2007 No. 41

TRANSPORT

The Private Crossings (Signs and Barriers) Regulations (Northern Ireland) 2007

Made - - - - - 26th January 2007

Coming into operation 2nd March 2007

The Department for Regional Development in exercise of the powers conferred on it by Section 5 of, and Schedule 1 to, the Railway Safety Act (Northern Ireland) 2002(**a**) and of every other power enabling it in that behalf hereby makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Private Crossings (Signs and Barriers) Regulations (Northern Ireland) 2007 and shall come into operation on 2nd March 2007.

Interpretation

2. In these Regulations—

"crossing" means a level crossing;

"crossing operator" means an operator of a railway that is crossed in any place by a private road or path;

"the 2002 Act" means the Railway Safety Act (Northern Ireland) 2002;

"the 1997 Regulations" means the Traffic Signs Regulations (Northern Ireland) 1997(**b**).

(**a**) 2002 c. 8 (N.I.)
(**b**) S.R. 1997 No. 386

PART II

GENERAL PROVISIONS

Crossing Signs to be of the size, colour and type shown in diagrams

3. Subject to the provisions of these Regulations, for the purposes of section 5 of, and Schedule 1 to, the 2002 Act, a crossing operator may cause or permit the placement on or near a private road or path of a crossing sign of a size, colour and type described and shown —

(a) in a diagram in Schedule 1; or

(b) in a diagram in Schedule 3 to the 1997 Regulations;or

(c) in one of the diagrams numbered 601.1, 602, 1001, 1002.1, 1003, 1003.2, 1004, 1004.1, 1005.1, 1005, 1008, 1008.1, 1010, 1012.1, 1013.1, 1014, 1022, 1023, 1026, 1045, in Schedules 2 and 6 to the 1997 Regulations.

PART III

CROSSING SIGNS SHOWN IN SCHEDULE 1

Colours of backs of crossing signs

4. The back of any crossing sign shown in a diagram in Schedule 1 and any post or other structure specially provided for mounting the sign shall be coloured black or grey.

Dimensions

5.—(1) Any variation in a dimension specified in Schedule 1 shall be treated as permitted by these Regulations if the variation is not more than 5% more or less than the dimension specified.

(2) In the diagrams in Schedule 1 the dimensions given are expressed in millimetres.

Permitted variants

6.—(1) Where the circumstances so require the indication given by a crossing sign shown in a diagram in Schedule 1 may be varied in the respect (if any) shown below the diagram relating to that sign.

(2) Where a crossing sign in a diagram in Schedule 1 contains an indication as to the penalty relating to a failure to obey the requirements on that sign, the indication of the penalty may be varied when necessary to accord with changes in the legislation governing the nature and level of penalty.

Illumination of Crossing Signs

7.—(1) Subject to paragraphs (2) and (3) of this regulation all parts other than the back of every crossing sign shown in a diagram in Schedule 1 shall be illuminated by means of retro reflecting material.

(2) No retro reflecting material shall be applied to—

(a) any part of a crossing sign coloured black; or

(b) the red and green lights in the crossing signs shown in diagrams 107 and 108 and prescribed in regulation 8.

(3) Retro reflecting material need not be applied to a crossing sign at a crossing that is not used by motor vehicles.

Miniature stoplights

8.—(1) The crossing signs shown in diagrams 107 and 108 shall contain red and green lamps which are internally illuminated by a steady light in such a manner that—

(a) when one light is illuminated the other is not illuminated;

(b) the green lamp is and remains illuminated for so long as no railway vehicle is approaching the vicinity of the crossing from either direction; and

(c) the red lamp is and remains illuminated for so long as the green lamp is not illuminated.

(2) The lenses of the lamps shall be—

(a) circular and not less than 60 millimetres in diameter; or

(b) rectangular with each side measuring not less than 60 millimetres; and the distance between the edges of the lenses of the green lamp and the red lamp shall be not less than 40 millimetres.

(3) The information, warnings, requirements and prohibitions conveyed by the lamps described in paragraphs (1) and (2) shall be as follows—

(a) the red lamp when illuminated shall convey the warning that a railway vehicle is approaching the vicinity of the crossing and the prohibition that persons must not proceed across the crossing;

(b) the green lamp when illuminated shall convey the information that no railway vehicle is approaching the vicinity of the crossing and persons may proceed across the crossing;

(c) if neither the red nor green lamp is illuminated persons should either telephone the crossing operator or proceed across the crossing with caution after having ascertained that no railway vehicle approaching the vicinity of the crossing in accordance with the instructions shown on the sign.

PART IV

BARRIERS

Barriers to be of the character described in Schedule 2 or Schedule 3

9. For the purposes of section 5 of, and Schedule 1 to, the 2002 Act, where a railway is crossed in any place by a private road or path, the operator of that railway may cause or permit a barrier to be placed on or near the private road or path near the crossing if it is, in the case of a gate, of the character described in Schedule 2, or, in the case of any other form of barrier, of the character described in Schedule 3.

PART V

CROSSING SIGNS RELATING TO TELEPHONES

Placement of signs relating to telephones

10. The authority which these Regulations give for the placement of crossing signs relating to telephones at a crossing shall only apply where telephones are, or are to be, provided on both sides of the crossing and connected direct to the crossing operator.

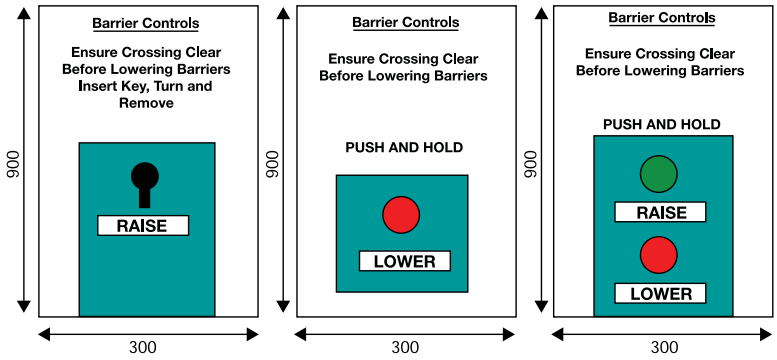
Sealed with the Official Seal of the Department for Regional Development on 26th January 2007.

(L.S.) *B. R. D. White*

A senior officer of the Department for Regional Development

SCHEDULE 1 (Regulation 3)

CROSSING SIGNS



Instructions for Miniature Stop Light with barriers Entry Raise Key Switch

Diagram 97

Instructions for Miniature Stop Light with barriers Entry Lower Plunger

Diagram 98

Instructions for Miniature Stop Light with barriers Entry Raise and Exit Lower Plungers

Diagram 99

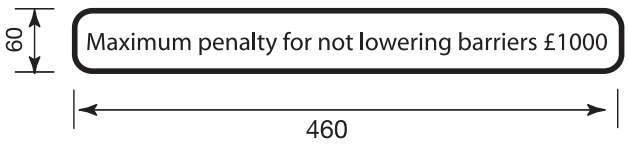
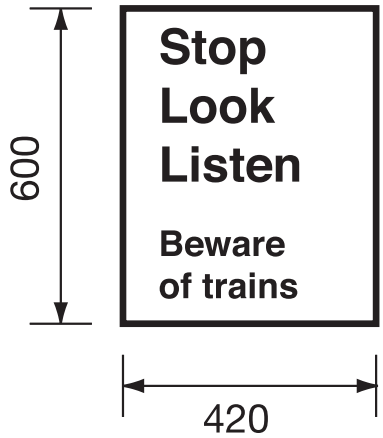


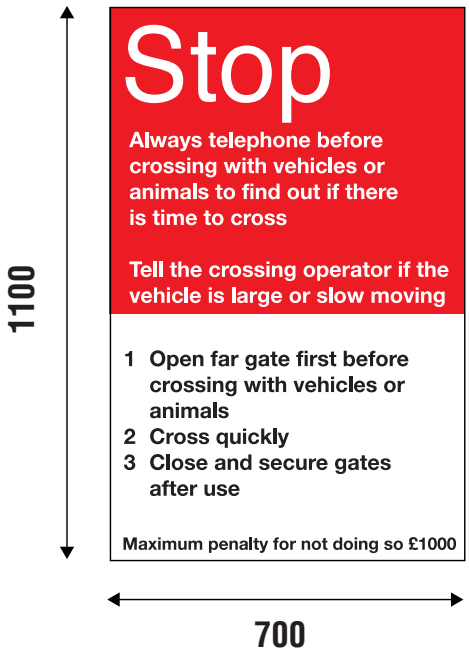
Diagram 100



Black lettering on white background with black border

Warning sign for a non-vehicular crossing

Diagram 101



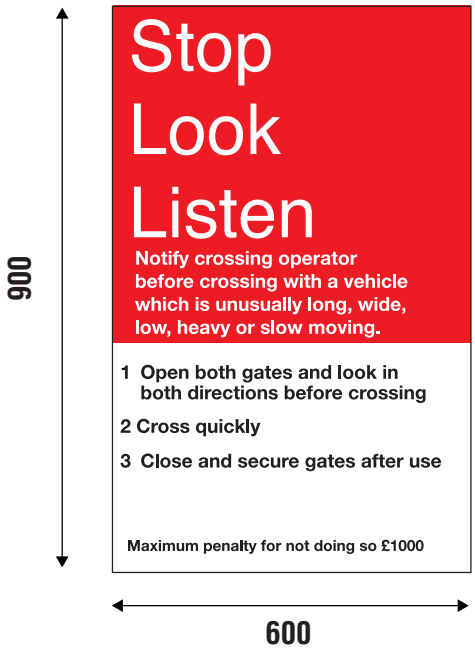
Upper section — White lettering on red background

Lower section — Black lettering on white background

Instructions for use at a vehicular crossing without a telephone

Diagram 102

Permitted variant: Telephone number of crossing operator may be added.

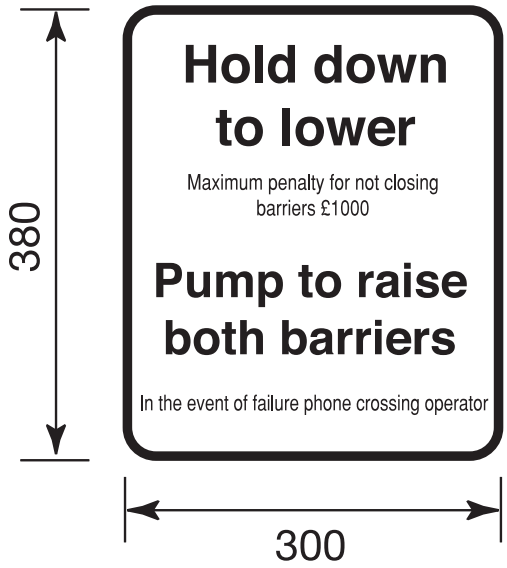


Upper section — White lettering on red background

Lower section — Black lettering on white background

Instructions for use at a vehicular crossing with a telephone

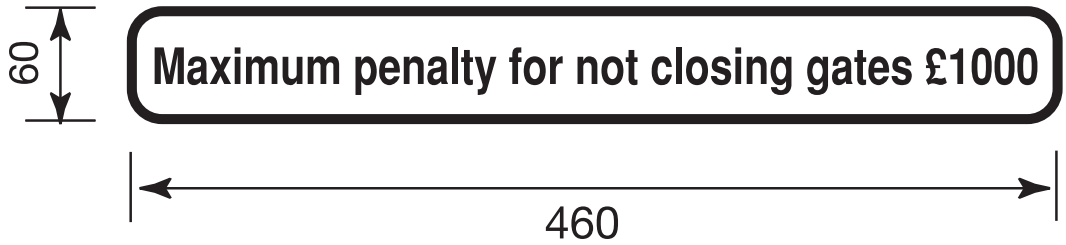
Diagram 103



Black lettering and border on white background

Operating instructions for barrier

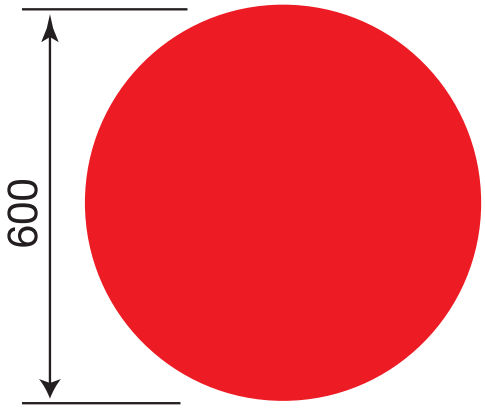
Diagram 104



Black lettering and border on white background

Sign indicating the penalty for failure to shut the gate at a vehicular crossing

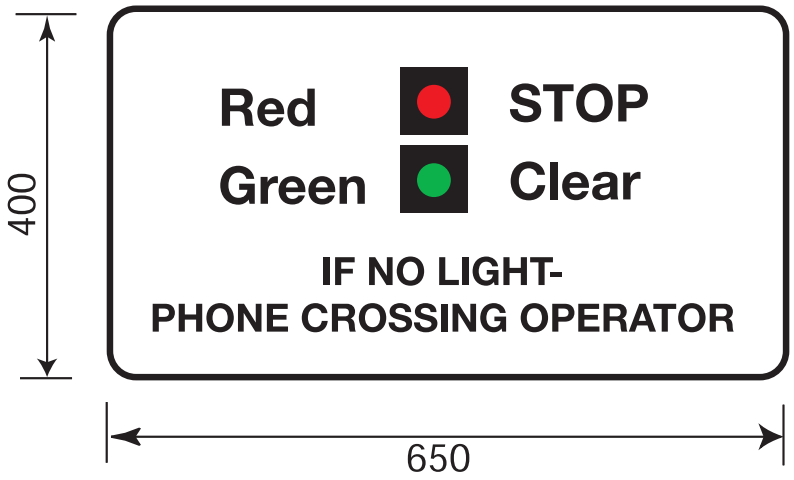
Diagram 105



Red background

Target for crossing gate

Diagram 106

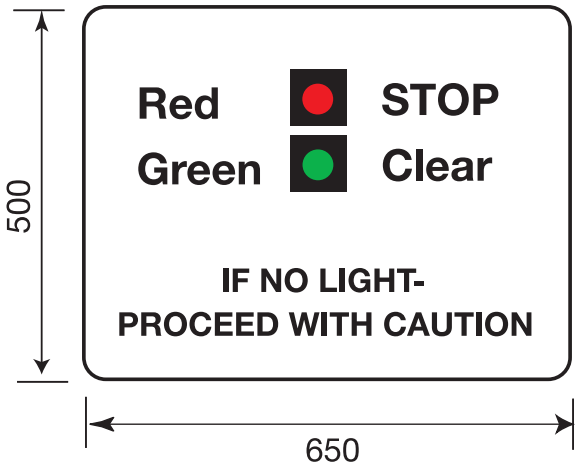


Black lettering and border on white background

Sign for use with miniature stop lights at a crossing with a telephone

Diagram 107

Permitted variant: The lenses of the lamps may be rectangular instead of circular

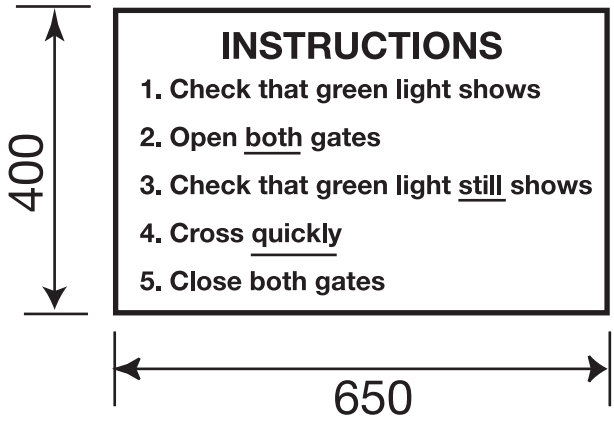


Black lettering and border on white background

Sign for use with miniature stop lights at a crossing without a telephone

Diagram 108

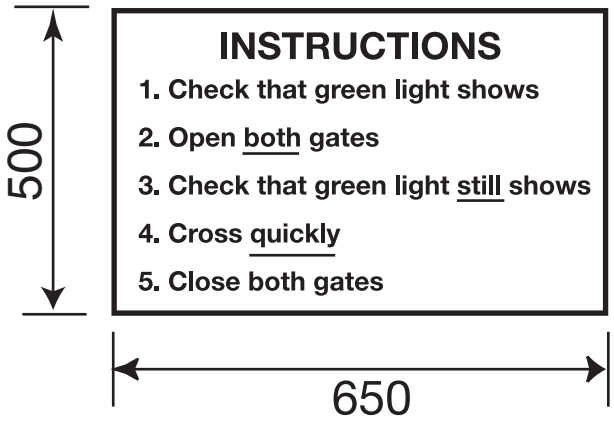
Permitted variant: The lenses of the lamps may be rectangular instead of circular



Black lettering and border on white background

Instructions for use at a crossing with miniature stop lights and user-operated gates

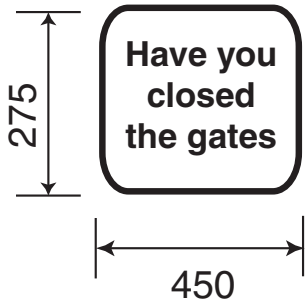
Diagram 109



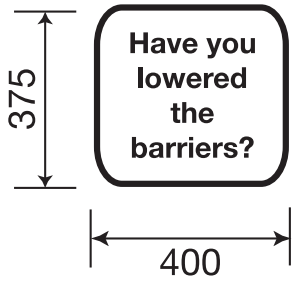
Black lettering and border on white background

Instructions for use at a crossing with miniature stop lights and user-operated barriers

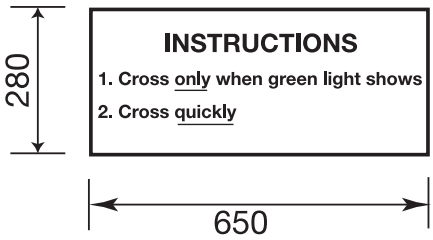
Diagram 110



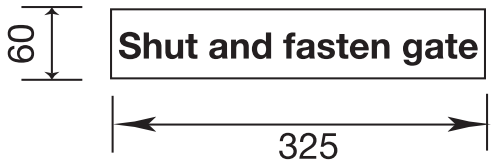
Black lettering and
border on white background
Reminder at a crossing
with user-operated gates
Diagram 111



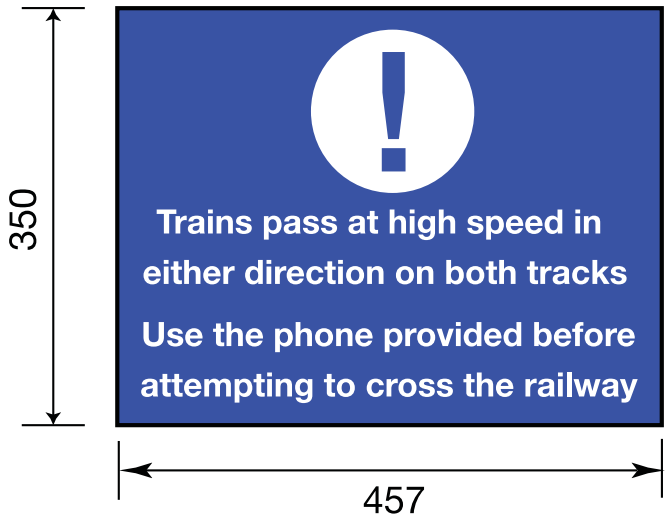
Black lettering and
border on white background
Reminder at a crossing
with user- operated barriers
Diagram 112



Black lettering and border on white background
Instructions to non-vechicular traffic at a crossing with miniture stop light
Diagram 113



Black lettering and border on white background
Instructions at a crossing with gates
Diagram 114



Upper section — Blue exclamation mark inside white circle

Lower section — White lettering on blue background

Warning sign for use on bi-directional double track

Diagram 115



Black lettering on white background with red border

Warning sign for withdrawal of timetabled services

Diagrams 116

SCHEDULE 2 (Regulation 9)

GATES

1. Where gates are used, each gate shall (by itself or with another gate on the same side of the railway) be long enough to extend across the full width of a private road or path, and shall be pivoted to open away from the railway.

2. When a gate is closed, the uppermost surface of the gate shall not be less than 1350 millimetres above the road surface at the centre of the private road or path and the under clearance between each gate and the road shall not exceed 150 millimetres. Where the private road or path is an unmetalled track, the under clearance between the gate and the ground shall be no greater than 150 millimetres than is reasonably necessary, having regard to the need to avoid the gate grounding during opening and closing movements.

3. Where a gate is not installed solely for use by pedestrians, it shall be furnished with suitable mechanisms for securing it in the open and in the closed positions.

4. So far as reasonably practicable, a gate shall be constructed so as to be strong enough to withstand distortion or fracture caused by wind pressure or by a farm animal, and, subject thereto, it shall be as light in weight as possible.

SCHEDULE 3 (Regulation 9)

BARRIERS OTHER THAN GATES

1. Where barriers are used, they shall when lowered across a private road or path be long enough to extend either—

(a) across the full width of the private road or path, or

(b) from the left-hand side of the private road or path (as seen from a vehicle approaching the crossing) to a point as close as possible to the centre of the private road or path as is consistent with allowing a clear passage at least 3 metres wide between the tip of the barrier and the other side of the private road or path.

2. When a barrier is lowered its uppermost surface shall be not less than 900 millimetres above the road surface at the centre of the private road or path and the under clearance between a barrier and the road surface shall not exceed 1000 millimetres.

3. A barrier shall be provided with means to raise it and hold it in the raised position and means to release the holding mechanism. A barrier may be so linked with any other barrier at the crossing that the barriers can be raised or lowered simultaneously from either side of the crossing.

4. A cover shall be provided for each pivot post for the purposes of guarding against danger to any person from the operating mechanism and the moving parts of the barrier machine.

5. The barriers when lowered shall display on both front and rear faces alternate red and white bands each approximately 600 millimetres long and to the full depth of the barriers. A strip of retro reflecting material not less than 50 millimetres deep, in colour matching that of the bands, shall be provided along the full length of each band.

6. The barriers may be fitted with skirts which fence in the space between the barriers and the road surface. Skirts shall be of a light colour.

7. Electric lamps may be fitted to the barriers and each lamp shall show a red light, when illuminated, in each direction along the private road or path.

8.—(1) So far as reasonably practicable—

(a) a barrier shall be constructed so as to be strong enough to withstand distortion or fracture, and

(b) a skirt fitted to a barrier shall be capable of withstanding damage, caused by wind pressure or by a farm animal.

(2) Subject to sub-paragraph (1) above, a barrier (with a skirt, if fitted) shall be as light in weight as possible.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 5 of, and Schedule 1 to, the Railway Safety Act (Northern Ireland) 2002 authorises the operator of a railway that is crossed by a private road or path to cause or permit the placement near the crossing of crossing signs or barriers that are prescribed in Regulations made by the Department for Regional Development.

These Regulations prescribe crossing signs and barriers for the purpose of section 5 and Schedule 1. Any person who fails to comply with any requirement, restriction or prohibition conveyed by a crossing sign lawfully placed on or near a private road or path near a place where it crosses a railway shall be guilty of an offence under the Railway Safety Act (Northern Ireland) 2002 and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000).

These Regulations have been notified to the European Commission pursuant to European Parliament and Council Directive 98/34EC of 22 June 1998 (O.J. No. L204, 21. 7.98, p. 37) as amended by European Parliament Council Directive 98/48 of 20th July 1998 (O.J. No. L217, 5.8.98, p. 18) laying down a procedure for the provision of information in the field of technical standards regulations and of rules on Information Society services.

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