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STATUTORY INSTRUMENTS

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**2005 No. 1918**

**The Greater Manchester (Leigh Busway) Order 2005**

**PART 2**

WORKS PROVISIONS

*Streets*

**Level crossings**

**15.**—(1) The undertaker may construct the authorised busway so as to enable vehicles upon it to cross on the level any highway crossing the line of the authorised busway including the highways specified in Schedule 6 to this Order.

(2) The powers in paragraph (1) shall not be exercised in relation to any highway which is not specified in Schedule 6 to the Order without the consent of the highway authority, but such consent shall not be unreasonably withheld.

(3) The undertaker may provide, maintain and operate at or near any level crossing such barriers or other protective equipment as the Health and Safety Executive may in writing approve.

(4) Any traffic sign placed pursuant to this article on or near a highway or other road to which the public has access shall be treated for the purposes of section 64(4) of the 1984 Act as having been placed as provided by that Act.

(5) Without prejudice to the generality of article 6, the undertaker may in the exercise of the powers of this article alter the level of any highway specified in Schedule 6 to this Order.

(6) The highway authority may enter into agreements with the undertaker with respect to the construction and maintenance of any level crossing; and such an agreement may contain such terms as to payment or otherwise as the parties consider appropriate.

(7) In this article—

“barrier” includes gate;

“level crossing” means the place at which the authorised busway crosses a highway on the level under the powers conferred by this article;

“protective equipment” includes lights, traffic signs (within the meaning of section 64(1) of the 1984 Act), manual, mechanical, automatic, electrical or telephonic equipment or other devices.