1985 No. 244

ROAD AND RAILWAY TRANSPORT

Level Crossing (Broughdone) Order (Northern Ireland) 1985

Made . . . . . *10th September 1985*

Coming into operation . . . *25th October 1985*

The Department of the Environment(**a**) in exercise of the powers conferred on it by section 66 of the Transport Act (Northern Ireland) 1967(**b**) and of all other powers enabling it in that behalf, having received from the railway undertaking an application under the said section 66, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Level Crossing (Broughdone) Order (Northern Ireland) 1985 and shall come into operation on 25th October 1985.

(2) In this Order "the crossing" means the Broughdone Level Crossing in the townland of Broughdone and County of Antrim whereby the road known as Shellinghill Road is crossed by the railway between Ballymoney and Ballymena stations.

Suspension of statutory provisions

2. While this Order remains in force—

(*a*) section 47 of the Railways Clauses Consolidation Act 1845(**c**) (requirements as to gates);

(*b*) section 6 of the Railways Clauses Act 1863(**d**) (requirements as to lodges etc.);

(*c*) Article 3 of the Northern Ireland Railways (Public Level Crossings) Order (Northern Ireland) 1972(**e**);

(*d*) any other statutory provision imposing requirements to the same or similar effect as those contained in the enactments mentioned in paragraphs (*a*), (*b*) and (*c*),

shall not apply in relation to the crossing.

Provision of automatic equipment

3. The railway undertaking shall at the crossing—

(*a*) provide, maintain and operate the lights and automatic and other devices, excluding traffic signs, specified in Schedules 1 and 2 and shall give notice in writing to the Department of the Environment as soon as the provision thereof is complete;

(*b*) secure the provision, maintenance and operation by that Department of the traffic signs specified in Schedule 1;

(*c*) comply with the conditions and requirements specified in Schedule 2.

(**a**) The functions of the Ministry of Development under the Transport Act (Northern Ireland) 1967 transferred to the Department of the Environment by S.R. & O. (N.I.) 1973 No. 504 Art. 4
(**b**) 1967 c. 37 (N.I.) as amended by S.I. 1984/1986 (N.I. 15) Art. 15
(**c**) 1845 c. 20
(**d**) 1863 c. 92
(**e**) S.R. & O. (N.I.) 1972 No. 172

Sealed with the Official Seal of the Department of the Environment on 10th September 1985.

(L.S.) *J. M. Irvine*

Assistant Secretary

SCHEDULE 1

PARTICULARS OF LIGHTS, TRAFFIC SIGNS AND OTHER DEVICES AND APPLIANCES

1. A traffic light signal as prescribed by regulation 13(4) of the Regulations shall be provided as close to the railway as practicable on the nearside of the carriageway on each road approach to the crossing. There shall be an additional traffic light signal of the same type on the offside of the road on each side of the railway so located as to be either in line with or on the railway side of the stop line mentioned in paragraph 3. The traffic light signals on each side of the railway shall be so positioned as to face outwards from the crossing towards approaching road traffic. All the signals shall be capable of directional adjustment. A lamp shall be provided on each railway approach to the crossing which, when lit, shows an intermittent white light which shall indicate to drivers of trains that at least one of the intermittent red lights on each side of the railway is showing and that the main power supply has not failed.

2. An audible warning device shall be provided on or adjacent to each nearside traffic light signal.

3. A reflectorised stop line of the size and type shown in Diagram 1001 in the Regulations shall be provided across the nearside of the carriageway on each side of the railway not more than 2 metres before the nearside traffic light signal.

4. A reflectorised pedestrian stop line of the size and type shown in Diagram 1003.2 in the Regulations shall be provided across the offside of the carriageway and on the made-up ground on both sides of the carriageway on both sides of the railway. The line shall be not less than 1 metre before the traffic light signals on the same side of the carriageway and not nearer than 2 metres to the running edge of the nearest rail, and shall be as nearly as possible at right angles to the centre line of the carriageway.

5. Where the road passes over the crossing, reflectorised edge of the carriageway road markings of the size and type shown in Diagram 1011 in the Regulations shall be provided along each edge of the made-up ground along each edge of the carriageway.

6. The centre line of the carriageway shall be marked on the crossing between the stop lines mentioned above and for a distance of 15 metres on each side of the railway measured along the centre of the carriageway from the stop lines with a reflectorised warning line road marking of the size and type shown in Diagram 1004 in the Regulations.

7. A traffic sign of the size, colour and type shown in Diagram 542 in the Regulations shall be provided immediately above each traffic light signal. Each of the signs shall face outwards from the crossing towards approaching road traffic.

8. A traffic sign of the size, colour and type shown in Diagram 863 in the Regulations shall be provided below or adjacent to each traffic light signal and shall face outwards from the crossing towards approaching road traffic.

9. A traffic sign of the size, colour and type shown in Diagram 542.2 in the Regulations shall be provided on or adjacent to each traffic light signal post and shall face outwards from the crossing towards approaching road traffic.

10. A traffic sign of the size, colour and type shown in Diagram 862 in the Regulations shall be provided mounted below each nearside traffic light signal and shall face outwards from the crossing towards approaching road traffic.

11. An advance warning board of standard railway design shall be provided on each railway approach to the crossing and shall be provided with Class 1 retro-reflecting material or shall be illuminated.

12. A standard level crossing speed restriction board for 70 miles per hour shall be provided on each railway approach to the crossing approximately 600 metres before the crossing. The boards shall be provided with Class 1 retro-reflecting material or shall be illuminated.

13. In this Schedule—

"nearside" means the left-hand side of the road or carriageway in relation to a person approaching the crossing along the road or carriageway;

"offside" means the right-hand side of the road or carriageway in relation to any such person;

"the Regulations" means the Traffic Signs Regulations (Northern Ireland) 1979(a).

(a) S.R. 1979 No. 386 as amended by S.R. 1982 No. 389, S.R. 1984 No. 58 and a further amending instrument not relevant to this Order

SCHEDULE 2

CONDITIONS AND REQUIREMENTS TO BE COMPLIED WITH BY THE RAILWAY UNDERTAKING

1. The carriageway shall be approximately 5.2 metres wide at the crossing.

2. The ground at the two edges of the carriageway over the crossing shall be made-up to the level of the carriageway for a distance of not less than 1 metre beyond each edge.

3. Cattle-cum-trespass guards of standard railway design shall be provided adjacent to the ground which is made-up to the level of the carriageway. The guards shall extend the full distance between the fence on each side of the railway.

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

5. The crossing shall be illuminated during the hours of darkness to such a standard that a train driver can ascertain in conditions of normal visibility that the crossing is clear before proceeding over it.

6. Trains travelling in either direction shall not exceed 70 miles per hour from a point approximately 600 metres before the crossing until the front of the train has passed over the crossing.

7. Trains travelling in either direction shall not proceed over the crossing until the white light of the lamp mentioned in paragraph 1 of Schedule 1 shows. If the white light fails to show, drivers shall bring their trains to a stand short of the crossing and then proceed with caution.

8. The traffic light signals and the audible warning devices mentioned in paragraphs 1 and 2 of Schedule 1 shall be activated automatically, as described in paragraph 9, by the approach of a train.

9. When the train either occupies a track circuit or operates a treadle the traffic light signals and the audible warning devices shall begin to operate in accordance with the following sequence:—

(*a*) The amber lights shall show and the audible warning shall begin. The lights shall show for approximately 3 seconds.

(*b*) Immediately the amber lights are extinguished the intermittent red lights shall begin to show.

(*c*) Not less than 27 seconds shall elapse between the time when the amber lights first show and the time when the train reaches the crossing.

(*d*) The intermittent red lights shall continue to show and the audible warning devices shall continue to sound until the train has passed clear of the crossing when both shall stop.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order requires the provision and maintenance of an automatic open crossing at the Broughdone railway level crossing in place of the existing automatic half barrier crossing. Section 47 of the Railways Clauses Consolidation Act 1845 (which requires the railway undertaking to provide gates and gate-keepers), section 6 of the Railways Clauses Act 1863 (which requires the railway undertaking to erect a lodge), Article 3 of the Northern Ireland Railways (Public Level Crossings) Order (Northern Ireland) 1972 and any other statutory provision imposing requirements to the same or similar effect, shall not apply to the crossing whilst this Order remains in force.