
DRAFT STATUTORY INSTRUMENTS

2005 No.

The Midland Metro (Wednesbury to Brierley Hill
and Miscellaneous Amendments) Order 2005

PART 2

WORKS PROVISIONS

Streets

Level crossings

20.—(1) The Executive may construct the authorised tramroads so as to carry them on the level across the highways or other roads specified in Schedule 6 to this Order.

(2) Where, by virtue of the creation of a highway or other road after the day on which application was made for this Order under section 6 of the 1992 Act, any authorised tramroad would cross that highway or road, then the Executive may construct the tramroad so as to carry it on the level across the highway or road.

(3) The Executive may provide, maintain and operate at or near any new level crossing such barriers or other protective equipment as the Secretary of State 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 articles 6 and 9, the Executive may in the exercise of the powers of this article alter the level of any highway or road specified in Schedule 6 to this Order or referred to in paragraph (2).

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

(7) In this article—

“barrier” includes gate;

“new level crossing” means the place at which an authorised tramroad crosses a highway or other road on the level under the powers conferred by this article; and

“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.