
STATUTORY INSTRUMENTS

1994 No. 1331

TRANSPORT

**The Lydney and Parkend Light Railway
(Extension and Amendment) Order 1994**

Made - - - - *13th May 1994*
Coming into force - - *14th May 1994*

The Secretary of State for Transport, on the application of Forest of Dean Railway Limited and in exercise of powers conferred by sections 7, 9, 10, 11, 12, 18 and 24 of the Light Railways Act 1896⁽¹⁾ and now vested in him⁽²⁾, and of all other powers enabling him in that behalf hereby makes the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the Lydney and Parkend Light Railway (Extension and Amendment) Order 1994 and shall come into force on 14th May 1994.

(2) The Lydney and Parkend Light Railway Order 1985⁽³⁾ and this Order may be cited together as the Lydney and Parkend Light Railway Orders 1985 and 1994.

Interpretation

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

“the Board” means the British Railways Board;

“the bypass crossing” means the level crossing described in article 9 of this Order;

“the carriageway” means the carriageway of the specified road;

“the Clerk of Works” means the person for the time being supervising the construction of the bypass crossing on behalf of the County Council;

(1) 1896 c. 48; sections 7 and 9 were repealed in part by the Railways Act 1921 (c. 55), section 86(2) and Schedule 9; section 10 was repealed in part by the Statute Law (Repeals) Act 1986 (c. 12), Schedule 1; section 11 was amended by the Light Railways Act 1912 (c. 19), section 5(3), and the Railways Act 1921, section 73(1), and was repealed in part and further amended in respects not relevant to this Order; section 12 was repealed in part by the Finance Act 1929 (c. 21), section 6 and Schedule; section 24 was amended by the Light Railways Act 1912, section 6, and the Railways Act 1921, section 73(2).

(2) Railways Act 1921, section 68(1), and S.I.1970/1681, 1979/571 and 1981/238.

(3) S.I. 1985/844.

“the Company” means Forest of Dean Railway Limited incorporated under the(4) and whose registered office is at Brunel House, George Street, Gloucester GL1 1BZ;

“the Company’s new railways” means (i) Railway No. 4 or any part of it vested in the Company by virtue of an agreement made pursuant to article 4(1) of this Order and (ii) such part or the whole of the railway authorised by article 5 of this Order as shall have been constructed for the time being;

“the Company’s railway” means the railways comprising Railways Nos. 1, 2 and 3 together with the Company’s new railways;

“the County Council” means the Gloucestershire County Council;

“the deposited plan” means the plan and section deposited with the Secretary of State on the application for this Order in respect of the bypass crossing;

“the enabling Acts” has the same meaning as assigned thereto by the principal Order with the addition of the Severn Bridge Railway Act 1872(5);

“the Line Controller” means the person for the time being in charge of train movements on the Company’s railway;

“Parkend crossing” means the level crossing described in article 10 of this Order;

“the principal Act” means the Light Railways Act 1896;

“the principal Order” means the Lydney and Parkend Light Railway Order 1985;

“Railtrack” means Railtrack Plc incorporated under the Companies Act 1985 and having its registered offices at 40 Bernard Street, London WC1N 1BY;

“Railway No. 1” has the meaning assigned to it by the principal Order as redefined by this Order;

“Railway No. 2” and “Railway No. 3” have the respective meanings assigned to them by the principal Order;

“Railway No. 4” means the Railway No. 4 described in Schedule 1 to this Order;

“Railway No. 5” means the Railway No. 5 described in Schedule 1 to this Order and, after the construction of the railway authorised by article 5 of this Order, that railway;

“the Regulations” means the Traffic Signs Regulations and General Directions 1981(6)

“the specified road” means the road at the bypass crossing;

“train” means–

- (a) 2 or more items of rolling stock coupled together, at least one of which is a locomotive; or
- (b) a locomotive not coupled to any other rolling stock;

“the transfer date” means the day on which Railway No. 4 or any part of it is vested in the Company by virtue of an agreement made pursuant to article 4(1) of this Order;

(2) In this Order the expressions “left hand side” and “right hand side” shall be construed as they would appear to a person approaching the bypass crossing along the specified road.

(3) In this Order all directions and distances stated in the description of any railway shall be construed as if the words “or thereabouts” were inserted after each direction and distance, and distances between points on the railway shall be taken to be measured along the railway.

(4) 1985 c. 6.

(5) 1872 c. cix.

(6) S.I. 1981/859; the relevant amending instrument is S.I. 1984/966.

Incorporation and application of enactments

3.—(1) The provisions of the Railways Clauses Consolidation Act 1845(7) (except sections 8, 9, 11 to 15, 17, 32 to 44, 46 to 49, 53 to 57, 59 and 60, 69 to 74, 94, 95, 97 and 115 to 124) are incorporated with and form part of this Order, so far as they are applicable for the purposes 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.

(2) The said incorporated provisions (so far as they may not already so apply) shall apply also to the Company's railway as such expression is defined by the principal Order, and that Order is hereby amended accordingly.

(3) Subject to the provisions of this Order such of the enactments mentioned in the Second Schedule to the principal Act as are still in force shall not apply to the Company's new railways except for section 22 of the Regulation of Railways Act 1868(8) (means of communication -between passengers and Company's servants to be provided) and sections 1 (power to order certain provisions to be made for public safety) and 5 (penalty for avoiding payment of fare) of the Regulation of Railways Act 1889(9).

(4) In its application to the Company's new railways section 22 of the Regulation of Railways Act 1868 shall be read, construed and have effect as if the words "and travels more than twenty miles without stopping" had been omitted.

Transfer of Railway No. 4 to the Company

4.—(1) The Board and the Company may enter into and carry into effect agreements providing for the transfer to and vesting in the Company of Railway No. 4 or any part of it on such terms and conditions as may be agreed between the Board and the Company.

(2) As from the transfer date the Company shall to the exclusion of the Board be entitled to the benefit of and to exercise all rights, powers and privileges and be subject to all obligations of the Board whether statutory or otherwise for the time being in force in respect of Railway No. 4 or such part of it as is transferred as aforesaid.

(3) Subject to the provisions of this Order, as from the transfer date the Company may work Railway No. 4 as a light railway under the principal Act.

Power to make railway

5. Subject to and in accordance with the provisions of this Order, the Company may on lands leased from the Forestry Commission and over the public road referred to in article 10 of this Order and on the same line and levels as Railway No. 5 and within the existing formation of that former railway construct, make and maintain a railway together with all necessary works and conveniences connected therewith, including a station, premises, workshops and facilities, and work it as a light railway under the principal Act.

Gauge of railway and motive power

6. The Company's new railways shall be maintained and operated on a gauge of 1,435 millimetres (4 feet 8½ inches) and the motive power shall be steam or internal combustion or such other motive power as the Secretary of State may approve:

(7) 1845 c. 20.
(8) 1868 c. 119.
(9) 1889 c. 57.

Provided that nothing in this Order shall authorise the Company to use electrical power as motive power unless such power is obtained from storage batteries or from of a source of generation entirely contained in and carried along with the engine and carriages;

Provided also that, if electrical power is used as motive power on the Company's new railways, such electrical power shall not be used in such a manner as to cause or be likely to cause any interference with any telecommunication apparatus (as defined in Schedule 2 to the Telecommunications Act 1984⁽¹⁰⁾) or with telecommunication by means of such apparatus.

Conveyance of passengers

7. No part of the Company's new railways shall be used for the conveyance of passengers without the permission in writing of the Secretary of State and the Company shall comply with the conditions (if any) which the Secretary of State may from time to time prescribe for the safety of persons using the Company's new railways.

Existing railway redefined

8. Railway No. 1 shall include any vertical or horizontal deviation of track connected with the taking of the road intended to be known as the Lydney Bypass over Railway No. 1 in accordance with article 9 below, provided that any such deviation is within the limits referred to in that article.

Construction of public level crossing for Lydney Bypass

9.—(1) The Company may on lands belonging to or leased to the Company make and maintain the bypass crossing as described in Schedule 2 to this Order at the location, on the alignment and within the limits of deviation shown on the deposited plan and at the same levels (save as otherwise provided by this Order) as the existing Railway No. 1 and Railway No. 4, together with all such approaches and plant and other works and conveniences as it may be necessary or convenient to construct in connection with it.

(2) In the construction of the bypass crossing the Company may deviate laterally from the location or alignment of the work shown on the deposited plan within the limits of deviation shown thereon and may also deviate vertically in the construction of the work from the levels of the existing railway to any extent not exceeding 1 metre upwards and 1 metre downwards.

(3) The Company and the County Council may enter into and carry into effect agreements providing for the construction of the bypass crossing, and for the dedication of the bypass crossing as a public highway subject to the rights and powers to maintain and operate the Company's railway by virtue of the principal Order and this Order, and for the installation, operation and maintenance of any gates, barriers, lights, traffic signs and other devices and appliances referred to in this article.

(a) (4) (a) The Company may make provision for the County Council to use the bypass crossing to give access and accommodation to the works to be undertaken by the County Council in the construction of the public road referred to in Schedule 2 to this Order.

(b) Such access and accommodation shall be by means of a temporary level crossing on the same alignment and level and within the same limits of deviation as those referred to in paragraphs (1) and (2) of this article.

(5) The following provisions, being provisions which in the opinion of the Secretary of State are necessary or expedient for the safety of those using the bypass crossing, shall apply in respect of the bypass crossing:—

(10) 1984 c. 12.

- (a) The Company shall, during the period in which the County Council is engaged in works to provide the new road referred to in Schedule 2 to this Order, provide, operate and maintain the protective equipment which is specified in Part I of Schedule 3 to this Order.
 - (b) The Company shall provide, and shall from the time when the works referred to on sub-paragraph (a) above are completed and thereafter so long as this Order continues in force operate and maintain the protective equipment which is specified in Part II of Schedule 3 to this Order.
 - (c) The Company shall during the period of works mentioned in sub-paragraph (a) above observe the conditions and requirements specified in Part III of Schedule 3 to this Order, and thereafter shall observe the conditions and requirements specified in Part IV of Schedule 3 to this Order.
 - (d) There shall be no interval of time between the discontinuance of the provisions of Part I and the commencement of the provisions of Part II of Schedule 3 to this Order.
- (6) Nothing contained in or incorporated with this Order shall require the provision of any building or keeper at the bypass crossing.

As to Parkend Crossing

10.—(1) The Company may in the construction of Railway No. 5 carry the same with a double line of rails across and on the level of the Yorkley Road immediately north of Parkend station.

(2) The Company shall erect and at all times maintain good and sufficient gates across the Company's railway at each side of the highway at the crossing of the highway at Parkend crossing, and in connection with such level crossing the provisions set out in Schedule 4 to this Order shall apply.

(3) Nothing in this Order shall require the provision of any building or keeper at Parkend crossing.

(4) Subject to the provisions of this Order the Company may, during and for the purpose of the execution of the works for the purposes of or in connection with Parkend crossing, stop up and divert and interfere with temporarily all or any part of the carriageway or footway of the highway within the area of the level crossing and may for any reasonable time divert the traffic therefrom and prevent all persons other than those going *bona fide* to any premises abutting on the highway from passing along and using the same.

(5) The Company shall provide reasonable access for persons on foot going *bona fide* to any such premises.

- (a) (6) (a) The Company shall not exercise the powers of this article without the consent of the County Council.
- (b) Any such consent may be given subject to such reasonable conditions as the County Council may require but shall not be unreasonably withheld and any question whether such consent has been unreasonably withheld, or whether any such condition is reasonable, shall be referred to and determined by a single arbitrator to be agreed upon between the parties or, failing such agreement, to be appointed by the President for the time being of the Institution of Civil Engineers on the application of either party (after notice in writing has been given to the other party).

For protection of public gas suppliers

11. Nothing in this Order shall prejudice or affect the rights of any public gas supplier, within the meaning of Part I of the Gas Act 1986⁽¹¹⁾, in any apparatus belonging to them or for the maintenance of which they are responsible, or any structure for the lodging therein of apparatus,

(11) 1986 c. 44.

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being any apparatus or structure situate under, over or upon lands in or upon which the Company's railway is constructed.

For protection of Railtrack

12. In the working of Railway No. 4 the Company shall comply with the reasonable requirements of Railtrack to ensure the continued safe, economic and unhindered operation of Railtrack's Gloucester to Chepstow railway.

Signed by authority of the Secretary of State for Transport

13th May 1994

J.R. Coates
An Under Secretary,
Department of Transport

SCHEDULE 1

Article 2(1)

Railway No. 4

That length of the railway described in and authorised by the enabling Acts or some of them in the parish of Lydney in the district of the Forest of Dean in the County of Gloucestershire as extends from the southern terminus of Railway No. 1 and continues in a southerly, south-easterly and easterly direction for a distance of 740 metres and terminating at a point no closer to the Gloucester to Chepstow railway of Railtrack than 35 metres west of the 133.25 mile post on that railway.

Railway No. 5

That length of the former railway described in and authorised by the enabling Acts or some of them in the parish of West Dean in the district of the Forest of Dean which extends from the northern termination of Railway No. 2 in a north-westerly direction for a distance of 210 metres.

SCHEDULE 2

Article 9(1), (4) and (5)

A level crossing carrying over Railway No. 1 and Railway No. 4 at the point shown on the deposited plan where they join each other (being approximately at Ordnance Survey grid reference SO634024) a new section of public road to be constructed by the County Council in the district of the Forest of Dean in the County of Gloucestershire and forming part of the proposed Lydney Bypass.

SCHEDULE 3

Article 9(5)

PART I

Particulars of the Gates, Traffic Signs and Other Protective Equipment at the Accommodation Work Stage

1. A gate shall be pivoted as close to the railway as practicable on each side of the accommodation road on both sides of the railway.
2. When closed to road vehicles the gates shall extend across the accommodation road. The tip of each gate shall extend to a point not more than 75 mm from the tip of the gate on the other side of the road on the same side of the railway.
3. The uppermost surfaces of the gates shall be not less than 1,450 mm above the road surface and the underclearance between the gates and the road surface shall not exceed 300 mm.
4. The gates shall open outwards away from the railway and, when open to road vehicles, each gate shall be parallel with the edge of the road and shall be secured to a latch post.
5. Each gate shall be provided with a suitable mechanism at its tip to secure the gate in either position. An additional mechanism shall provide facility to secure one gate to the other gate when the gates are closed to road traffic and this mechanism shall be so arranged that it can be locked in the closed position by either of two padlocks but can only be opened when both are unlocked.

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6. The gates shall be as light as possible but shall also be strong enough to prevent distortion or fracture likely to be caused by wind pressure.
7. The framework of the gates shall be comprised of parallel horizontal members including not less than four rails in addition to the top and bottom members.
8. The gates shall each display a semi-circular plate of Red Class I retro-reflecting material so arranged that when the gates are closed to road traffic the plates together shall form a circular plate not less than 750 mm in diameter on the faces directed towards oncoming road traffic.
9. A sign shall be provided approximately 5 metres before the latchpost on the left hand side of the road on each side of the railway and shall display the words “Private Crossing. Access only to authorised vehicles. Stop and wait here if gates are closed”.
10. A stop board of standard railway design displaying the words “Stop—Close crossing gates before proceeding” shall be provided on each railway approach to the crossing approximately 25 metres before the crossing. The stop boards shall be provided with Class I retro-reflecting material or shall be illuminated.
11. An advance warning board of standard railway design shall be provided on each railway approach to the crossing approximately 300 metres before the crossing and shall be provided with Class I retro-reflecting material or shall be illuminated.

PART II

Particulars of the Barriers and Other Protective Equipment when the Road is Open to the Public

12. A lifting barrier shall be pivoted as close to the railway as practicable on the left hand side of the specified road on each side of the railway.
13. When lowered the barriers shall be as nearly horizontal as possible, be as nearly as possible at right angles to the centreline of the carriageway and shall extend across the left hand side of the carriageway and the footway. The tip of each barrier shall extend to a point not less than 450 mm beyond the left hand edge of the central reservation mentioned in paragraph 41 below.
14. When the barriers are fully lowered their uppermost surfaces shall be not less than 900 mm above the road surface at the centre of the carriageway and the underclearance between the barriers and the carriageway shall not exceed 1,000 mm.
15. When in the fully raised position the barriers shall be inclined towards the carriageway at an angle of between 5 and 10 degrees from the vertical. No part of any barrier or of any attachment thereto which is less than 5 metres above the level of the carriageway shall be horizontally displaced from the nearer edge of the carriageway by less than 450 mm and no part of any barrier or any attachment thereto which is less than 2 metres above the level of the footway shall be horizontally displaced from that edge of the footway further from the carriageway by less than 150 mm.
16. The barriers shall be as light as possible but shall also be strong enough to prevent distortion or fracture likely to be caused by wind pressure. It shall also be possible to raise them by hand.
17. The barriers shall display on both front and rear faces alternate red and white bands each approximately 600 mm long and to the full depth of the barriers. A band of red retro-reflecting material not less than 50 mm deep shall be provided along the full length of each red band.
18. Suitable screening shall be provided for each barrier machine to guard against danger to persons from the operating mechanism and moving parts of the machine.

19. Three electric lamps, each of not less than 5 watts nominal rating and with lenses of not less than 50 mm diameter, shall be fitted to each barrier, one within 150 mm of its tip, one near the edge of the carriageway, and one near the centre point between the other two. When illuminated the lamps shall show a red light in each direction along the carriageway.

20. A traffic light signal as prescribed by regulation 31(4) of the Regulations shall be provided on the left hand side of the dual carriageway on each approach to the crossing along the specified road and as close as practicable to the barrier. There shall be an additional traffic light signal of the same type in the central reservation in the specified 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 23 below. 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 including the individual lanterns shall be capable of directional adjustment.

21. A lamp which when illuminated shows a symbol of the size, colour and type shown in the upper portion of Diagram No. 4002 in the Regulations shall be provided on the right hand side of each approach to the crossing along the specified road so located as to be approximately 4 metres before the railway. The lamps shall be directed towards pedestrians approaching the crossing on the right hand side of the specified road. It shall be possible to adjust the directional alignment of the lamps.

22. An audible warning device shall be provided on or adjacent to each left hand side traffic light signal post. A similar device shall also be provided on or adjacent to each of the pedestrian warning lamps mentioned in paragraph 21 above. Facilities shall be provided to reduce the sound output of these devices and any reduced sound output shall operate between 2330 hours and 0700 hours approximately.

23. A reflectorised stop line of the size, colour and type shown in Diagram 1001 in the Regulations shall be provided across the left hand dual carriageway on each side of the railway not more than 2.5 metres before the left hand traffic light signal.

24. A reflectorised pedestrian stop line of the size, colour and type shown in Diagram 1003.2 in the Regulations shall be provided across the right hand dual carriageway and footway on both sides of the railway. The line shall be not less than 1 metre before the lamp mentioned in paragraph 21 above, 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.

25. Where the specified road passes over the crossing, reflectorised edge of carriageway markings of the size, colour and type shown in Diagram 1011 in the Regulations shall be provided along each edge of each footway.

26. The right hand edge of each of the carriageways over the crossing shall be marked on the crossing and between the outermost ends of the central reservations on each approach to the crossing with a reflectorised continuous line carriageway marking of the size, colour and type shown in Diagram 1011 in the Regulations. These markings shall continue so far as is necessary for them to become part of the overall carriageway marking system.

27. A traffic sign of the size, colour and type shown in Diagram 649.2 in the Regulations shall be provided on each road approach to the crossing along the specified road. The signs shall face traffic approaching the crossing.

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

29. A telephone mounted in a cabinet and connected to the Norwich Control Office shall be provided on or adjacent to the right hand side traffic light signal post on each side of the railway. A traffic sign of the size, colour and type shown in Diagram 854 in the Regulations shall be provided

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on the door and at least two of the other faces of the cabinet. Suitable illuminated notices giving instructions to users shall be provided and maintained in each cabinet.

30. Any lighting which is provided shall be at least to the same standard as the lighting of the carriageway.

31. A train driver's flashing red or flashing white indicator shall be provided on each approach to the crossing. The flashing red indicator shall not be displayed when the flashing white indicator is showing. The white indicator shall only show if on each side of the railway at least one of the intermittent red lights in each of the traffic light signals mentioned in paragraph 20 above is lit, both barriers have begun to descend and the main power supply has not failed. The flashing red indicator may operate continuously or be initiated automatically by the train as it approaches the crossing.

32. Facilities shall be provided at the crossing to operate the barriers and other protective equipment both locally and manually.

33. Two independent power supplies shall be provided at the crossing, one of which may consist of batteries. In the event of a mains power supply failure the capacity of the batteries shall be sufficient to operate the train driver's indicators mentioned in paragraph 31 above for a duration of not less than 48 hours and also to operate both barriers to the fully raised position.

34. A standard level crossing speed restriction board, which shall be provided with Class I retro-reflecting material or shall be illuminated, shall be provided on each railway approach to the crossing. The board on the approach from the Lydney Junction direction shall be placed approximately 90 metres before the crossing and the board from the Lydney Lakeside direction approximately 25 metres before the crossing on or adjacent to the post of the train driver's indicator applicable to that direction and mentioned in paragraph 31 above. The boards shall show a speed of 10 miles per hour.

35. An advance warning board of standard railway design shall be provided on each railway approach to the crossing and shall be provided with Class I retro-reflecting material or shall be illuminated. The board on the approach to the crossing from the Lydney Lakeside direction shall be located on or adjacent to the same post as a sign which shall require all trains to stop at Lydney Lakeside station.

36. Cattle-cum-trespass guards of standard railway design shall be provided adjacent to the footways. The guards shall extend the full distance between the fence on each side of the railway.

PART III

Conditions and Requirements to be observed by the Company at the Accommodation Work Stage

37. The surface of the accommodation road over the crossing shall be maintained in a reasonably good and even condition. The accommodation road shall be approximately 7.3 metres wide on the approaches to the crossing and shall be approximately 13 metres wide over the railway.

38. The gates shall be kept constantly closed across the accommodation road except during the time when the security system mentioned in paragraph 39 below permits use of the accommodation road by any authorised vehicle.

39. The gates shall be secured in the closed position on both sides of the railway by either or both of two padlocks. If the railway is closed the railway padlocks will be removed and lodged with the Line Controller. If the railway is open trains will be brought to a stand before the crossing as mentioned in paragraph 40 below and the person in charge of the train shall close and secure the gates on both sides of the railway with the railway padlocks. If road access is not required the works padlocks will be applied to the gates on both side of the railway and the keys thereof lodged with the Clerk of Works. If road access is required the Clerk of Works may release the keys of the works

padlocks to authorised contractors. The Line Controller shall reach a clear understanding as to rail and road traffic movements on each day the railway is open and shall keep a record of this. The Clerk of Works shall keep a clear record of the issue and return of works padlock keys.

40. Drivers shall bring their trains to a halt at the stop boards mentioned in paragraph 10 above and shall sound the train's whistle before proceeding. Trains travelling in either direction shall not proceed over the crossing until the driver has been given a clear handsignal by the person in charge of the level crossing to signify that the gates on both sides of the railway are securely closed and locked against road traffic and that the crossing is clear.

PART IV

Conditions and Requirements to be observed by the Company when the Road is Open to the Public

41. The carriageway shall be divided into two separate carriageways approximately 12 metres before the crossing and there shall be a central reservation between the carriageways on each approach to the crossing on each side of the railway approximately 2.5 metres wide and 10 metres long. Each of the carriageways shall be approximately 3 metres wide. The separation between the two carriageways shall be approximately 3.5 metres wide. There shall be a footway approximately 3 metres wide between the carriageway and the outermost extent of the highway on each approach to the crossing on both sides of the railway. The surface of the carriageway and footways over the crossing shall be maintained in a good and even condition.

42. The barriers shall be kept in the fully raised position except during the time when any train passing along the railway has occasion to cross the specified road. The electric lamps on each barrier shall be lit except when the barriers are fully raised.

43. When a train either occupies a track circuit or operates a treadle the sequence of events to close the crossing to road traffic shall automatically begin. The sequence shall be:–

- (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 of the traffic light signals and the pedestrian warning lamps shall show;
- (c) 4 to 6 seconds later the barriers shall begin to descend and shall take a further 6 to 10 seconds to reach the lowered position.

44. 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. The barriers shall rise as soon as the train has passed clear of the crossing.

45. The intermittent red lights shall continue to show and the audible warning devices to sound until the barriers have begun to rise and both shall be switched off before the barriers have risen to an angle of 45 degrees above the horizontal.

46. After a train has passed one of the standard level crossing speed restriction boards referred to in paragraph 34 above the relevant speed shall not be exceeded until the front of the train has passed over the crossing.

47. In the event of failure of both intermittent red lights in any of the road traffic signals, provided the barriers have not commenced to lower they shall remain in the fully raised position and the train driver's indicators on each railway approach shall continue to show an intermittent red light. Should such a failure occur with the barriers in any position other than fully raised they shall lower and remain lowered until they are raised by either the passage of a train or locally/manually. In these circumstances the white train driver's indicator on the relevant railway approach shall be

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extinguished and the other train driver's indicator on the same railway approach shall show an intermittent red light.

48. If either barrier fails to rise from the lowered position the intermittent red lights in the road traffic light signals shall continue to show.

49. Should a total power failure occur, provided the barriers have not commenced to lower they shall remain in the fully raised position. If the barriers are in any other position when the failure occurs they shall remain in that position until they are manually raised.

50. If the white train driver's indicator mentioned in paragraph 31 above shows and the crossing is unobstructed at the time when the white light first shows, drivers of trains in both directions may drive their trains over the crossing at a speed not exceeding the speed indicated on the relevant board described in paragraph 34 above until the front part of the train has passed over the crossing. If the white light does not show and the red light continues to show or there is no light or the crossing is obstructed at the time the white light first shows, drivers shall bring their trains to a stand short of the crossing and may thereafter proceed with caution when it is safe to do so.

51. The Company shall give notice in writing to the Secretary of State as soon as the provisions of Parts II and IV of this Schedule have been met and the crossing shall be inspected as soon as reasonably possible thereafter.

SCHEDULE 4

Article 10

Parkend Crossing

Conditions and Requirements to be observed by the Company

1. The gates and any relevant safety equipment shall be erected, maintained and worked to the satisfaction of the Secretary of State in such a manner as he may from time to time determine.

2. Such gates shall be kept constantly closed and locked across the Company's railway except during the time when trains passing along the railway shall have occasion to cross the highway, and such gates shall be of such dimensions and so constructed as when closed across the Company's railway or across the highway to fence in the Company's railway sufficiently.

3. The drivers or guards of trains passing along the Company's railway or the persons whose office or duty it may be to open or close the said gates shall cause them to be closed and locked as soon as may be reasonably possible after any such train shall have passed through them.

4. Such gates shall be made conspicuous by being periodically painted white with reflectorised red and white targets, and in the event of rail movements taking place during the hours of darkness the Company shall cause lamps to be placed on the gates and arrange for such lamps to be lit and maintained.

5. The Company shall erect and maintain at such point within the vicinity of the level crossing and on each side of the Company's railway such road signs as may be reasonably required by the highway authority or by the Secretary of State to warn the public by day and by night of the existence of the level crossing.