1975 No. 123

ROAD AND RAILWAY TRANSPORT

Northern Ireland Railways (Macfinn Level Crossing) Order (Northern Ireland) 1975

Made . . . . . 14*th April* 1975

Coming into operation . . . . . 2*nd June* 1975

To be laid before Parliament under paragraph 3(3) *of Schedule* 1 *to the Northern Ireland Act* 1974

WHEREAS the railway undertaking has made application pursuant to section 66 of the Transport Act (Northern Ireland) 1967(a) for an order under that section:

NOW, THEREFORE, the Department of the Environment for Northern Ireland in exercise of the powers conferred by section 66 of the Transport Act (Northern Ireland) 1967 and now vested in it(b) 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 Northern Ireland Railways (Macfinn Level Crossing) Order (Northern Ireland) 1975 and shall come into operation on 2nd June 1975.

(2) In this Order—

"Department" means the Department of the Environment for Northern Ireland;

"nearside" means the left-hand side of the road or carriageway in relation to a person approaching the level crossing along the road or carriageway;

"offside" means the right-hand side of the road or carriageway in relation to any such person.

Suspension of Railway Acts

2. While this Order remains in force—

(*a*) section 47 of the Railways Clauses Consolidation Act 1845(c) (provision in cases where roads are crossed on a level);

(*b*) section 6 of the Railways Clauses Act 1863(d) (company to erect lodge at point of crossing);

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

shall cease to apply to the level crossing referred to in Schedule 1.

(a) 1967 c. 37 (N.I.)
(b) Formerly the Ministry of Development: *see* S.R. & O. (N.I.) 1973 No. 504 (II, p. 2992)
(c) 1845 c. 20
(d) 1863 c. 92

Provision of automatic barriers

3. The railway undertaking shall at the said level crossing—

(*a*) provide, maintain and operate the barriers, lights and automatic and other devices, excluding traffic signs, specified in Schedules 2 and 3 and shall give notice in writing to the Department as soon as the provision thereof is complete;

(*b*) secure the provision and the maintenance and operation by the Department of the traffic signs specified in Schedule 2;

(*c*) comply with the conditions and requirements specified in Schedule 3.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 14th April 1975.

(L.S.) *B. D. Palmer*
Assistant Secretary

SCHEDULE 1

The level crossing known as Macfinn Level Crossing in the townland of Macfinn Lower and County of Antrim whereby the road known as Macfinn Road (No. C92) is crossed by the railway between Ballymoney and Macfinn Stations.

Irish Grid Reference 2 C 898268.

SCHEDULE 2

PART I

General description of barriers, lights, traffic signs and other devices

(1) Only one half-barrier shall be constructed on each side of the railway.

(2) Each half-barrier shall be capable of being raised and lowered across the nearside of the carriageway and when lowered shall be as nearly as is reasonably practicable at right angles to the centre line of the carriageway. The half-barriers shall be as close to the railway as practicable but no part of a half-barrier shall be within the structure gauge of the running edge of the nearest rail.

(3) The half-barriers shall be of light construction, shall be capable of being raised by hand, shall be provided with a fracture segment near the pivot and shall be so counter-weighted that they will descend in the event of a failure.

(4) When raised, the half-barriers shall be inclined towards the carriageway at an angle of between 5 and 10 degrees from the vertical. No part of either half-barrier or of its attachments which is less than 5 metres above the level of the carriageway shall be horizontally displaced from the carriageway by less than 450 mm.

(5) When lowered, the tip of each half-barrier shall not extend beyond the centre line of the carriageway but shall extend to a point within 300 mm from the centre line and shall be not less than 3 metres from the further edge of the carriageway both distances measured horizontally. The half-barriers shall when lowered be as near as is reasonably practicable to the horizontal and their tops shall be not less than 920 mm and not more than 1060 mm above the road at the centre of the carriageway.

(6) The half-barriers shall display on both the front and back faces alternate retro-reflecting red and white bands approximately 600 mm wide commencing with red at the tip.

(7) Two electric lamps of not less than 5 watts nominal rating each and showing a red light in both directions along the carriageway when illuminated shall be fitted to each half-barrier, one within 150 mm of the tip and the other near the centre.

(8) A fence shall be provided at each pivot post for the purpose of guarding against danger to the public from the operating mechanism and the moving parts of the half-barrier.

(9) A traffic light signal consisting of a single steady amber and two flashing red lamps together with a backing board as prescribed by the Road Traffic (Mechanical Signals) Regulations (Northern Ireland) 1967(e) shall be provided on the nearside of the carriageway on or adjacent to each pivot post. There shall be an additional light signal of the same type on the offside of the carriageway on each side of the level crossing. The traffic light signals shall be so arranged as to face outwards from the level crossing towards approaching traffic. The lamps shall be capable of directional adjustment. An audible warning device mounted on or adjacent to each pivot post shall also be provided.

(10) A transverse stop line (in this Schedule referred to as a "stop line") of the size, colour and type prescribed by the Road Traffic (Traffic Signs) Regulations (Northern Ireland) 1966(f) shall be provided across the nearside of the carriageway on each approach to the level crossing approximately 2 metres

(e) S.R. & O. (N.I.) 1967 No. 101 (p. 305), as amended by S.R. & O. (N.I.) 1969 No. 287 (p. 1275)

(f) S.R. & O. (N.I.) 1966 No. 23 (p. 77), as amended by S.R. & O. (N.I.) 1969 No. 156 (p. 558)