

*These notes relate to the Forth Road Bridge Act 2013
(asp 8) which received Royal Assent on 28 June 2013*

FORTH ROAD BRIDGE ACT 2013

EXPLANATORY NOTES

BACKGROUND TO THE ACT

3. This Act paves the way for the Scottish Government to contract a single bridge operating company to carry out the management and maintenance of –
 - the Forth Road Bridge (FRB),
 - the Queensferry Crossing (new Forth Crossing), and
 - the connecting roads from the M90 Junction 3 Halbeath in the north through to the M9 Junction 1a in the south.
4. In order to contract out the functions of managing and maintaining the FRB, the Scottish Government must take those functions from the Forth Estuary Transport Authority (FETA) (the statutory body which presently fulfils the functions). Accordingly, the Act –
 - makes the road over the FRB a trunk road (which means, like all trunk roads in Scotland, it comes under the Scottish Government’s management),
 - transfers all of FETA’s property and liabilities to the Scottish Government, and
 - dissolves FETA.
5. Rather than transfer FETA’s employees to the Scottish Government, only for them to be transferred to the contracted bridge operating company, the Act transfers FETA’s employees directly into the employment of the bridge operating company and ensures the Transfer of Undertakings (Protection of Employment) Regulations 2006¹ (the TUPE regulations) apply to the transfer.

¹ http://www.legislation.gov.uk/uksi/2006/246/pdfs/ukxi_20060246_en.pdf