

LEVEL CROSSINGS ACT 1983

THE WEST SOMERSET RAILWAY

SEAWARD WAY LEVEL CROSSING ORDER 2021

Made on 20 October 2021. Coming into force on 26 October 2021.

The Secretary of State for Transport, having been requested by the West Somerset Railway (“the operator”) to make an Order under section 1 of the Level Crossings Act 1983¹ (“the Act”) makes the following Order in exercise of his powers under the Act and of all other enabling powers, in accordance with the draft Order which accompanied the request subject to those modifications the Secretary of State thought fit to make.

1. This Order may be cited as The West Somerset Railway Seaward Way Level Crossing Order 2021 and shall come into force on 26 October 2021.
2. In this Order:
 - a. "the carriageway" means the carriageway of the specified road, "the crossing" means the level crossing described in Schedule 1 to this Order, "the Regulations" means the Traffic Signs Regulations and General Directions 2016², "the specified road" means the road which crosses the railway at the crossing;
 - b. the expressions "left-hand side" and "right-hand side" shall be construed as they would appear to a person approaching the crossing along the specified road.
3. The following provisions, being provisions which in the opinion of the Secretary of State are necessary or expedient for the safety or convenience of those using the crossing, apply in respect of the crossing:
 - a. the operator shall provide, operate and maintain the protective equipment which is specified in Part 1 of Schedule 2 to this Order;
 - b. the operator shall observe the conditions and requirements specified in Part 2 of Schedule 2 to this Order;
 - c. the local traffic authority shall provide and maintain the protective equipment specified in Part 1 of Schedule 3 to this Order; and
 - d. the local traffic authority shall observe the conditions and requirements specified in Part 2 of Schedule 3 to this Order.

¹ 1983 c.16

² SI 2016 No.362

4. The Traffic Signs Regulations and General Directions 2016³ shall apply to any traffic sign specified in Schedule 3 to this Order as they would to a sign caused or permitted to be placed by a highway authority.
5. The West Somerset Railway PLC Minehead Level Crossing Order 1992 is revoked.

Signed by authority of the Secretary of State on 20 October 2021



Paul Appleton
Deputy Director, Railway Safety
Office of Rail and Road

³ SI 2016 No.362

SCHEDULE 1

The Crossing

The level crossing known as Seaward Way, where Seaward Way is crossed by the railway between Minehead and Dunster Stations.

At National Grid Reference SS 978 460.

The local traffic authority at the time of making this Order is Somerset County Council.

SCHEDULE 2, PART 1

Article 3a of the Order - Particulars of protective equipment provided by the operator

1. A lifting barrier shall be pivoted as close to the railway as practicable on both sides of the specified road on each side of the railway.
2. When lowered, the barriers shall be as nearly horizontal as possible and shall extend across the full width of the carriageway and the footways.
3. When lowered, the tops of the barriers shall be at least 900 millimetres above the road surface at the centre of the carriageway. The clearance between the bottom edge of the lowered barrier and the road surface at the centre of the carriageway shall not exceed 1000 millimetres.
4. When in the fully raised position the barriers shall be inclined towards the carriageway at an angle of between 5 and 10 degrees from the vertical. No part of any barrier or of any attachment thereto which is less than 5 metres above the level of the carriageway shall be horizontally displaced from the nearer edge of the carriageway by less than 450 millimetres, and no part of any barrier or of any attachment thereto which is less than 2 metres above the level of the footway shall be horizontally displaced from that edge of the footway furthest from the carriageway by less than 150 millimetres.
5. The barriers shall be as light as possible but shall also be strong enough to prevent foreseeable distortion or fracture likely to be caused by wind pressure.
6. The barriers shall be fitted with skirts so arranged that when the barriers are lowered the skirts fence in effectively the space between the barriers and the ground.
7. The barriers shall display on both front and rear faces alternate red and white bands each approximately 600 millimetres long to the full depth of the barriers. A strip of retro-reflective material not less than 50 millimetres deep shall be provided along the full length of each band. The retro-reflective material shall be coloured the same as the band on which it is placed.
8. Suitable guards or other protection shall be provided for each barrier machine to prevent danger to persons from the operating mechanism and moving parts of the machine.

9. Three electric lights, to a suitable recognised standard, shall be fitted to each barrier, one within 150 millimetres of its tip, one near the edge of the carriageway and one near the centre point between the other two. When illuminated the lights shall show a red light in each direction along the carriageway, clearly indicating the position of the barriers.
10. A traffic light signal of the size, colour and type shown in Diagram 3014 in the Regulations shall be provided on the left-hand side of the carriageway on each approach to the crossing along the specified road and as close as practicable to the barrier. There shall be an additional traffic light signal of the same type on the right-hand side of the specified road on each side of the railway located either in line with, or on the railway side of, the stop line mentioned below. The traffic light signals on each side of the railway shall be positioned to face outwards from the crossing towards approaching road traffic. All the signals shall be capable of directional adjustment.
11. A pedestrian light signal of the size, colour and type shown in Diagram 4006 in the Regulations shall be provided on the right-hand side of the carriageway on the northern approach and on the left-hand side of the carriageway on the southern approach, suitably positioned to face outwards from the crossing towards approaching pedestrians.
12. An audible warning device for pedestrians shall be provided on or adjacent to each left-hand side traffic light signal post. These devices shall be capable of volume adjustment to suit local requirements.
13. A reflectorised stop line of the size, colour and type shown in Diagram 1001 in the Regulations shall be provided across the left-hand side of the carriageway on each side of the railway not more than 2.5 metres before the left-hand side traffic light signal.
14. Where the specified road passes over the crossing, reflectorised edge of carriageway markings of the size, colour and type shown in Diagram 1012.1 in the Regulations shall be provided along each side of each footway.
15. The centre line of the carriageway shall be marked on the crossing between the stop lines mentioned above with a reflectorised double continuous line road marking of the size, colour and type shown in Diagram 1013.1A in the Regulations.
16. The carriageway over the crossing shall be marked with a yellow 'box' road marking of the size, colour and type shown in Diagram 1045 in the Regulations.
17. A traffic sign of the size, colour and type shown in Diagram 775 in the Regulations shall be provided on each side of the specified road on each side of the railway, mounted below or adjacent to the traffic light signal, and shall face outwards from the crossing towards approaching road traffic.
18. A traffic sign of the size, colour and type shown in Diagram 785.1 shall be provided on the left-hand side of the carriageway beneath the traffic signal to Diagram 3014 on each approach to the crossing facing approaching traffic.

19. The level crossing shall be controlled and monitored from the signal box that controls the signals over the crossing. A closed-circuit television camera shall be provided at the crossing and shall be connected to a viewing monitor in the signal box.
20. Facilities shall be provided at the control point to:
- a. lower the barriers - the 'lower' push-button;
 - b. raise the barriers - the 'raise' push-button;
 - c. release the protecting signals - the 'crossing clear' push-button;
 - d. stop the lowering or raising of the barriers - the 'stop' push-button.
21. Facilities shall be provided at the crossing to operate the barriers and other protective equipment.
22. Lighting of the crossing shall be at least to the same standard as the lighting of the carriageway on the approaches to the crossing. The lighting shall be sufficient such that during the hours of darkness in conditions of normal visibility it can be seen from the control point that the crossing is clear whilst the barriers are being lowered and until the 'crossing clear' push-button is pressed.
23. Protecting railway signals shall be provided and these shall be interlocked with the barriers so that it shall not be possible to raise the barriers from their positions across the carriageway after the protecting signal has displayed a proceed aspect unless any approaching train has passed over the crossing or sufficient time has elapsed to allow a train to have come to a stand. Whilst the barriers are raised it shall not be possible to clear those signals. Minor barrier movements caused by wind, for example, should not result in signals reverting to Danger.
24. All protecting signals mentioned above shall be provided with suitable approach locking controls.
25. Cattle-cum-trespass guards of standard railway design shall be provided adjacent to both sides of the crossing surface. The guards shall extend the full distance between the fences on each side of the railway.

SCHEDULE 2, PART 2

Article 3b of the Order - Conditions and requirements to be observed by the operator

26. The surface of the carriageway and footways over the crossing shall be maintained in a good and even condition and, with the co-operation of the local traffic authority, kept consistent with the surface of the carriageway and footways on each approach. The carriageway shall be approximately 7.65 metres wide and the footways approximately 1.95 metres wide on the western side of the carriageway and approximately 1.5 metres wide on the eastern side.

27. The barriers shall be kept in the fully raised position except during the time when any train passing along the railway has occasion to cross the specified road, or when it is necessary to lower the barriers for short periods for the purpose of maintenance or testing. The electric lights on each barrier shall be lit except when the barriers are fully raised.
28. The protecting signals shall be controlled from the signal box containing the crossing control point. The control point shall be located so there is a clear view of the crossing on the viewing monitor from it.
29. A clear picture of the whole enclosed crossing area shall be visible on the viewing monitor before the sequence to close the crossing to road traffic begins. The picture shall continue to show until either the barriers are fully raised after the 'raise' push-button has been pressed or, if automatic raising is in operation, after the 'crossing clear' push-button has been pressed.
30. Suitable visual indicators and audible alarms shall be provided at the control point. The visual indicators shall show when:
- a. the main power supply has failed;
 - b. all the barriers are fully raised;
 - c. all the barriers are fully lowered;
 - d. at least one of the intermittent red lights of the traffic light signals on each side of the railway is showing along the carriageway.
31. The audible alarm shall sound if:
- a. any barrier is horizontally dislocated when in the fully lowered position;
 - b. the main power supply fails;
 - c. all the red traffic light signals facing in one direction fail.
32. When the 'lower' push-button is pressed the sequence of events to close the crossing to road traffic shall begin. The sequence shall be:
- a. the amber lights shall immediately show and the audible warning for pedestrians shall begin. The lights shall show for approximately 3 seconds;
 - b. immediately the amber lights are extinguished the intermittent red lights of the traffic light signals and the pedestrian light signals shall show;
 - c. 4 to 6 seconds later the left-hand side barriers shall begin to descend and shall take a further 6 to 10 seconds to reach the lowered position;
 - d. the right-hand side barriers shall then begin to descend taking 6 to 10 seconds to reach the lowered position;

- e. the audible warning for pedestrians shall stop when all the barriers are fully lowered.
33. The operator shall monitor the crossing during the closure sequence and shall take appropriate action to ensure persons or vehicles are not struck by a lowering barrier and do not become trapped on the crossing.
34. The arrangements shall be such that the protecting railway signals can only be cleared after the barriers are fully lowered and after the 'crossing clear' push-button has been pressed. Unless the protecting signals have been cleared for another train all the barriers shall rise simultaneously either after the 'raise' push-button has been pressed or automatically as soon as the train has passed clear of the crossing.
35. If a train passes any protecting signal at Danger, the intermittent red lights in the road traffic light signals shall immediately illuminate bypassing the amber phase. The barriers shall not lower.
36. The intermittent red lights of the road traffic light signals and the pedestrian light signals shall continue to show until the barriers have risen to an angle of approximately 45 degrees above the horizontal.
37. If any barrier fails to rise from the lowered position the intermittent red lights shall continue to show.
38. Should automatic raising take an abnormally long time an audible and visual warning shall be given at the control point.
39. It shall not be possible to raise the barriers unless the protecting signals are at Danger and free from approach locking.
40. The operator shall periodically monitor the duration of closures of the crossing to road traffic, and shall take action to ensure that the closure times are minimised effectively.
41. The operator shall take the lead in developing with the local traffic authority an agreed long-term strategy regarding the use of the crossing and the safety and convenience of users of the crossing. The strategy, which shall be reviewed periodically, shall take into account: incidents at the crossing; anticipated changes in use; all costs and consequences of continued operation; and shall consider where appropriate what measures might be necessary or practicable to permit the crossing to be closed to road traffic and pedestrians.
42. The operator shall make appropriate arrangements for the legibility and visibility of road traffic signs and road markings relating to the crossing for approaching road traffic to be checked periodically, and to draw any deficiencies to the attention of the local traffic authority.
43. The operator shall maintain communication links with local emergency services.
44. The operator shall give notice in writing to the Secretary of State as soon as the provisions of Articles 3a, 3b and 3c have been met and shall request that the crossing be inspected as soon as possible thereafter.

SCHEDULE 3, PART 1

Article 3c of the Order - Particulars of protective equipment provided by the local traffic authority

45. The centre line of the carriageway shall be marked for a distance of approximately 45 metres on the northern side and approximately 49 metres on the southern side of the railway measured along the centre of the carriageway from the stop line with a reflectorised double continuous line road marking of the size, colour and type shown in Diagram 1013.1A in the Regulations.

46. At least one road marking of the size, colour and type shown in Diagram 1014 in the Regulations shall be marked on the carriageway in an appropriate position on the approach side of the road markings described above on each side of the railway.

47. Traffic signs of the size, colour and type shown in Diagrams 770 and 773 in the Regulations shall be provided together on the left-hand side on each approach to the crossing in a suitable position facing approaching traffic. Additional traffic signs of the size, colour and type shown in Diagram 770 and 773 in the Regulations shall be provided together on the left-hand side of the carriageway on the southern approach to the crossing in a suitable position facing approaching traffic at a suitable distance from the first traffic signs provided on the southern approach mentioned above in this clause. Further additional traffic signs of the size, colour and type shown in Diagram 770 and 773 in the Regulations shall be provided together on the right-hand side of the carriageway on the southern approach to the crossing in a suitable position facing approaching traffic at a suitable distance from the second traffic signs provided on the southern approach mentioned above in this clause.

48. A tactile threshold of a type specified in published guidance shall be provided in each footway approaching the crossing in an appropriate position.

SCHEDULE 3, PART 2

Article 3d of the Order - Conditions and requirements to be observed by the local traffic authority

49. The vertical profile and surface of the carriageway and footways approaching the crossing shall be maintained and, with the co-operation of the operator, kept consistent with the surface of the crossing and footways to ensure safe and even passage of road traffic and pedestrians over the crossing.

50. Where a deficiency in visibility or legibility of a road traffic sign or road marking is identified by the operator, the local traffic authority shall take action to ensure that adequate visibility or legibility is restored.

51. The local traffic authority shall consult the operator before any traffic signs or other road equipment other than those specified in this Order are placed or caused to be placed on the road in the vicinity of the crossing.

52. The local traffic authority shall consult the operator when any significant permanent or temporary change occurs or is proposed which might affect to any significant extent the type, characteristic, likely behaviour or amount of road traffic using the crossing, or its ability freely to exit the crossing.

53. The local traffic authority shall take into account any records of incidents at or near the crossing made available by the operator in exercising its responsibilities in relation to the specified road in the vicinity of the crossing.

54. The local traffic authority shall periodically monitor the amount and characteristics of road traffic using the specified road and shall inform the operator where there is any significant change.

55. The local traffic authority shall co-operate with the operator in the preparation and periodic review of a long-term strategy in relation to the continued operation of the crossing.