STATUTORY INSTRUMENTS

1975 No. 1480

TRANSPORT

The GKN Tremorfa Works Light Railway Order 1975

Made - - - - 3*rd September* 1975

Coming into Operation 13*th September* 1975

The Secretary of State for the Environment on the application of GKN (South Wales) Limited and in exercise of powers conferred by sections 7, 9 and 10 of the Light Railways Act 1896(a) as amended by the Light Railways Act, 1912(b) and Part V of the Railways Act 1921(c) and now vested in him(d) and of all other powers enabling him in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the GKN Tremorfa Works Light Railway Order 1975 and shall come into operation on 13th September 1975.

Interpretation

2.—(1) In this Order unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"area of the level crossing" means the portion of the road on which the railway will cross the road by a level crossing;

"the Company" means GKN (South Wales) Limited;

"the deposited plan" and "the deposited sections" mean respectively the plan and sections deposited in respect of the application for this Order with the Department of the Environment and signed by a Senior Principal in the Department;

"the limits of deviation" means the limits of deviation shown on the deposited plan;

"the railway" means the railway and works authorised by this Order;

"the road" means the public highway in the city of Cardiff known as Rover Way.

(2) Unless the context otherwise requires references in this Order to any enactment shall be construed as references to that enactment as amended by any subsequent enactment including this Order.

(3) The Interpretation Act 1889(e) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Incorporation of general Act

3. The provisions of the Railways Clauses Consolidation Act 1845(f) except sections 6, 8, 9, 11 to 15, 17 to 23, 30 to 65 and 68 to 138 are incor-

(a) 1896 c. 48.
(b) 1912 c. 19.
(c) 1921 c. 55.
(d) S.I. 1970/1681 (1970 III, p. 5551).
(e) 1889 c. 63.
(f) 1845 c. 20.

porated with and form part of this Order so far as the same are applicable for the purposes of this Order and are not inconsistent with or varied by the provisions of this Order and this Order shall be deemed to be the Special Act for the purposes of the said incorporated provisions.

Power to make railway

4.—(1) Subject to the provisions of this Order the Company may in the line and situation and upon the lands delineated on the deposited plan and according to the level shown on the deposited sections make and maintain the railway hereinafter described with all necessary works and conveniences connected therewith.

(2) The said railway is situate wholly in the city of Cardiff in the county of South Glamorgan and is—

A railway 450 metres or thereabouts in length commencing at a point near the north-east end of the Tremorfa Works of the Company 90 metres or thereabouts to the north side of the road where the road runs parallel with the Cardiff Flats proceeding in a south-easterly direction and passing across the road thence proceeding for a distance of 348 metres or thereabouts curving in a south-westerly direction to and terminating at a point 175 metres or thereabouts south of the road:

Provided that the foregoing description of the railway or anything otherwise contained in this Order shall not be deemed to prohibit or preclude the Company from making, constructing, laying or erecting any further branches, sidings and junctions with all necessary works and conveniences in connection therewith provided and so far as the same shall be solely on land belonging or leased to the Company and provided that the same shall not cross any highway.

Power to deviate

5. In the construction of the railway or any part thereof the Company may deviate from the line or situation thereof shown on the deposited plan to the extent of the limits of deviation and may deviate vertically from the level shown on the deposited sections to any extent not exceeding 0.50 metre upwards or downwards or to such further extent as may be found necessary or convenient and as may be sanctioned by the Secretary of State for the Environment:

Provided that where the railway crosses the road the Company shall not deviate vertically from the level shown on the deposited sections to any extent beyond 10 millimetres upwards or downwards.

Power to stop up road temporarily

6.—(1) Subject to the provisions of this Order, the Company may for the purpose of or in connection with the construction and maintenance of the railway stop up, open, break up, interfere with, alter or divert temporarily all or any part of the carriageway or footway of the part of the road within the area of the level crossing and may execute and do all necessary works and things for or in connection with such stopping up, opening, breaking up, interference, alteration or diversion, and for keeping such carriageway or footway open for traffic, and may remove or alter any lamp-posts, posts and other erections upon the land so affected.

(2) The Company shall provide reasonable access for all persons bona fide going to or returning from any premises in the road during any stopping up, interference, alteration or diversion under the powers of this section.

(3) (*a*) The exercise of the powers conferred by this article shall not affect the powers of the Post Office under the Telegraph Acts 1863 to 1916 to place, maintain, inspect, repair, renew or remove telegraphic lines or to open or break up the road for any of those purposes.

(*b*) In this paragraph the expression "telegraphic line" has the same meaning as in the Telegraph Act 1878**(a)**.

As to crossing of road on the level

7.—(1) The Company may in the construction of the railway carry the same with a single line across and on the level of the road within the area of the level crossing as shown on the plan and sections.

(2) The rails of the railway shall be laid and maintained within the area of the level crossing so that the upper surface is upon a level with the surface of the carriageway or footway of the road.

(3) The Company shall not within the area of the level crossing obstruct or hinder the traffic or persons passing along the road for longer than is reasonably necessary in taking any train, engine, carriage or truck across the road.

Provision of barriers, etc.

8. The Company shall provide within the area of the level crossing and shall maintain and operate the barriers, lights, traffic signs and other devices and appliances specified in Part I of the Schedule to this Order and the Company shall observe the conditions and requirements specified in Part II of that Schedule in relation to the said level crossing by which the railway crosses the road and the use and operation thereof.

Gauge of railway and motive power

9. The railway shall be constructed on a gauge of 1435 millimetres and the motive power of the railway shall be diesel, diesel electric or such other motive power as the Secretary of State may approve.

Restrictions of weight on rails and of speed

10.—(1) The Company shall not use upon the railway engines, carriages or trucks bringing any weight upon the rails by any one pair of wheels exceeding such weight as the Secretary of State may allow in writing in accordance with the following sliding scale and having regard among other things to the rate of speed authorised to be run and the volume of traffic carried on the railway:—

Maximum axle load in tons	*If rails used weigh at least in lbs. per yard*
8 to 10	50
9 to 11	55
11 to 13	60
13 to 15	65
15 to 17	70
16 to 18 or more	75 and upwards

Provided that if the Secretary of State thinks fit he may allow in writing variations from the said scale subject to such conditions as he may prescribe in any case.

(2) The Company shall not except as otherwise permitted by the Secretary of State in writing run any train or engine upon the railway at a rate of speed:—

(*a*) exceeding at any time 15 miles per hour;

(*b*) exceeding any less maximum speed fixed by the Secretary of State for any part of the railway where the Secretary of State considers such further restrictions necessary for public safety.

(3) If the Company act in contravention of any of the provisions of this section they shall for each such offence be liable on summary conviction to a fine not exceeding £50.

(a) 1878 c. 76.

Recovery of fines

11. Any fine under this Order may be recovered in manner provided by the Magistrates' Courts Act 1952**(a)**.

Costs of Order

12. All costs, charges and expenses of and incident to the preparing for, obtaining and making of this Order or otherwise in relation thereto shall be paid by the Company and may in whole or in part be defrayed out of revenue.

Signed by authority of
the Secretary of State.
3rd September 1975.

W. J. Sharp,
An Under-Secretary in
the Department of the Environment.

SCHEDULE

PART I

PARTICULARS OF BARRIERS, LIGHTS, TRAFFIC SIGNS AND OTHER DEVICES AND APPLIANCES

1. Barriers shall be constructed on both sides of the railway.

2. The Barriers shall consist of a half-barrier on each side of the carriageway and shall be capable of being raised and lowered across the carriageway and the footways on both sides of the crossing. Each half-barrier when lowered shall extend as near to the centre of the carriageway as is reasonably practicable.

3. The half-barriers shall be of light construction but shall also be of sufficient strength to prevent distortion or fracture from wind pressure. Each half-barrier shall be capable of being manually operated.

4. The half-barriers shall be fitted with skirts of light construction so arranged that when the half-barriers are lowered they fence in the space between the half-barriers and the surface of the carriageway and of the footways.

5. When raised the half-barriers shall be inclined towards the carriageway at an angle of between 5 and 10 degrees from the vertical. No part of any half-barrier or of its attachments which is less than 5 metres above the level of the carriageway shall be horizontally displaced from the carriageway by less than 450 mm. No part of any half-barrier or of its attachments which is less than 2 metres above the level of the footways shall be horizontally displaced from the footways by less than 150 mm.

6. When the half-barriers are lowered their tops shall be not less than 920 mm and not more than 1060 mm above the road at the centre of the carriageway.

7. The half-barriers and skirts when lowered shall display on both the front and back faces alternate red and white vertical stripes approximately 600 mm wide.

8. The half-barriers shall be provided on the side facing outwards from the crossing with red reflecting material and the nearside half-barriers shall also be provided with red reflecting material on their reverse sides.

9. Two electric lamps of not less than five watts nominal rating each with lenses of not less than 50 mm in diameter shall be fitted to each half-barrier and when illuminated shall show a red light in each direction along the carriageway.

10. A screen shall be provided at each barrier pivot post for the purpose of guarding against danger to the public from the operating mechanism and the moving parts of each barrier machine.

11. A traffic light signal consisting of a single steady amber and two flashing red lamps together with a backing board as prescribed by Regulations made or having effect as if made under the Road Traffic Regulation Act 1967**(b)** shall be provided on the nearside of the road on each side of the crossing on or adjacent to each barrier

(a) 1952 c. 55.

(b) 1967 c. 76.

pivot post. A traffic light signal of the same type shall be provided on or adjacent to the barrier pivot post on the offside of the road on each side of the crossing. The traffic light signals shall be so arranged as to face outwards from the crossing towards approaching traffic and the lamps shall be capable of directional adjustment.

12. A transverse stop line of the size, colour and type prescribed as a traffic sign by Regulations made or having effect as if made under the Road Traffic Regulation Act 1967 shall be provided across the nearside of the carriageway on each side of the crossing approximately 1 metre before the traffic light signal. The carriageway shall be approximately 7.5 metres wide at the crossing and its centre line shall be marked on the level crossing between the stop lines with a reflectorised double continuous line of the size, colour and type prescribed as aforesaid and shall be marked for a distance of not less than 15 metres extending from the stop line on each side of the crossing with a continuous line and dotted line of the size, colour and type prescribed as aforesaid, so placed that the continuous line is on the nearside of the dotted line. The two edges of the carriageway where it passes over the crossing shall be clearly marked with a reflectorised continuous longitudinal line.

13. The level crossing shall be protected by signals on the railway forming part of the signalling operated from the crossing control. The signals shall be at a distance of 32 metres from the crossing on the northern approach and 23 metres on the southern approach. The arrangements shall be such that it shall not be possible to raise the half-barriers from their positions across the carriageway unless the protecting railway signals are at danger and that while the half-barriers are raised it shall not be possible to clear the railway signals.

PART II

CONDITIONS AND REQUIREMENTS TO BE OBSERVED

1. The surface of the carriageway over the crossing shall be maintained in good and even condition.

2. The ground at the two edges of the carriageway where it passes over the crossing shall be made up to the level of the carriageway for a distance of approximately 2.1 metres beyond each edge.

3. The half-barriers shall be kept in the raised position except during the time when engines, carriages or other vehicles passing along the railway have occasion to cross the road. The half-barriers shall be interlocked with the protecting railway signals mentioned in paragraph 13 of Part I of this Schedule.

4. The half-barriers and the traffic light signals mentioned in paragraph 11 of Part I of this Schedule shall be operated electrically from a control point in the crossing control.

5. The traffic light signals shall be operated and the half-barriers lowered to close the road by the operation of one push-button at the control point. The sequence of events shall then be as follows:—

(*a*) The steady amber lamps shall immediately be illuminated and shall remain illuminated for approximately 5 seconds.

(*b*) Immediately the amber lamps are extinguished the flashing red lamps shall operate.

(*c*) 6 to 8 seconds later the nearside half-barriers shall start to descend taking 6 to 8 seconds to reach the lowered position.

(*d*) The offside half-barriers shall then start to descend also taking a period of 6 to 8 seconds to reach the lowered position.

(*e*) The flashing red lamps shall continue to operate until all the half-barriers have begun to rise and shall be extinguished before the half-barriers have risen to an angle of 10 degrees above the horizontal. If any half-barrier fails to rise from the lowered position all the flashing red lamps shall continue to operate.

6. There shall be a second push-button at the control point which will be depressed to raise all the half-barriers simultaneously.

7. Facilities shall be provided at the control point to enable the barriers to be stopped during the lowering or raising sequence.

8. The two red electric lamps on each half-barrier mentioned in paragraph 9 of Part I of this Schedule shall be lighted at all times except when all the half-barriers are in the fully raised position.

9. A footway shall be retained adjacent to each side of the carriageway where it passes over the crossing.

10. The level crossing shall be illuminated during the hours of darkness to such a standard that the operator can ascertain in conditions of normal visibility that the crossing is clear before the barriers are fully lowered.

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