.
(c) 2006 c. 46.

“notice” includes a sign, signal and a digital or other display, and in appropriate circumstances, an audible announcement;

“the Order” means the Rixton and Warburton Bridge Order 2024;

“relevant date” means the second day after the date of the passage of a vehicle across the Rixton and Warburton Bridge;

“Rixton and Warburton Bridge” means the Bridge together with the bridge road as shown in the plan in Schedule 5 to the Order and all toll booths or other toll collection facilities constructed on the said Bridge or the bridge road;

“Tag” means an electronic device fitted to a vehicle, on the inside of the windscreen, to allow tolling without physical payment using cash, provided there is credit on the Account;

“undertaker” means MSCC, or the Company or other assignee if the power under article 5 (transfer of Undertaking) or under article 10(3) (power to enter into concession agreements and lease or transfer the Undertaking, etc.) of the Order has been exercised; and

“website” means <https://www.warburtontollbridge.co.uk/> or as otherwise set-up from time to time and publicised by the undertaker.

2. Unless the context otherwise requires—

(a) words importing the singular number includes the plural and vice versa;

(b) words imparting any particular gender includes the other gender; and

(c) any reference in the byelaws to any statute or statutory provision is construed as referring to that statute or statutory provision as it may from time to time be amended, modified, extended, re-enacted or replaced (whether before or after the date of this byelaw) and including all subordinate legislation from time to time made under it.

3. The Interpretation Act 1978^(d) applies to the interpretation of these byelaws as it applies to the interpretation of an Act of Parliament.

4. Nothing in these byelaws applies so as to restrict the execution of duties or the carrying out of works or services on the Rixton and Warburton Bridge by authorised persons or by any police office or fire office.

Part 2 – Regulation of traffic on the Rixton and Warburton Bridge

5. The driver of a vehicle on the Rixton and Warburton Bridge must comply with all traffic signals and instructions given by an authorised person and with all notices (including any temporary notices), road markings and traffic signals displayed on the Rixton and Warburton Bridge.

6. Subject to byelaw 8, the maximum speed for a vehicle on the Rixton and Warburton Bridge will be that which is indicated by the displayed road signs.

(d) 1978 c. 30

7. The minimum speed is 15 miles per hour except for pedal cycles or where prevented by other vehicles or at places where stops or a lower speed are unavoidable or are permitted or directed by an authorised person or displayed temporary road signs (whether advisory or mandatory).

8. The procedures for imposing or exceeding mandatory speed limits for emergency vehicles are prescribed under the relevant legislation and the penalties for contravening local speed limits are prescribed in the Road Traffic Regulation Act 1984^(e), the Road Traffic Act 1988^(f) and the Road Traffic Offenders Act 1988^(g) or any amendment thereof relating to speed limits.

9. A person must not use or cause to be used a vehicle on the Rixton and Warburton Bridge unless the load carried by the vehicle is at all times contained or secured (if necessary by physical restraint other than its own weight) and is in such a position that neither danger nor nuisance is caused or is likely to be caused to a person or property by reason of the load to any part of the load falling or being thrown from the vehicle.

10. A driver of a vehicle which has shed its load in full or in part on the Rixton and Warburton Bridge such that it has caused, or may cause, an obstruction or other hazard to users of the Rixton and Warburton Bridge or to users of the Canal must as soon as reasonably practicable—

- (a) inform an authorised person of the loss of the load; and
- (b) inform an authorised person of the identity of, and contact details for, the owner of the load.

11. The driver of a vehicle on the Rixton and Warburton Bridge must maintain a safe and prudent distance between that driver's own vehicle and the one immediately in front of it.

12. A person driving a vehicle on the Rixton and Warburton Bridge must not stop the vehicle unless directed by an authorised person, notice or traffic signal or compelled by traffic, or unless it is necessary for the vehicle to do so—

- (a) by reason of a breakdown of the vehicle;
- (b) by reason of, or to prevent, an accident with another vehicle or person on the Rixton and Warburton Bridge;
- (c) by reason of illness of the driver of the vehicle or other emergency which causes the driver to be unable to continue to drive the vehicle;
- (d) to permit any person carried in or on the vehicle to recover or move any object that has fallen;
- (e) to permit any person carried in or on the vehicle to give help which is required by any person in any of the circumstances specified in paragraphs (a), (b), (c) or (d);
- (f) for the discharge of functions contained in legislation relating to fires and emergencies.

13. A vehicle may be towed on the Rixton and Warburton Bridge provided it is secured by means of towing equipment which is appropriate for the purpose and provided that, if explicitly directed by an authorised person because of safety concerns, the vehicle and towing equipment have been examined by an authorised person.

(e) 1984 c. 27.

(f) 1988 c. 52.

(g) 1988 c. 53.

14. A person must not drive onto the Rixton and Warburton Bridge any vehicle which is not provided with sufficient petrol or other fuel and mechanical power to ensure that it maintains the minimum speed specified in these byelaws and is able to traverse the Rixton and Warburton Bridge.

15. A person must not, except with the permission of an authorised person, refuel any vehicle or undertake any repairs to a vehicle or change a tyre or wheel of a vehicle on the Rixton and Warburton Bridge.

16. —(1) If the driver of a vehicle on the Rixton and Warburton Bridge refuses to move the vehicle when ordered to do so by an authorised person, or if a vehicle on the Rixton and Warburton Bridge is unable to proceed because of a breakdown, it will be lawful for it to be removed by an authorised person at the cost and expense of the owner or person in charge of the vehicle, and a person must not obstruct any such authorised person in carrying out such removal.

(2) The vehicle will be removed to a location which will be either—

- (a) the operational premises of the recovery company employed for this service; or
- (b) other designated area as specified by the undertaker or an authorised person, details of which will be available on the website.

Part 3 – Dangerous traffic

17. A person must not, except with the consent of an authorised person, take or cause or permit to be taken on to the Rixton and Warburton Bridge any vehicle carrying any goods, substances or articles of a dangerous nature.

Part 4 – Excluded traffic

18. A person must not enter, attempt to enter or remain on any part of the Rixton and Warburton Bridge when instructed not to do so by an authorised person or where there is a notice prohibiting or restricting access.

19. A person must not take or cause or permit to be taken onto the Rixton and Warburton Bridge any of the following vehicles—

- (a) vehicles which emit grit, sparks, ashes, cinders, or oily substances in a manner which contravenes any regulations for the time being in force under the Road Traffic Act 1988^(h) or any amendment relating to the construction and use of motor vehicles;
- (b) vehicles which, in the opinion of an authorised person, are in such a condition or are so loaded, built or equipped as to be likely to retard traffic, injure persons or damage property.

Part 5 – Special type vehicles

20. —(1) A person must not take or permit to be taken onto the Bridge, without the prior permission of an authorised person and subject to such conditions as the authorised person may direct (which may include an escort, for which a reasonable charge may be made), any vehicle, except any vehicle entered into the Exemptions Register in accordance with article 9 (payment of

(h) 1988 c. 52

tolls) of, and Schedule 2 (register of vehicles exempt from tolls) to, the Order, whose height, width or weight (including load in each case) exceeds the following—

<i>(1)</i>	<i>(2)</i>
Height	5.18 metres
Width	2.5 metres
Weight	3 tonnes

(2) Application for permission of an authorised person under this byelaw must be made in writing at least 6 clear days before the proposed arrival at the Bridge of the vehicle the subject of the application.

Part 6 – Tolls and charges

21. A toll is to be demanded and taken in accordance with the provisions of the Order and any order modifying, amending or replacing it unless the vehicle is exempt from the requirement to pay a toll.

22. In respect of the passage of a vehicle across the Rixton and Warburton Bridge which is not exempt, payment of the toll may be made in the following ways—

- (a) by pre-payment of the toll;
- (b) by payment of the toll via ANPR;
- (c) by payment of the toll via a Tag; or
- (d) in accordance with the payment methods published from time to time by the undertaker.

23. A person driving a vehicle across the Rixton and Warburton Bridge is liable to pay a toll at a level displayed at all entry points onto the Rixton and Warburton Bridge.

24. A liability to pay unpaid toll charges in respect of a vehicle arises where—

- (a) a liability to pay a toll under byelaw 21 has been incurred in respect of that vehicle;
- (b) a toll has not been paid in full by, or on behalf of, either the driver or registered keeper of that vehicle in respect of the passage by the vehicle across the Rixton and Warburton Bridge; and
- (c) the toll remains unpaid after the relevant date.

25. The levels of unpaid toll charges to be applied to a vehicle in accordance with byelaw 24 are—

- (a) £30.00 (thirty pounds) in addition to the toll payable when paid in full within fourteen days beginning with the relevant date;
- (b) £60.00 (sixty pounds) in addition to the toll payable when paid in full between fourteen days from the relevant date and twenty-eight days following the relevant date;
- (c) £100.00 (one hundred pounds) in addition to the toll payable when paid in full after twenty-eight days following the relevant date.

26. For the purpose of byelaw 22(b), the undertaker will use ANPR to record images of vehicles to calculate the toll due from the relevant Account.

27. The undertaker will retain and use any such images or information recorded from vehicles in accordance with the General Data Protection Regulation⁽ⁱ⁾ and the Data Protection Act 2018^(j).

28. A person, liable under byelaw 24, must inform the undertaker as soon as reasonably practicable if their vehicle is sold or stolen, and provide a unique reference number or crime reference number from the police or appropriate documentary evidence of the sale (as applicable) and, if the undertaker requests, confirm the theft or sale in writing.

29. If the undertaker is not informed that the vehicle has been sold or stolen in accordance with byelaw 28, charges will continue to be calculated for the vehicle in accordance with byelaw 25 and the Account will remain liable for any charges incurred by the vehicle and the Account will continue to be debited.

30. If the vehicle has been sold, a person may register a new vehicle to their Account by updating their Account.

31. The undertaker will be entitled to deduct from an Account all liable charges, and other sums due to the undertaker in accordance with the byelaws and the Order, as they are incurred.

32. —(1) For the purpose of byelaw 22(c), a person may apply to the undertaker for a Tag.

(2) Any such application must be made on a form issued by and obtainable from the undertaker at the website and must include the particulars and information required by such form to be supplied.

(3) The undertaker may require an applicant for a Tag to produce evidence it may reasonably require to verify any particulars, in respect of information given to it.

(4) Upon receipt of an application duly made under this byelaw, the undertaker may issue to the applicant a Tag.

33. The Tag holder must inform the undertaker as soon as reasonably practicable if their vehicle is sold or stolen, and provide a unique reference number or crime reference number from the police or appropriate documentary evidence of the sale (as applicable) and, if the undertaker requests, confirm the theft or sale in writing.

34. If the undertaker is not informed that the vehicle has been sold or stolen in accordance with byelaw 33, charges will continue to be calculated for the vehicle in accordance with byelaw 25 and the Account will remain liable for any charges incurred by the vehicle and the Account will continue to be debited.

Part 7 – Prevention of damage or nuisance generally

35. A person on the Rixton and Warburton Bridge must not climb upon, damage or remove any part of (whether deliberately or negligently) the structures of the Rixton and Warburton Bridge,

(i) EUR 2016/679, amended by the Advanced Research and Invention Agency Act 2022 (c. 4), paragraph 18 of Schedule 3, S.I. 2019/419 and S.I. 2020/1586.

(j) 2018 c. 12.

equipment, fittings or appurtenances or any other property of the undertaker, or post any bill, placard or notice, or write or stamp, cut, print, draw or make marks in any manner on any part.

36. A person must not remove, jump or otherwise manoeuvre over or under, any bar, railing, fence or barrier or open any gate or movable barrier fitted or placed on any part of the Rixton and Warburton Bridge or fix anything to the Rixton and Warburton Bridge without prior consent from an authorised person.

37. A person must not move, alter, or deface or otherwise interfere with any notice or sign belonging to the undertaker and exhibited or placed on the Rixton and Warburton Bridge.

38. A person, other than one so authorised by the undertaker, must not throw or drop in any part of the Rixton and Warburton Bridge anything whatsoever capable of injuring or damaging the bridge road or the Canal or any person or property.

39. A person must not place or deposit or leave on the Rixton and Warburton Bridge any vehicle or any glass, china, earthenware, plastic, tin, paper, debris, oils, waste or other material so as to create an obstruction or litter or fire risk.

40. A person must not wilfully obstruct or impede an authorised person in the execution of the authorised person's duty, nor use threatening, abusive or insulting words or behaviour against the authorised person, on the Rixton and Warburton Bridge.

41. A person must not offer for sale or sell any articles or produce of any description on the Rixton and Warburton Bridge without the express written permission of the undertaker.

42. A person must not loiter or remain on the Rixton and Warburton Bridge or in any vehicle therein after having been requested by an authorised person to move therefrom.

43. A person must not, without prejudice to any other requirement of the byelaws, act in any way as to cause, or likely to cause, harassment, alarm or distress to any person or cause a nuisance on the Rixton and Warburton Bridge.

Part 8 – Closure of the bridge road

44. During any period of closure of the Rixton and Warburton Bridge in accordance with article 4 (closing of the Rixton and Warburton Bridge) of the Order, the passage of any vehicle across the Rixton and Warburton Bridge may only be with the consent of the undertaker, whose decision will be final.

Part 9 – Power to exclude

45. It will be lawful for an authorised person to prevent from gaining access to the Rixton and Warburton Bridge the driver of any vehicle or any other person who the authorised person has reasonable cause to believe is contravening, or will contravene, if the driver of the vehicle or the other person proceeds, any of these byelaws.

Part 10 – Penalty for offences

46. Any person who contravenes or fails to comply with a provision of these byelaws is liable on summary conviction to a fine not exceeding Level 3.

47. The undertaker wherever applicable in monitoring infringements of these byelaws and in the prosecution of offenders is entitled to rely where appropriate—

- (a) on the evidence of a device adapted for measuring the speed of vehicles by radar, laser or ANPR or any other means as may be approved by the Secretary of State; and
- (b) to make admissible recorded images from the flow of traffic on the Rixton and Warburton Bridge.

Schedule 5 of the Rixton and Warburton Bridge Order 2024

Plan

