Forth Road Bridge Bill

Bill Number: SP Bill 20
Introduced on: 11 December 2012
Introduced by: Nicola Sturgeon MSP (Government Bill)
Passed: 23 May 2013
Royal Assent: 28 June 2013

Passage of the Bill

The Forth Road Bridge Bill [SP Bill 20] was introduced in the Parliament on 11 December 2013 by Nicola Sturgeon MSP, Cabinet Secretary for Infrastructure, Investment and Cities. The Infrastructure and Capital Investment Committee was appointed as lead committee for Stage 1. Its Stage 1 report was published on 18 March 2013. The Stage 1 debate took place on 26 March 2013 and Parliament agreed the general principles of the Bill unanimously.

Only one amendment to the Bill was proposed at Stage 2, which was withdrawn.

The Bill was passed unanimously at Stage 3, without amendment, on 23 May 2013.

Purpose and objectives of the Bill

The purpose of the Bill was to allow Scottish Ministers to appoint a single private sector contractor to operate, manage and maintain the Forth Road Bridge and, following it completion, the new Queensferry Crossing. This is in line with operational arrangements for the rest of the trunk road network. To do this, the Forth Estuary Transport Authority (FETA), which was the bridge authority, had to be wound up and its responsibilities transferred to Scottish Ministers.

Provisions of the Bill

The key provisions of the Bill are set out below:
• **Section 1:** Designates the road over the Forth Road Bridge as a trunk road, making Scottish Ministers the roads authority for that road.

• **Section 2:** Transfers all Forth Estuary Transport Authority (FETA) owned properties, including the Bridge, to Scottish Ministers along with any other legal or financial liabilities.

• **Section 3:** Provides that all FETA employees will transfer to the operator appointed by Scottish Ministers to manage and maintain the Forth Road Bridge, Forth Replacement Crossing and connecting roads. The Transfer of Undertakings (Protection of Employment) Regulations 2006 apply to this transfer. This means that FETA staff were transferred to the winning operating company on their current terms and conditions.

• **Section 4:** Allows for the dissolution of FETA.

• **Section 5:** Allows for all byelaws made by FETA and the previous Joint Board to continue following FETA’s dissolution. It also gives Scottish Ministers powers to revoke such byelaws through a traffic management order.

**Parliamentary consideration**

The Infrastructure and Capital Investment Committee heard Stage 1 oral evidence on the Bill at meetings on 6, 20 and 27 February 2013. In addition, five organisations responded to the Committee’s call for written evidence. The Committee’s Stage 1 Report made only two firm recommendations. The first that the Committee be kept updated about tendering of the new private sector maintenance contract. The second being that the Scottish Government write to the City of Edinburgh Council to confirm that the Council would not be left with any financial liability for works associated with the M9 spur, which serves the Forth Road Bridge, following the passage of the Bill.

Only one amendment was lodged at Stage 2, by Elaine Murray MSP. This would have required Scottish Ministers to create an independent body to monitor the management and maintenance of the Forth Road Bridge – the membership to include councillors from the four local authorities nearest to the Bridge. The amendment was withdrawn as the Member considered that it did not correctly address her concerns due to the way it was drafted.

No amendments were lodged at Stage 3 and the Bill was passed unanimously.