1985 No. 339

ROAD AND RAILWAY TRANSPORT

Level Crossing (Cullybackey North) Order (Northern Ireland) 1985

Made . . . . . 27th November 1985

Coming into operation . . . 26th January 1986

The Department of the Environment(**a**) in exercise of the powers conferred on it by section 66 of the Transport Act (Northern Ireland) 1967(**b**) and of all other powers enabling it in that behalf, having received from the railway undertaking an application under the said section 66, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Level Crossing (Cullybackey North) Order (Northern Ireland) 1985 and shall come into operation on 26th January 1986.

(2) In this Order "the crossing" means the Cullybackey North Level Crossing in the townland of Cullybackey and County of Antrim whereby the road known as Old Cullybackey Road (formerly Old Ballymena Road) (No. UR 28) is crossed by the railway between Ballymena and Ballymoney Stations.

Revocation

2. The Northern Ireland Railways (Cullybackey No. 2 Level Crossing) Order (Northern Ireland) 1975(**c**) is revoked.

Suspension of statutory provisions

3. While this Order remains in force—

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

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

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

shall not apply in relation to the crossing.

Provision of automatic equipment

4. The railway undertaking shall at the crossing—

(*a*) provide, maintain and operate the barriers, lights and automatic and other devices, excluding traffic signs, specified in Schedules 1 and 2 and shall give notice in writing to the Department of the Environment as soon as the provision thereof is complete;

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

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

(**a**) 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

(**b**) 1967 c. 37 (N.I.) as amended by S.I. 1984/1986 (N.I. 15) Art. 15

(**c**) S.R. 1975 No. 120

(**d**) 1845 c. 20

(**e**) 1863 c. 92

Sealed with the Official Seal of the Department of the Environment on 27th November 1985.

(L.S.) *J. M. Irvine*

Assistant Secretary

SCHEDULE 1

PARTICULARS OF BARRIERS, LIGHTS, TRAFFIC SIGNS AND OTHER DEVICES AND APPLIANCES

1. Cattle-cum-trespass guards of standard railway design shall be provided adjacent to the ground which is made-up to the level of the carriageway. The guards shall extend the full distance between the fence on each side of the railway.

2. A barrier shall be pivoted as close to the railway as practicable on the nearside of the road on each side of the railway.

3. It shall be possible to raise and lower the barriers. When lowered the barriers shall be as nearly horizontal as possible, be as nearly as possible at right angles to the centre line of the carriageway and shall extend across the nearside of the carriageway. The tip of each barrier shall extend to a point within 450mm of the centre of the carriageway and a clear exit of at least 3 metres of carriageway width shall be left to the offside edge of the carriageway.

4. When the barriers are fully lowered their uppermost surfaces shall be not less than 900mm above the road surface at the centre of the carriageway and the underclearance between the barriers and the road surface shall not exceed 1000mm.

5. 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 either 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 450mm.

6. 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 be possible to raise them by hand.

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

8. The barriers shall display on both front and rear faces alternate red and white bands each approximately 600mm long and to the full depth of the barriers. A band of red retro-reflecting material not less than 50mm deep shall be provided along the full length of each red band.

9. 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.

10. A traffic light signal as prescribed by regulation 13(4) of the Regulations shall be provided adjacent to each barrier pivot post not more than 1 metre before the barrier. There shall be an additional traffic light signal of the same type on the offside of the 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 13. 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.

11. An audible warning device shall be provided on or adjacent to each barrier pivot post.

12. A reflectorised stop line of the size and type shown in Diagram 1001 in the Regulations shall be provided across the nearside of the carriageway on each side of the railway not more than 1 metre before the nearside traffic light signal.

13. A reflectorised pedestrian stop line of the size and type shown in Diagram 1003.2 in the Regulations shall be provided across the offside of the carriageway and any made-up ground on both sides of the carriageway on both sides of the railway. The line shall be not less than 1 metre before the offside traffic light signal and 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.