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STATUTORY INSTRUMENTS

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**1995 No. 3210**

**The Street Works (Northern Ireland) Order 1995**

*Charges, fees and contributions payable by undertakers*

**Liability for cost of use of alternative route**

**37.**—(1) Where by reason of street works the use of a road is restricted or prohibited and the diverted traffic uses as an alternative route a road of a lower classification, the undertaker shall indemnify the Department in respect of costs reasonably incurred by the Department—

- (a) in strengthening the road, so far as that is done with a view to and is necessary for the purposes of its use by the diverted traffic; or
  - (b) in making good any damage to the road occurring in consequence of the use by it of the diverted traffic.
- (2) For this purpose the order of classification of roads, from higher to lower, is as follows: