THE CITY OF EDINBURGH COUNCIL

SUPPLEMENTARY WRITTEN SUBMISSION

The Council refers to its previous Written Submission in response to the Forth Road Bridge Bill, dated 1 February 2013, and to Transport Scotland’s subsequent Press Release, dated 5 February 2013.

The Council acknowledges Transport Scotland’s statement within their Press Release that “The Council would not be expected to meet any outstanding claims where the liability rests with FETA, ………”

However, the Council would respectfully suggest that this does not address the main financial concern raised in its previous Written Submission, which was that the liability for all outstanding compensation claims relating to the M9 Spur Extension/A90 Upgrading project currently lies with the Council rather than with FETA.

The Council undertook this project at the request of FETA, acting wholly as its Agent, and all costs incurred by the Council to date have been reimbursed by FETA.

However, the Compulsory Purchase Order for the land required to construct the new road and the contract for its construction were promoted by the Council as Roads Authority. Compensation claims arising from the land acquisition and the construction of the road have therefore been served on the Council rather than on FETA.

Consequently, as the Bill currently stands, any liabilities relating to these claims that remain outstanding on dissolution of FETA would not automatically transfer to Scottish Ministers.

The Council is therefore seeking a formal commitment that Scottish Ministers will reimburse all costs incurred by the Council in connection with this project following the dissolution of FETA.

The City of Edinburgh District Council

12 February 2013