
STATUTORY INSTRUMENTS

1996 No. 2867

TRANSPORT

The Bodmin and Wenford Light Railway Order 1996

Made - - - - *1st November 1996*

Coming into force - - *2nd November 1996*

The Secretary of State for Transport, on the application of the North Cornwall District Council and Bodmin and Wenford Rail Freight Limited for an Order under the Light Railways Act 1896⁽¹⁾ (hereinafter referred to as “the Act”), being satisfied in accordance with section 7 of the Act that its requirements in relation to the publication and service of notices, and consideration of objections, have been satisfied, and having considered the Order as required by section 9 of the Act, and in exercise of powers conferred by sections 3, 7 and 10 to 12 of the Act 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. This Order may be cited as the Bodmin and Wenford Light Railway Order 1996 and shall come into force on 2nd November 1996.

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 Board’s railway” means the railway or former railway of the Board described in Schedule 1 to this Order together with all lands and works relating thereto;

“the Bodmin Company” means the Bodmin and Wenford Railway plc whose registered office is at 6 Harleigh Road, Bodmin, Cornwall, PL31 1AQ;

“the Company” means Bodmin and Wenford Rail Freight Limited incorporated under the Companies Acts 1948 and 1981 whose registered office is at Bodmin General Station, Bodmin, Cornwall, PL31 1AQ;

(1) 1896 c. 48; section 3 was amended by the Light Railways Act 1912 (c. 10), section 5(1); sections 7 and 9 were repealed in part by the Railways Act 1921 (c. 55), section 86(2) and Schedule 9; section 10 was repealed in part by the Statute Law (Repeals) Act 1986 (c. 12), Schedule 1; section 11 was amended by the Light Railways Act 1912 (c. 19), section 5(3), and the Railways Act 1921, section 73(1), and was repealed in part and further amended in respects not relevant to this Order; section 12 was repealed in part by the Finance Act 1929 (c. 21), section 6 and Schedule.

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

“the Council” means the North Cornwall District Council;

“the lease” means any lease granted under paragraph (1) of article 6 of this Order, any extension of the same or any new lease of the railway or any part thereof granted under any statutory powers or provisions;

“the operators” means the body for the time being authorised pursuant to the powers of this Order and any lease or sub-lease hereunder to work any part of the railway or to exercise any powers of this Order; and

“the railway” means the railway authorised to be constructed and maintained by the operators pursuant to article 5 of this Order together with all lands and works relating thereto and, where any part of the said railway and works remains uncompleted, includes the site of that part.

(2) In this Order all distances, lengths, measurements, durations and directions stated in any description of works, powers and lands shall be construed as if the words “or thereabouts” were inserted after each such distance, length, measurement, duration or direction.

Incorporation and modification of enactments

3.—(1) The following provisions of the Railways Clauses Consolidation Act 1845⁽³⁾ shall be incorporated in this Order—

section 16 (works to be executed);

section 24 (penalty for obstructing construction of railway);

section 58 (company to repair roads used by them);

section 61 (company to make sufficient approaches and fences to such highways crossing on the level);

section 68 (maintenance of gates, bridges, fences, drains, watering places);

sections 71 (additional accommodation works by owners), except for the words “or directed by such justices to be made by the company” and “or, in case of difference, as shall be authorised by two justices”;

sections 72 and 73 (supplementary provisions relating to accommodation works);

section 75 (penalty on persons omitting to fasten gates);

sections 77 to 85E (provisions with respect to mines lying under or near the railway);

section 105 (carriage of dangerous goods on railway);

section 145 (penalties to be summarily recovered before two justices); and

section 154 (transient offenders).

(2) The following provisions of the Railways Clauses Act 1863⁽⁴⁾ shall be incorporated in this Order—

section 5 (trains not to be shunted, etc. over level crossings);

section 12 (signals, watchmen, etc.).

(3) This Order shall be deemed to be the special Act for the purposes of the said incorporated provisions.

Transfer of rights, etc. from Board

4. Except as may be otherwise provided in this Order, as from the coming into force of this Order the railway or any part thereof shall be subject to all statutory and other provisions applicable to the

(3) 1845 c. 20.

(4) 1863 c. 92.

Board's railway (insofar as the same are still subsisting and capable of taking effect) and the Council shall, subject to articles 6 and 7 below, 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 statutory or otherwise relating to the Board's railway (insofar as the same are still subsisting and capable of taking effect) to the intent that the Board shall be released from all such obligations.

Power to construct railway

5.—(1) The operators may on the line of the Board's railway construct and maintain a railway with all the necessary works and conveniences connected therewith and work the same as a light railway for the carriage of freight only under the Act and in accordance with the provisions of this Order.

(2) The railway will be laid on the same levels as, and within the existing formation of, the Board's railway.

Leasing of railway to Company

6.—(1) The Council may lease to the Company the railway or any part thereof together with the rights, interests, powers, privileges and obligations vested in the Council by article 4 of this Order on such terms and conditions as may be agreed between the Council and the Company.

(2) During the continuance of the lease the Company shall, subject to article 7 below, to the exclusion of the Council be entitled to the benefit of and to exercise all rights, interests, powers and privileges and be subject to all obligations statutory or otherwise as are transferred to or conferred on the Council by this Order and are for the time being in force in respect of the railway or such part thereof as is comprised in the lease.

Sub-letting of railway to Bodmin Company

7.—(1) During the continuance and subject to the terms of the lease the Company may sub-let to the Bodmin Company the railway or any part thereof together with the rights, interests, powers, privileges and obligations vested in the Company in accordance with article 6 above on such terms and conditions as may be agreed between the Company and the Bodmin Company.

(2) During the continuance of any sub-lease granted under paragraph (1) above the Bodmin Company shall to the exclusion of the Company be entitled to the benefit of, and to exercise all such rights, interests, powers and privileges and be subject to all such obligations of the Company whether statutory or otherwise as are transferred to or conferred on the Company pursuant to article 6 above and are for the time being in force in respect of the railway or such part thereof as is comprised in the sub-lease.

Gauge of railway and motive power

8.—(1) The railway shall be constructed and operated on the standard gauge of 1435 millimetres (4 feet 8½ inches) and, subject to the provisions of this article, the motive power shall be steam, diesel-electric, diesel, internal combustion, electric-battery or such other motive power as the Secretary of State may approve.

(2) Nothing in this Order shall authorise the use of electrical power as motive power on the railway unless such power is obtained from storage batteries or from a source of generation entirely contained in and carried along with the engines and carriages.

(3) If electrical power is used as motive power on the railway, such electrical power shall not be used in such a manner as to cause or be likely to cause any interference with any

telecommunications apparatus (as defined in Schedule 2 to the Telecommunications Act 1984⁽⁵⁾) or with telecommunication by means of such apparatus.

Level crossings

9.—(1) The operators may in the construction of the railway carry the same with a single line of rails across and on the level of the roads and footpaths mentioned in column 1 of Schedule 2 below, and situated in the local authority areas, and at the locations, mentioned respectively in columns 2 and 3 of that Schedule.

(2) Notwithstanding anything in any enactment and except as hereinafter provided:—

- (a) the operators shall not be required to erect or maintain a station or lodge or to provide keepers at any of the said level crossings;
- (b) the operators shall provide, maintain and operate, at each level crossing mentioned in Part I of Schedule 2 below, the signs and other devices and appliances specified in the Part of Schedule 3 below relating to that crossing, and shall observe the conditions and requirements so specified in relation to the use and operation of that crossing;
- (c) the operators shall provide, at each level crossing mentioned in Part II of Schedule 2 below, the signs specified in Schedule 4 below.

(3) In Schedule 3 to this Order—

- (a) references to “the Regulations” are references to the Traffic Signs Regulations and General Directions 1994⁽⁶⁾;
- (b) references to Class I retro-reflecting material are to Class I retro-reflecting material as defined in British Standard 873 part 6 or an equivalent standard;
- (c) references to “the specified road” are references to the road to be crossed by the railway at the relevant crossing.

Signed by authority of the Secretary of State for Transport

Department of Transport
1st November 1996

R A Allan
An Under Secretary,

(5) 1984 c. 12.
(6) S.I. 1994/1519.

SCHEDULES

SCHEDULE 1

Article 2(1)

THE BOARD'S RAILWAY

A portion (10,060 metres in length) of the former Bodmin and Wenford Railway in the district of North Cornwall in the County of Cornwall, authorised by the Bodmin and Wadebridge Railway Act 1832(7) as amended by—

- (1) the Bodmin and Wadebridge Railway Act 1835(8);
- (2) the Bodmin and Wadebridge Railway Act 1865(9);
- (3) the North Cornwall Railway Act 1882(10);
- (4) the South-western Railway Act 1886(11); and
- (5) the South-western Railway Act 1891(12),

commencing in the parish of Lanivet at Boscarne Junction on the railway authorised to be worked as a light railway by the Bodmin Railway Centre Light Railway Order 1989(13), passing through the town of Bodmin and the parishes of Helland and Blisland, and terminating in the parish of St. Breward at a point on the north side of the unclassified road from Blisland to St. Tudy at the boundary of the premises of ECC International Limited.

SCHEDULE 2

Article 9

PARTICULARS OF LEVEL CROSSINGS

PART I—

CROSSINGS OF PUBLIC CARRIAGE ROADS

	(1) <i>Road</i>	(2) <i>Parish</i>	(3) <i>Location of Crossing</i>
I	A389 from Bodmin to Wadebridge	Bodmin	Dunmere
II	Unclassified road (St. Anne's Cottage Lane) from Scarlett's Well to the A389 road	Bodmin (on south side of road) and Helland (on north side of road)	Adjoining the house known as St. Anne's Cottage

(7) 1832 c.xlvii. The short title was provided by section 1 of the Bodmin and Wadebridge Railway Act 1865.

(8) 1835 c.xciii.

(9) 1865 c.ccclxx.

(10) 1882 c.ccliv.

(11) 1886 c.cx.

(12) 1891 c.cxxi.

(13) S.I. 1989/1625.

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	(1) <i>Road</i>	(2) <i>Parish</i>	(3) <i>Location of Crossing</i>
III	Unclassified road from Helland to Tredethy	Helland	Hellandbridge
IV	Unclassified road from Blisland to Longstone	Blisland	Tresarrett
V	Unclassified road from Blisland to St. Tudy	St. Breward	Poley's Bridge

PART II—
CROSSINGS OF FOOTPATHS

	(1) <i>Road</i>	(2) <i>Parish</i>	(3) <i>Location of Crossing</i>
VI	Footpath 9	Bodmin	O.S. Map Ref. SK 045675 77 metres east of the bridge carrying the railway over the river Camel at Dunmere
VII	Footpath 9	Helland	OS Map Ref. SK 051680 Adjoining the farm house known as Dairy Farm
VIII	Footpath 15	Helland	O.S. Map Ref. SK 054685 110 metres south of the farm house known as Outlands
IX	Footpath 14	Helland	O.S. Map Ref. SK 054687 Adjoining the farm house known as Outlands

In this Part, footpath numbers are as given in the definitive map and statement for the relevant area as defined in section 53(1) of the Wildlife and Countryside Act 1981(14).

(14) 1981 c. 69.

SCHEDULE 3

Article 9(2)

CONDITIONS AND REQUIREMENTS AS TO THE
LEVEL CROSSINGS OF PUBLIC CARRIAGE ROADS

PART I—

LEVEL CROSSING OF A389 ROAD AT DUNMERE

A. Particulars of the Barriers and other Protective Equipment

1. A lifting barrier shall be pivoted as close to the railway as practicable on both sides of the specified road on each side of the railway.
2. When lowered the barriers shall be as nearly horizontal as possible and shall extend across the full width of the carriageway and the footway.
3. When the barriers are fully lowered their uppermost surfaces shall be not less than 900 millimetres (“mm”) above the road surface at the centre of the carriageway and the underclearance between the barriers and the carriageway shall not exceed 1000& mm.
4. 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.
5. 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.
6. 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.
7. 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.
8. Two 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 and the other near its centre. When illuminated the lamps shall show a red light in each direction along the carriageway.
9. There shall be an additional swinging barrier on each side of the road. Each shall be operated by hand and so arranged and secured when in the normal position as to close off the railway line from the road. Each barrier shall be independent of the other and shall be capable of swinging clear of the railway and the road when it is required to move trains or road vehicles along the railway.
10. A traffic light signal of the size, colour and type shown in Diagram 3014 in the Regulations shall be provided on the left hand side of the 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 on the right hand side of 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 12 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 shall be capable of directional adjustment.

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11. An audible warning device shall be provided on or adjacent to each left hand side traffic light signal post. 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.

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

13. Where the specified road passes over the crossing, reflectorised edge of carriageway markings of the size, colour and type shown in Diagram 1012.1 in the Regulations shall be provided along each edge of each footway.

14. The centre line of the carriageway shall be marked on the crossing between the stop lines mentioned above and for a distance of 12 metres on each side of the railway measured along the centre of the carriageway from the stop lines with a reflectorised double continuous line carriageway marking of the size, colour and type shown in Diagram 1013.1A in the Regulations. The centre line shall be continued for a distance of 42 metres on each side of the railway measured along the centre of the carriageway from the ends of the double continuous line with a reflectorised double line of the size, colour and type shown in Diagram 1013.1D in the Regulations.

15. There shall be a control point on each railway approach to the crossing located so that there is a clear view of the crossing from it.

16. Each control point shall have a keyswitch to energise the system and push buttons to—

- (a) lower the lifting barriers—the ‘lower’ push button,
- (b) raise the lifting barriers—the ‘raise’ push button,
- (c) release the driver’s indicator—the ‘crossing clear’ push button,
- (d) stop the lowering or raising of the lifting barriers—the ‘stop’ push button.

17. Lighting shall be provided as necessary so that during the hours of darkness in conditions of normal visibility it can be seen by the train driver that the crossing is clear before the train proceeds over it.

18. A stop board of standard railway design displaying the words “Stop—await instructions” shall be provided on the western railway approach to the crossing 205 metres before the crossing and on the eastern railway approach to the crossing 187 metres before the crossing. The stop boards shall be provided with Class I retro-reflecting material or shall be illuminated.

19. A lamp shall be provided on the western railway approach to the crossing 142 metres before the crossing and on the eastern railway approach to the crossing 103 metres before the crossing and shall, when lit, show an intermittent yellow light. The yellow lights shall only show if one or other of the control points mentioned in paragraph 15 above has been energised and the power supply has not failed.

20. A stop board of standard railway design displaying the words “Stop—Wait for white light and whistle before proceeding” shall be provided on each railway approach 25 metres before the crossing. The stop boards shall be provided with Class I retro-reflecting material or shall be illuminated.

21. A driver’s indicator shall be provided on each railway approach to the crossing and shall, when lit, show an intermittent white light. The white light 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 10 above is lit and the power supply has not failed.

22. 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.

23. Two independent power supplies shall be provided at the crossing, one of which may consist of standby batteries of sufficient capacity to operate the whole installation for 12 hours.

24. Cattle-cum-trespass guards of standard railway design shall be provided adjacent to the edge of the made up area 200 metres west of the crossing.

B. Conditions and Requirements to be observed by the Operator.

25. The surface of the carriageway and footways over the crossing and the made up areas over which road vehicles may pass shall be maintained in a good and even condition. The carriageway shall be 8 metres wide and the footways 2 metres wide.

26. The lifting barriers shall be kept in the fully raised position and the swinging barriers shall be kept closed across the railway except during the time when any vehicle passing along the railway has occasion to cross the specified road or when any authorised road vehicle has occasion to pass along the made up area of the railway. The electric lamps on each lifting barrier shall be lit except when the barriers are fully raised.

27. Visual indicators shall be provided at each control point. The indicators shall show when—

- (a) the main power supply is available,
- (b) all the lifting barriers are fully raised,
- (c) all the lifting barriers are fully lowered, and
- (d) at least one of the intermittent red lights of each of the traffic lights on each side of the railway is showing along the carriageway.

28. When the keyswitch is operated to energise the control point the intermittent yellow lights mentioned in paragraph 19 above shall immediately show and shall continue to show until the sequence described in paragraphs 29 and 30 below has been completed and the control point has been de-energised.

29. When the 'lower' push-button of the control point is pressed the sequence of events to close the crossing to road traffic shall begin. The sequence shall be:—

- (a) The amber lights shall immediately 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 show.
- (c) 4 to 6 seconds later the left hand side barriers shall begin to descend and shall take a further 6 to 10 seconds to reach the lowered position.
- (d) The right hand side barriers shall then begin to descend taking 6 to 10 seconds to reach the lowered position.
- (e) The audible warning shall stop when all the barriers are fully lowered.

30. The intermittent red lights shall continue to show until the lifting barriers have begun to rise. The intermittent red lights shall be extinguished before the barriers have risen to an angle of 45 degrees above the horizontal.

31. Drivers shall bring their trains to a halt at the stop boards mentioned in paragraph 18 above and shall not proceed until the intermittent yellow light mentioned in paragraph 19 above shows and they have been hand-signalled forward by the person in charge of the crossing. Drivers shall sound the train's whistle before proceeding.

32. Drivers shall bring their trains to a halt at the stop boards mentioned in paragraph 20 above. Trains travelling in either direction shall not proceed over the crossing until the intermittent white light of the driver's indicator mentioned in paragraph 21 above shows. If the white light fails to

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show, drivers shall proceed with caution when it is safe to do so after they have brought their trains to a stand short of the crossing.

33. If any lifting barrier fails to rise from the lowered position the intermittent red lights shall continue to show.

34. The operator shall give notice in writing to the Secretary of State as soon as the provisions of this Part of this Schedule have been met and the crossing shall be inspected by H M Railway Inspectorate as soon as possible thereafter.

PART II—

LEVEL CROSSING OF UNCLASSIFIED ROAD AT ST. ANNE'S COTTAGE LANE

A. Particulars of the Protective Equipment

1. A traffic sign of the size, colour and type shown in Diagram 602 in the Regulations shall be provided on the left hand side of the specified road as close to the railway as practicable. Each of the signs shall face outwards from the crossing towards approaching road traffic.

2. A traffic sign of the size, colour and type shown in Diagram 774 in the Regulations shall be provided on each side of the specified road on each side of the railway. The signs on the left hand side of the specified road shall be mounted immediately above the signs mentioned in paragraph 1 above. All of the signs shall face outwards from the crossing towards approaching road traffic.

3. A traffic sign of the size, colour and type shown in Diagram 778 in the Regulations shall be provided on the left hand side of the specified road as close to the railway as practicable and shall be mounted immediately below the signs mentioned in paragraph 1 above. Each of the signs shall face outwards from the crossing towards approaching road traffic.

4. A traffic sign of the size, colour and type shown in Diagram 775 in the Regulations shall be provided on each side of the specified road on each side of the railway. The signs on the left hand side of the specified road shall be mounted immediately below the signs mentioned in paragraph 3 above. Each of the signs shall face outwards from the crossing towards approaching road traffic.

5. A traffic sign of the size, colour and type shown in Diagram 785 in the Regulations shall be provided below the sign mentioned in paragraph 1 above and shall be mounted on or adjacent to the post thereof and shall face outwards from the crossing towards approaching road traffic.

6. A stop board of standard railway design displaying the words “stop—await instructions” shall be provided on the western railway approach to the crossing 25 metres before the crossing. The stop board shall be provided with Class I retro-reflecting material or shall be illuminated.

B. Conditions and Requirements to be observed by the Operator

7. The surface of the carriageway over the crossing shall be maintained in a good and even condition. The carriageway shall be approximately 3 metres wide.

8. Drivers of trains travelling in the east bound direction shall bring their trains to a halt at the stop board mentioned in paragraph 6 above and shall not proceed until they have been hand-signalled forward by the person in charge of the crossing.

9. The operator shall give notice in writing to the Secretary of State as soon as the provisions of this Part of this Schedule have been met and the crossing shall be inspected by H M Railway Inspectorate as soon as practicable thereafter.

PART III—

LEVEL CROSSING OF UNCLASSIFIED ROAD AT HELLANDBRIDGE

A. Particulars of the Gates and Other Protective Equipment

1. A gate shall be pivoted on each side of the railway on the east side of the specified road as close to the railway as practicable. An additional gate shall be pivoted on the north side of the railway 200 metres west of the specified road.

2. The uppermost surface of the gates shall be not less than 1450 mm above the road surface at the centre of the carriageway or the running surface of the rails and the underclearance between the gates and the carriageway or the running surface shall not exceed 150 mm.

3. When closed to road vehicles the gates on the specified road shall extend across the full width of the carriageway.

4. When open to road vehicles the gates on the east side of the carriageway shall be parallel with the edge of the carriageway and complete the fencing of the railway on the same side of the specified road and the additional gate on the west side of the specified road shall be completely closed over the railway.

5. Each gate shall be provided with a suitable mechanism to secure the gate in position. Such mechanism shall secure the gates in the open or closed positions and when the railway line is not being operated shall also serve to secure the gates against unauthorised operation.

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 gates shall be so constructed that no interstice between the constituent members thereof shall be greater than 150 mm.

8. The gates shall be painted all over in white and shall each display a circular plate of Red Class I retro-reflecting material not less than 750 mm in diameter. The plates shall be fixed to the gates such that when the gates are closed to road traffic they shall be located in the centre of the face of the gates directed towards approaching road traffic. The top rail of each gate shall display a horizontal band of red retro-reflecting material on the face directed towards approaching road traffic. The bands shall each be 600 mm long and 50 mm deep and shall be displaced from each other by a space of 600 mm.

9. Provision shall be made for a lamp to be mounted in the centre of each gate. This lamp shall when lit show a red light towards approaching road traffic.

10. Where the specified road passes over the crossing, reflectorised edge of carriageway markings of the size, colour and type shown in Diagram 1012.1 in the Regulations shall be provided along each edge of the carriageway.

11. A stop board of standard railway design displaying the words “Stop—Close crossing gates before proceeding” shall be provided on each railway approach, 25 metres before the crossing on the eastern approach to the crossing and 5 metres before the additional gate on the western approach to the crossing. The stop boards shall be provided with Class I retro-reflecting material or shall be illuminated.

12. An advance warning board of standard railway design shall be provided on each railway approach to the crossing, 200 metres before the relevant stop board and shall be provided with Class I retro-reflecting material or shall be illuminated.

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B. Conditions and Requirements to be observed by the Operator

13. The surface of the carriageway over the crossing and the made up area over which road vehicles may pass shall be maintained in a good and even condition. The carriageway shall be 6 metres wide.

14. The gates shall be kept in the positions mentioned at paragraph 4 above except during the time when any vehicle passing along the railway has occasion to cross the specified road.

15. Drivers shall bring their trains to a halt at the stop boards mentioned in paragraph 11 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 hand signal by the person in charge of the level crossing to signify that the gates are securely closed and locked against road traffic and that the crossing is clear.

16. The lamps referred to in paragraph 9 above shall be illuminated whenever trains are operating on the railway between Bodmin and Wenford.

17. The operator shall give notice in writing to the Secretary of State as soon as the provisions of this Part of this Schedule have been met and the crossing shall be inspected by H M Railway Inspectorate as soon as practicable thereafter.

PART IV—

LEVEL CROSSING OF UNCLASSIFIED ROAD AT TRESARRETT

A. Particulars of the Gates and Other Protective Equipment

1. A gate shall be pivoted on the right hand side of the specified road on each side of the railway as close to the railway as practicable.

2. The uppermost surface of the gates shall be not less than 1450 mm above the road surface at the centre of the carriageway and the underclearance between the gates and the carriageway shall not exceed 150 mm.

3. When closed to road vehicles the gates shall extend across the full width of the carriageway.

4. Each gate shall be provided with a suitable mechanism to secure the gate in position. Such mechanism shall secure the gates in the open or closed positions and when the railway line is not being operated shall also serve to secure the gates against unauthorised operation.

5. 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.

6. The gates shall be so constructed that no interstice between the constituent members thereof shall be greater than 150 mm.

7. The gates shall be painted in white and shall each display a circular plate of Red Class I retro-reflecting material and not less than 750 mm in diameter. The plates shall be fixed to the gates such that when the gates are closed to road traffic they shall be located in the centre of the face of the gates directed towards approaching road traffic. The top rail of each gate shall display a horizontal band of red retro-reflecting material on the face directed towards approaching road traffic. The bands shall each be approximately 600 mm long and 50 mm deep and shall be displaced from each other by a space of 600 mm.

8. Provision shall be made for a lamp to be mounted in the centre of each gate. This lamp shall when lit show a red light to approaching road traffic.

9. When the specified road passes over the crossing reflectorised edge of carriageway markings of the size, colour and type shown in Diagram 1012.1 in the Regulations shall be provided along each edge of the carriageway.

10. A stop board of standard railway design displaying the words “Stop—Close crossing gates before proceeding” shall be provided on each railway approach, 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, 200 metres before the relevant stop board and shall be provided with Class I retro-reflecting material or shall be illuminated.

B. Conditions and Requirements to be observed by the Operator

12. The surface of the carriageway over the crossing shall be maintained in a good and even condition. The carriageway shall be 6 metres wide.

13. The gates shall be kept constantly across the railway except during the time when any vehicle passing along the railway has occasion to cross the specified road.

14. 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 hand signal by the person in charge of the level crossing to signify that the gates are securely closed and locked against road traffic and that the crossing is clear.

15. The lamps referred to in paragraph 8 above shall be illuminated whenever trains are operating on the railway between Bodmin and Wenford.

16. The operator shall give notice in writing to the Secretary of State as soon as the provisions of this Part of this Schedule have been met and the crossing shall be inspected by H M Railway Inspectorate as soon as practicable thereafter.

PART V—

LEVEL CROSSING OF UNCLASSIFIED ROAD AT POLEY’S BRIDGE

A. Particulars of the Gates and Other Protective Equipment

1. Two gates shall be pivoted on the right hand side of the specified road on each side of the railway as close to the railway as practicable.

2. The uppermost surface of the main gates shall be not less than 1450 mm above the road surface at the centre of the carriageway and the underclearance between the gates and the carriageway shall not exceed 150 mm. The dimensions of height and underclearance of the secondary gates shall be the same as those of the main gates but shall be measured from the running surface of the rails at the point where they close the railway.

3. When closed to road vehicles the main gates shall extend across the full width of the carriageway. When the main gates are open to road vehicles the secondary gates shall close off the full width of the railway between the boundary fences.

4. Each gate shall be provided with a suitable mechanism to secure the gate in position. Such mechanism shall secure the gates in the open or closed positions and when the railway line is not being operated shall also serve to secure the gates against unauthorised operation.

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5. 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.

6. The gates shall be so constructed that no interstice between the constituent members thereof shall be greater than 150 mm.

7. The gates shall be painted in white and the main gates shall each display a circular plate of Red Class I retro-reflecting material and not less than 750 mm in diameter. The plates shall be fixed to the gates such that when the gates are closed to road traffic they shall be located in the centre of the face of the gates directed towards approaching road traffic. The top rail of each main gate shall display a horizontal band of red retro-reflecting material on the face directed towards approaching road traffic. The bands shall each be approximately 600 mm long and 50 mm deep and shall be displaced from each other by a space of 600 mm.

8. Provision shall be made for a lamp to be mounted in the centre of each gate. This lamp shall when lit show a red light towards approaching road traffic.

9. Where the specified road passes over the crossing reflectorised edge of carriageway markings of the size, colour and type shown in Diagram 1012.1 in the Regulations shall be provided along each edge of the carriageway.

10. A stop board of standard railway design displaying the words “Stop—Close crossing gates before proceeding” shall be provided on each railway approach, 25 metres before the crossing on both approaches to 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 the southern railway approach to the crossing, 200 metres before the relevant stop board and shall be provided with Class I retro-reflecting material or shall be illuminated.

B. Conditions and Requirements to be observed by the Operator

12. The surface of the carriageway over the crossing shall be maintained in a good and even condition. The carriageway shall be 6 metres wide.

13. The secondary gates shall be kept constantly across the railway and the main gates shall be secured so that they are clear of the specified road except during the time when any vehicle passing along the railway has occasion to cross the specified road.

14. 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 hand signal by the person in charge of the level crossing to signify that the gates are securely closed and locked against road traffic and that the crossing is clear.

15. The lamps referred to in paragraph 8 above shall be illuminated whenever trains are operating on the railway between Bodmin and Wenford.

16. The operator shall give notice in writing to the Secretary of State as soon as the provisions of this Part of this Schedule have been met and the crossing shall be inspected by H M Railway Inspectorate as soon as practicable thereafter.

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SCHEDULE 4

Article 9(2)

PARTICULARS OF SIGNS TO BE PROVIDED AT THE LEVEL CROSSINGS OF FOOTPATHS

Signs shall be provided on both sides of the railway bearing the words “Stop, look, listen, beware of trains” and shall face towards persons approaching the level crossing.