1985 No. 244

ROAD AND RAILWAY TRANSPORT

Level Crossing (Broughdone) Order (Northern Ireland) 1985

Made . . . . . *10th September 1985*

Coming into operation . . . *25th October 1985*

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 (Broughdone) Order (Northern Ireland) 1985 and shall come into operation on 25th October 1985.

(2) In this Order "the crossing" means the Broughdone Level Crossing in the townland of Broughdone and County of Antrim whereby the road known as Shellinghill Road is crossed by the railway between Ballymoney and Ballymena stations.

Suspension of statutory provisions

2. While this Order remains in force—

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

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

(*c*) Article 3 of the Northern Ireland Railways (Public Level Crossings) Order (Northern Ireland) 1972(**e**);

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

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 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**) 1845 c. 20
(**d**) 1863 c. 92
(**e**) S.R. & O. (N.I.) 1972 No. 172

Sealed with the Official Seal of the Department of the Environment on 10th September 1985.

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

Assistant Secretary