
STATUTORY INSTRUMENTS

1976 No. 702

TRANSPORT

**The British Railways Board (Sheringham and Weybourne)
Light Railway (Transfer) Order 1976**

Made - - - - - *5th May 1976*
Coming into Operation *15th May 1976*

The Secretary of State for the Environment on the application of the North Norfolk Railway Company Limited and in exercise of powers conferred by section 24 of the Light Railways Act 1896(a) as amended by the Light Railways Act 1912(b) and Part V of the Railways Act 1921(c) and now vested in him(d) and of all other powers enabling him in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order shall come into operation on 15th May 1976 and may be cited as the British Railways Board (Sheringham and Weybourne) Light Railway (Transfer) Order 1976.

Interpretation

2.—(1) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them that is to say:—

“approved” means approved by the County Council;

“the Board” means the British Railways Board;

“the Company” means the North Norfolk Railway Company Limited;

“the County Council” means the County Council of Norfolk;

“the level crossing” means the level crossing at Sweet Briar Lane, Sheringham;

“the principal Act” means the Light Railways Acts 1896 and 1912 as amended by the Railways Act 1921;

“the principal Order” means the British Railways Board (Sheringham and Weybourne) Light Railway Order 1973(a);

“the railway” means the railway authorised by the principal Order to be worked as a light railway under the principal Act.

(a) 1896 c. 48.

(c) 1921 c. 55.

(b) 1912 c. 19.

(d) S.I.1970/1681 (1970 III, p. 5551).

(2) Unless the context otherwise requires, references in this Order to any enactment shall be construed as references to that enactment as amended by any subsequent enactment, including this Order.

(3) The Interpretation Act 1889^(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

As to transfer of railway to the Company

3.—(1) The Board and the Company may enter into and carry into effect agreements providing for—

(a) the transfer to and vesting in the Company of the railway or any part thereof; or

(b) the leasing to the Company of the railway or any part thereof,

on such terms and conditions as may be agreed between the Board and the Company.

(2) In the event of any transfer or lease of the railway or any part thereof under the powers of this Order, as from the date upon which such transfer takes effect or during the continuance of any such lease, the Company shall to the exclusion of the Board (but subject during the continuance of any such lease to the terms thereof) be entitled to the benefit of and to exercise all rights, powers and privileges and be subject to all obligations of the Board, whether statutory or otherwise, for the time being in force in respect of the railway or such part thereof as is transferred or leased as aforesaid.

As to level crossing

4.—(1) The Company shall, subject to the conditions and requirements to be observed by the Company for the protection, safety and convenience of the public specified in Part I of the Schedule to this Order, provide, operate and maintain at the level crossing the traffic signs and other devices and appliances specified in Part II of the said Schedule:

Provided that nothing in this paragraph shall impose on a highway authority any liability in respect of a traffic sign, device or other appliance provided in pursuance of this paragraph.

(2) If the Company shall fail to comply with the provisions of paragraph (1) of this Article, they shall for each offence be liable on summary conviction to a penalty not exceeding twenty pounds.

As to Public Liability Insurance

5.—(1) The Company shall at all times maintain an approved public liability policy with an approved insurance company providing cover in respect of any accident on or occasioned by the operation of the railway of not less than five hundred thousand pounds.

(2) The Company shall at the request of the County Council produce to the County Council such evidence as may be requisite for the purpose of proving compliance with paragraph (1) of this Article.

(a) S.I. 1973/998.

(b) 1889 c. 63.

(3) The Company shall not work the railway unless there is in force such a public liability policy as is referred to in paragraph (1) of this Article.

(4) If the Company shall fail to comply with the provisions of paragraph (1) or paragraph (3) of this Article, they shall for each offence be liable on summary conviction to a penalty not exceeding one hundred pounds.

Recovery of penalties

6. Any penalty under this Order may be recovered in the manner provided by the Magistrates' Courts Act 1952(a).

Costs of Order

7. All costs, charges and expenses of and incidental to the preparing for, obtaining and making of this Order, or otherwise in relation thereto shall be paid by the Company and may in whole or in part be defrayed out of revenue.

W. J. Sharp,

Signed by authority of
the Secretary of State
5th May 1976.

An Under Secretary in the
Department of the Environment.

SCHEDULE

LEVEL CROSSING AT SWEET BRIAR LANE, SHERINGHAM

PART I

CONDITIONS AND REQUIREMENTS TO BE OBSERVED

(1) The surface of the carriageway over the level crossing shall be maintained in good and even condition.

(2) The ground at the two edges of the carriageway over the level crossing shall be made up to the level of the carriageway for a distance of not less than 1 metre beyond each edge.

(3) A reflectorised advance warning board of standard British Railways design shall be provided on each railway approach to the level crossing facing rail traffic approaching the level crossing. The warning board shall be provided with external lighting which shall be lit during the hours of darkness when the railway is in use.

(4) A reflectorised intermediate board of standard British Railways design shall be provided on the railway approach from Weybourne to the level crossing approximately 150/200 metres before the stop board mentioned in paragraph (5) below facing rail traffic approaching the level crossing. The intermediate board shall be provided with external lighting which shall be lit during the hours of darkness when the railway is in use.

(a) 1952 c. 55.

(5) A reflectorised stop board of standard British Railways design displaying the words "stop whistle before proceeding" shall be provided on each railway approach to the level crossing approximately 25 metres before the level crossing facing rail traffic approaching the level crossing. The stop board shall be illuminated during the hours of darkness when the railway is in use.

(6) Trains travelling in either the Up or the Down direction shall be brought to a halt at the Stop Board mentioned in paragraph (5) above and the train whistle shall be sounded thereat between 0700 hours and 2330 hours before proceeding over the level crossing at a speed of not more than 5 mph.

PART II

PARTICULARS OF TRAFFIC SIGNS AND OTHER DEVICES AND APPLIANCES

(1) A St. Andrew's Cross traffic sign of the size, colour and type shown in Diagram 542 in the Traffic Signs Regulations currently in force under the Road Traffic Regulation Act 1967(a) shall be provided on the nearside of the carriageway on each side of the railway as close as practicable to the railway but not nearer than 2 metres to the running edge of the nearest rail. The traffic sign shall face towards road traffic approaching the level crossing.

(2) A give way traffic sign of the size, colour and type shown in Diagram 602 in the said Regulations shall be mounted immediately below the traffic sign mentioned in paragraph (1) above and shall face towards road traffic approaching the level crossing.

(3) A traffic sign of the size, colour and type shown in Diagram 602.1 in the said Regulations shall be mounted immediately below the traffic sign mentioned in paragraph (2) above and shall face towards road traffic approaching the level crossing.

(4) A reflectorised transverse give way road marking of the size, colour and type shown in Diagram 1003 in the said Regulations shall be provided across the carriageway on each side of the railway as nearly as possible at right angles to the centre line of the carriageway.

(5) A reflectorised triangular give way approach road marking of the size, colour and type shown in Diagram 1023 in the said Regulations shall be provided on the carriageway on each side of the railway.

(6) Reflectorised edge of carriageway road markings of the size, colour and type shown in Diagram 1011 in the said Regulations shall be provided along the two edges of the carriageway between the traffic signs on each side of the railway mentioned in paragraph (1) above.

(a) 1967 c. 76.

Printed in England by Burrup, Mathieson & Co., Ltd., and published by Her Majesty's Stationery Office

150/S972906/w H6 K8 5/76

12p net

ISBN 0 11 060702 3