



Housing Act 1988

1988 CHAPTER 50

PART III

HOUSING ACTION TRUST AREAS

Functions

69 Highways.

- (1) When any street works have been executed [^{F1}on any land in a designated area which was then or has since become a private street (or part of a private street)], the housing action trust may serve a notice on the street works authority requiring it to declare the street (or part) to be a highway which for the purposes of the ^{M1}Highways Act 1980 is a highway maintainable at the public expense.
- (2) Within the period of two months beginning on the date of the service of a notice under subsection (1) above, the street works authority may appeal against the notice to the Secretary of State ^{F2}. . .
- (3) After considering any representations made to him by the housing action trust and the street works authority, the Secretary of State shall determine an appeal under subsection (2) above by setting aside or confirming the notice under subsection (1) above (with or without modifications).
- (4) Where, under subsection (3) above, the Secretary of State confirms a notice,—
 - (a) he may at the same time impose conditions (including financial conditions) upon the housing action trust with which the trust must comply in order for the notice to take effect, and
 - (b) the highway (or part) shall become a highway maintainable at the public expense with effect from such date as the Secretary of State may specify.
- (5) Where a street works authority neither complies with the notice under subsection (1) above, nor appeals under subsection (2) above, the street (or part) concerned shall become a highway maintainable at the public expense upon the expiry of the period of two months referred to in subsection (2) above.

Changes to legislation: Housing Act 1988, Section 69 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(6) In this section “private street” and “street works authority” have the same meanings as in Part XI of the ^{M2}Highways Act 1980.

Textual Amendments

- F1** Words in s. 69(1) substituted (11.10.1993) by 1993 c. 28, s. 182(1); S.I. 1993/2134, arts. 2, 4
- F2** Words in s. 69(2) repealed (11.10.1993) by 1993 c. 28, ss. 182(2), 187(2), Sch. 22; S.I. 1993/2134, arts. 2, 4
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Marginal Citations

- M1** 1980 c. 66.
- M2** 1980 c. 66.

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)