STATUTORY RULES OF NORTHERN IRELAND

# 1997 No. 68

# ROAD AND RAILWAY TRANSPORT

## Level Crossing (Poyntzpass) Order (Northern Ireland) 1997

*Made - - - - 17th February 1997*

*Coming into operation 24th March 1997*

WHEREAS the railway undertaking made an application to the Department in accordance with section 66(4) of the Transport Act (Northern Ireland) 1967(**1**);

AND WHEREAS before making the application the railway undertaking gave notice in accordance with section 66(5) and (6) of that Act to the council in whose district the crossing is situated;

AND WHEREAS the Department did not receive from that council any representation in respect of the said application;

NOW THEREFORE the Department of the Environment, in exercise of the powers conferred by section 66(1) and (2) of the Transport Act (Northern Ireland) 1967 and now vested in it(**2**) and of every other power enabling it in that behalf, hereby makes the following Order:

### Citation, commencement and interpretation

**1.**—(1) This Order may be cited as the Level Crossing (Poyntzpass) Order (Northern Ireland) 1997 and shall come into operation on 24th March 1997.

(2) In this Order "the crossing" means the Poyntzpass Level Crossing in the townland of Poyntzpass and the County of Armagh whereby the road known as Railway Street is crossed by the railway between Poyntzpass and Newry Stations.

### Suspension of statutory provisions

**2.** While this Order remains in force—

(a) section 47 of the Railways Clauses Consolidation Act 1845(**3**) (requirements as to gates);

(b) section 6 of the Railways Clauses Act 1863(**4**) (requirements as to lodges, etc.); and

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

(**1**) 1967 c. 37 (N.I.); section 66 was substituted by S.I. 1984/1986 (N.I. 15) Art. 15 and amended by S.I. 1990/994 (N.I. 7) Sch. 2
(**2**) The functions of the Ministry of Development under the Transport Act (Northern Ireland) 1967 transferred to the Department of the Environment by S.R. & O. (N.I.) 1973 No. 504 Art. 4
(**3**) 1845 c. 20
(**4**) 1863 c. 92

shall not apply in relation to the crossing.

**Provision of automatic equipment**

**3.** The railway undertaking shall at the crossing—

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

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

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

Sealed with the Official Seal of the Department of the Environment on

L.S.

*J. Ritchie*
17th February 1997. Assistant Secretary

## SCHEDULE 1

Article 3(*a*) and (*b*)

### Particulars of the Barriers, Lights, Traffic Signs and other Devices

1. The lifting barriers shall be pivoted as close to the railway as practicable on both sides of the road on each approach to the crossing.

2. When lowered, the barrier shall be as nearly horizontal as possible and shall extend across the full width of the carriageway and the footways.

3. 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 metre.

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 of 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 be fitted with skirts of a pale colour and light construction so arranged that when the barriers are lowered the skirts fence in the space between the barriers and the ground.

7. The barriers shall display on both front and rear faces alternative 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.

8. 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.

9. 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.

10. A traffic light signal as prescribed by regulation 13(4) of the Regulations shall be provided on the left hand side of the road on each approach to the crossing along the carriageway 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 road on each approach to the crossing so located as to be either in line with or on the railway side of the stop line mentioned in paragraph 12. The traffic light signals on each side of the railway shall be positioned so as to face outwards from the crossing towards approaching road traffic. All the signals shall be capable of directional adjustment.

11. An audible warning device shall be provided on or adjacent to each left hand side traffic light signal post on each approach to the crossing. Facilities shall be provided to reduce the sound output of these devices and any reduced sound output shall operate between 23.30 hours and 07.00 hours approximately.

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 approach to the crossing approximately 1 metre before the left hand side traffic light signal.

13. Where the 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 the footway.