



Department
for Transport

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Your Ref:

Our Ref:

Date: 5 August 2025

Dear Mr Ward

ALDWARE TOLL BRIDGE LLP – TOLL REVISION APPLICATION

SECRETARY OF STATE'S DECISION – ORDER TO BE MADE

1. In accordance with Section 6 of The Transport Charges &c. (Miscellaneous Provisions) Act 1954 and the Aldware Bridge Act 1772, the Secretary of State for Transport (the Secretary of State) has decided that the application made by the Aldware Toll Bridge LLP (the Company) for a Toll Revision Order (the Order) on 15 July 2024, should be approved in accordance with the application.

BACKGROUND

2. The application was made under the provisions referred to above and sent to the Secretary of State for a decision. As there were a total of 101 separate objections to the application, a local Public Inquiry was ordered. The Inquiry was held at The Galtres Centre, Market Place, Easingwold, North Yorkshire on Tuesday and Wednesday 18 and 19 March 2025 before Jonathan Hockley BA(Hons) DipTP MRTPI, an independent Inspector appointed by the Secretary of State.
3. The Inspector considered the application, representations and objections about the application during the Inquiry and has since submitted a report to the Secretary of State, a copy of which is enclosed with this letter. References to the report within this letter are prefixed 'IR'.

LEGAL FRAMEWORK

4. The Secretary of State has considered the Inspector's Report and her obligations under Section 6(3) of the 1954 Act (as amended) that she must.

"...have regard to the financial position and future prospects of the undertaking and shall not make any revision of charges which in his opinion would be likely to result in the undertaking receiving an annual revenue either substantially less or substantially

more than adequate to meet such expenditure on the working, management and maintenance of the undertaking and such other costs, charges and expenses of the undertaking as are properly chargeable to revenue, including reasonable contributions to any reserve, contingency or other fund and, where appropriate, a reasonable return upon the paid up share capital of the undertaking.'

5. The Secretary of State has considered information supplied by the Company on past, current and projected performance as well as projected expenditure on the maintenance of the Undertaking. The case for the applicant is outlined in the Inspector's report at IR.9 – IR.70
6. The Secretary of State has also considered the various general representations and objections against the application, the material points of which are set out in the Inspector's report at paragraphs IR.71 – IR.106. She has also specifically noted the cases of Sir Alec Shelbrooke, MP for Wetherby and Easingwold at IR.107 – IR.117 and of Aldwark Parish Council at IR.118 – IR.162.
7. The Secretary of State notes that at the Inquiry the Inspector heard a procedural concern that interested parties who were working would not be able to attend the event at IR. 6. However, she also notes that the Inspector issued a pre-inquiry note offering an evening session if interest was shown. No such interest was forthcoming.

STATUTORY CRITERIA

8. Section 6(3) of the 1954 Act states that in making any order on an application under this section, the Minister shall:
 - have regard to the financial position and future prospects of the undertaking and
 - shall not make any revision of charges which in his opinion would be likely to result in the undertaking receiving an annual revenue either substantially less or substantially more than adequate to meet such: -
 - a. expenditure on the working, management and maintenance of the undertaking and such other costs, charges and expenses of the undertaking as are properly chargeable to revenue,
 - b. including reasonable contributions to any reserve, contingency or other fund; and
 - c. where appropriate, a reasonable return upon the paid-up share capital of the investment.

SECRETARY OF STATES'S REASONING

9. The Secretary of State has noted and agrees with the Inspector that from the evidence presented, the Applicant has clearly satisfied the statutory conditions in section 6(3) of the 1954 Act - IR.181. She agrees with the Inspector that the evidence confirms that the undertaking receives an annual revenue less than adequate to meet expenditure,

with losses made in 2021, 2022 and 2023. She agrees with the Inspector that this situation is not financially sustainable. (IR.183).

10. The Secretary of State notes that both the Parish Council and Sir Alec Shelbrooke MP recognise that the principle of raising the tolls is fair. Indeed, there is widespread agreement that it is fair that tolls should rise, but it is the amount of increase that is the issue (IR.183).
11. She also recognises that increased tolls will have an impact on the bridge's users, and wider community, which is unwelcome considering other costs and financial pressures. However, she agrees with the Inspector that increased income is necessary to maintain and run the bridge. Currently the income is insufficient to cover the costs therefore the fare should rise (IR.184 – IR.185).
12. The Secretary of State notes that various objections comment that the bridge should be run publicly, however there are no agreements in place to change ownership and change funding arrangements. She agrees with the Inspector that it remains the case that the bridge is privately owned and unless ownership and funding arrangements change, which would require legislative change, it's income from tolls must pay for the running and maintenance of the crossings (IR.186).
13. The Secretary of State agrees with the Inspector that no substantive evidence has been provided confirming that there was a flawed consultation process (IR.187).
14. The Secretary of State agrees with the Inspector on his conclusions about maintenance at IR.188 – IR.189. She also agrees with the Inspector in his conclusions regarding transport matters at IR.190 – IR.222. Furthermore, she agrees with the Inspector in his conclusions about accountancy at IR.223 – IR.255.

OTHER MATTERS

15. The Secretary of State notes that there was discussion at the public Inquiry (and in the evidence), about the honesty and integrity of the Applicant. However, based on the information provided at IR.256, she concurs with the Inspector when he states that the Applicants evidence was relevant and trustworthy at IR.256.

SECRETARY OF STATE'S CONCLUSION

16. The Secretary of State has noted the Inspector's conclusions and recommendation at IR.257- IR.263 and agrees with the recommendation that this Order should be made as outlined at IR.264.
17. In making this decision, the Secretary of State has relied on the information that the parties have provided, as contained in the application and related statements and correspondence, as being factually correct.
18. The Equality Act 2010 established the Public Sector Equality Duty. which requires public authorities to have due regard in the exercise of their functions to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited under that Act; advance equality of opportunity between people who share

a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not in respect of the following “protected characteristics”: age; gender; gender reassignment; disability; marriage and civil partnerships; pregnancy and maternity; religion and belief; and race. The Secretary of State has had due regard to the needs identified in the Public Sector Equality Duty in reaching her decision.

19. A copy of this letter and a copy of the Inspector’s report has been sent to the objectors and copies will also be made available, on request, to any other persons directly concerned.
20. The Order will be made by Statutory Instrument, and this office will be in touch with you concerning the details of this.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Brimelow', written in a cursive style.

TIM BRIMELOW

Authorised by the Secretary of State for Transport
to sign in that behalf