
STATUTORY INSTRUMENTS

2011 No. 41

The River Mersey (Mersey Gateway Bridge) Order 2011

PART 2

WORKS PROVISIONS

Streets

Construction and maintenance of new or altered streets

11.—(1) Subject to the provisions of article 45 (application of section 2 of the 1991 Act) the bridge roads shall be a public highway and shall be maintained by and at the expense of the highway authority from the opening day.

(2) Where a street which is not and is not intended to be a public highway is altered or diverted under this Order, the altered or diverted part of the street shall, when completed to the reasonable satisfaction of the street authority, unless otherwise agreed, be maintained by and at the expense of the undertaker for a period of 12 months from its completion and at the expiry of that period by and at the expense 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 of the 1980 Act shall apply as if that street were a highway maintainable at the public expense.