

Sanral silent on De Lille talks offer

CAPE TOWN: The South African National Roads Agency (Sanral) is showing no signs of warming to an offer made by Cape Town mayor Patricia de Lille to discuss alternatives to tolling the N1 and N2 highways. This leaves a court ruling as the only chance available to avoid the roads being tolled.



©EfinKaparulin via [123RF](#)

Western Cape High Court judge Ashley Binns-Ward yesterday reserved judgment in the case pitting the City of Cape Town against Sanral. The city argued that its nearly four-year delay in challenging the tolling project be overlooked "in the interest of justice".

De Lille told Business Day Sanral had not responded at all to her offer to discuss alternatives to fund the N1 and N2 upgrades. She made the offer last week.

Sanral has said tolling is one of its only sources of income to upgrade roads. The likelihood of it changing this stance is slim unless compelled to do so by the courts.

The N1 and N2 were declared toll roads in 2008, while the city initiated a challenge only in 2011. If Sanral's decision to toll and a government declaration that opened up the process were not set aside, the roads agency could be tolling the city's road users unlawfully, said the city's legal counsel, Geoff Budlender. He said that although the delay in the city's court challenge was outside the limits of the Promotion of Administrative Justice Act, the legislation also stated that the interests of justice must be considered in such decisions.

"The consequence of this is that R50bn of public money will be spent on a project which was not lawfully accepted. Another consequence is that members of the public will learn that tolling is happening even though the process could be unlawful, simply because the city delayed in bringing its challenge to court."

Sanral's legal counsel, Bruce Leech, argued last week that the agency had only two sources of income - appropriations from Parliament and tolling. He said that, according to the same act, review proceedings should be made without reasonable delay and within 180 days.

Source: *Business Day*

For more, visit: <https://www.bizcommunity.com>