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STATUTORY INSTRUMENTS

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**2014 No. 2637**

The Central Bedfordshire Council (Woodside Link  
Houghton Regis) Development Consent Order 2014

PART 3  
STREETS

**Construction and maintenance of new, altered or diverted streets**

9.—(1) Subject to paragraph (2), the streets authorised to be constructed, altered or diverted under this Order are to be public highways, and unless otherwise agreed with the highway authority in whose area those streets lie must be maintained—

- (a) by and at the expense of the undertaker for a period of 12 months from their completion; and
- (b) at the expiry of that period, by and at the expense of the highway authority, provided that the works concerned have been completed to the reasonable satisfaction of the highway authority.

(2) Where a street which is not and is not intended to be a public highway is constructed, altered or diverted under this Order, the street (or part of the street as the case may be), unless otherwise agreed with the street authority, must be maintained—

- (a) by and at the expense of the undertaker for a period of 12 months from its completion; and
- (b) at the expiry of that period by and at the expense of the street authority provided that the street has been completed to the reasonable satisfaction of the street authority.

(3) In any action against the undertaker in respect of damage resulting from its failure to maintain a street to which paragraph (2) applies, section 58 (special defence in action against a highway authority for damages for non-repair of highway)(1) of the 1980 Act applies as if that street were a highway maintainable at the public expense and the undertaker were the highway authority.