



# Railways Clauses Act 1863

1863 CHAPTER 92 26 and 27 Vict

## PART I

### CONSTRUCTION OF A RAILWAY

#### *Level Crossings*

#### 7 **Board of Trade may require bridge instead of level crossing.**

The Board of Trade may, if it appears to them necessary for the public safety, at any time after the passing of the special Act, require the company, within such time as the Board of Trade directs, and at the expense of the company, to carry the turnpike road or public carriage road either under or over the railway by means of a bridge or arch, instead of crossing the same on the level, or to execute such other works as, under the circumstances of the case, may appear to the Board of Trade best adapted for removing or diminishing the danger arising from the level crossing.

Where the road is so carried either under or over the railway, it shall not be necessary for the company to erect or maintain a lodge at the point where the road is crossed, or to appoint a person to watch or superintend the crossing thereat, nor shall they be liable to any penalty for failure so to do.

#### **Modifications etc. (not altering text)**

- C1 Functions of Board of Trade now exercisable by Minister of Transport: [Ministry of Transport Act 1919 \(c. 50\), s. 2, S.I. 1953/1204 \(1953 I, p. 1225\), art. 3\(1\), 1959/1768 \(1959 I, p. 1793\), art. 3\(2\), 1970/1681, art. 2\(1\) and 1979/571, art. 2\(1\)](#)
- C2 [S. 7](#) excluded (31.3.1994) by [1994 c. iv, s. 15\(3\)](#) (with [s. 28](#))  
[S. 7](#) incorporated (with modifications) (16.10.1996) by 1996/2660, art. 4(2)(3)
- C3 [S. 7](#) incorporated (with modifications) (9.10.1997) by [S.I. 1997/2534, art. 3\(2\)\(3\)](#)
- C4 [S. 7](#) incorporated (with modifications) (E.W.S.) (14.10.2008) by [Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 \(S.I. 2008/2512\), arts. 1, 3\(2\), 3\(3\)](#) (with [art. 36\(3\)](#))
- C5 [Ss. 5-7](#) incorporated (E.W.) (26.9.2012) by [The Network Rail \(Ipswich Chord\) Order 2012 \(S.I. 2012/2284\), arts. 1, 3\(2\)](#) (with [art. 26\(2\)](#))

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*Changes to legislation: There are currently no known outstanding effects for the Railways Clauses Act 1863, Section 7. (See end of Document for details)*

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- C6** S. 7 incorporated (with modifications) (E.W.S.) (6.11.2012) by [The Network Rail \(North Doncaster Chord\) Order 2012 \(S.I. 2012/2635\)](#), arts. 1, **3(2)**, 3(3) (with art. 35(2))
- C7** S. 7 incorporated (with modifications) (E.W.S.) (21.11.2013) by [The Network Rail \(Redditch Branch Enhancement\) Order 2013 \(S.I. 2013/2809\)](#), arts. 1, **3(2)**, 3(3) (with arts. 27(2), 39, Sch. 10 paras. 4)
- C8** S. 7 incorporated (with modifications) (E.W.S.) (21.4.2014) by [The Network Rail \(Norton Bridge Area Improvements\) Order 2014 \(S.I. 2014/909\)](#), arts. 1, **3(2)**, 3(3) (with art. 34(2))
- C9** S. 7 incorporated (E.W.S.) (5.12.2022) by [The Portishead Branch Line \(MetroWest Phase 1\) Order 2022 \(S.I. 2022/1194\)](#), arts. 1, **3(2)(a)(3)** (with art. 51)

**Changes to legislation:**

There are currently no known outstanding effects for the Railways Clauses Act 1863, Section 7.