

2023 No. 1112

RAILWAYS

The Private Crossings (Signs and Barriers) Regulations 2023

<i>Made</i> - - - -	<i>23rd October 2023</i>
<i>Laid before Parliament</i>	<i>26th October 2023</i>
<i>Coming into force</i> - -	<i>18th November 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 52(1)(a), (3) and (5) of the Transport and Works Act 1992(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Private Crossings (Signs and Barriers) Regulations 2023.

(2) These Regulations come into force on 18th November 2023.

(3) These Regulations extend to England and Wales and Scotland.

Interpretation

2. In these Regulations—

“the 2016 Regulations” means the Traffic Signs Regulations and General Directions 2016(b);

“crossing” means a place where a railway or tramway is crossed by a relevant road;

“crossing operator” means the operator of a railway or tramway that is crossed in any place by a relevant road;

“relevant road” means—

- (a) a private road;
- (b) a private path; or
- (c) both a private road and a private path;

“retroreflecting material” means material which reflects a ray of light back towards the source of that light;

(a) 1992 c.42.

(b) S.I. 2016/362. These Regulations and General Directions have been amended but those amendments are not relevant to this instrument.

“signaller” means a person employed by a crossing operator who operates signals, and where applicable the points, on a railway or tramway or otherwise controls the movement of trains or trams.

Crossing signs to be of the size, colour and type described

3.—(1) Subject to regulations 5, 6 and 9, where a crossing operator causes or permits a crossing sign to be placed on or near a relevant road at or near a crossing, the crossing sign must be of the size, colour and type shown and described in—

- (a) a diagram in Schedule 1; or
- (b) any of the following diagrams set out in the signs tables in the following Schedules to the 2016 Regulations—
 - (i) Schedule 2—
 - (aa) Part 2: diagrams 770 (Item 51), 771 (Item 52), 772 (Item 53), 779 (Item 54) and 782 (Item 55),
 - (bb) Part 6: diagrams 774 (Item 4) and 781 (Item 5);
 - (ii) Schedule 9—
 - (aa) Part 2: diagrams 602 (Item 2), 778 (Item 4) and 778.1 (Item 5),
 - (bb) Part 4: diagram 784.1 (Item 4),
 - (cc) Part 6: diagrams 1002.1 (Item 1), 1022 (Item 2), 1003A (Item 3), 1023A (Item 4), 1013.1 (Item 23) and 1045 (Item 26);
 - (iii) Schedule 11—
 - (aa) Part 2: diagrams 963.3 (Item 43), 775 (Item 67), 783 (Item 68), 785.1 (Item 69), 786 (Item 70), 787 (Item 71) and 788 (Item 72),
 - (bb) Part 4: diagrams 1004 (Item 2), 1012.1 (Item 11) and 1026 (Item 16);
 - (iv) Schedule 14—
 - (aa) Part 2: diagrams 3014 (Item 5), 773 (Item 6), 776 and 777 (Item 8), 1001 (Item 46), 790 (Item 67) and 1003.2 (Item 68).

(2) Where, in accordance with these Regulations, a crossing operator causes or permits the placement of a crossing sign referred to in paragraph (1)(b), the provisions of the 2016 Regulations relating to the size, illumination and significance of, and the requirements conveyed by, that sign by virtue of those Regulations apply to that crossing sign as if the relevant road concerned were a road as defined in section 142 of the Road Traffic Regulation Act 1984(a).

Colours of backs of crossing signs

4. The back of a crossing sign shown in a diagram in Schedule 1 and any pole or other structure provided for mounting the crossing sign shall be black or grey in colour.

Dimensions

5.—(1) A variation in a dimension specified in Schedule 1 is permitted by these Regulations if the variation does not exceed 5% more or 5% less than the dimension specified.

(2) In Schedule 1 the dimensions of the crossing signs are expressed in millimetres.

(a) 1984 c.27.

Permitted variants

6.—(1) The crossing signs shown in diagrams 102, 106, 157, 160, 161, 162 and 164 in Schedule 1 may be varied as set out in Schedule 1 where the circumstances so require.

(2) A crossing sign shown in diagrams 104 and 118 in Schedule 1 may be varied to show a different penalty where the maximum penalty for failing to comply with the requirement on the crossing sign has changed.

(3) In relation to a crossing sign shown in diagrams 106 (variant B), 120, 121, 140, and 164 (variants B, C and D) in Schedule 1, the telephone number may be changed if the number of the signaller changes.

Illumination of crossing signs

7.—(1) Subject to paragraph (2), the front of a crossing sign shown in the diagrams in Schedule 1 must be covered in retroreflecting material.

(2) Retroreflecting material must not be applied to—

- (a) any part of a crossing sign, including words, coloured black;
- (b) the red and green lights prescribed in regulation 8 in a crossing sign shown in a diagram in Part 4 of Schedule 1; and
- (c) a crossing sign at a crossing which motor vehicles do not use.

Miniature stop lights

8.—(1) The crossing signs shown in diagrams 158, 159, 160 and 161 in Part 4 of Schedule 1 must contain red and green lights which—

- (a) are internally illuminated by a steady light so that—
 - (i) when one light is lit, the other is not;
 - (ii) the green light is and remains lit so long as no railway or tramway vehicle is approaching the vicinity of the crossing from either direction; and
 - (iii) the red light is and remains lit if the green light is not lit; or
- (b) are activated either by the user pushing a button, or by a motion sensor so that—
 - (i) when one light is lit, the other is not;
 - (ii) the green light is only activated so long as no railway or tramway vehicle is approaching the vicinity of the crossing from either direction; and
 - (iii) the red light is and remains activated until the green light is lit.

(2) The lenses of the lights must be—

- (a) circular and not less than 60 millimetres in diameter; or
- (b) rectangular with the short side measuring a minimum of 60 millimetres;

and the distance between the edges of the lenses of the lights must be not less than 40 millimetres.

(3) The information, warnings, requirements and prohibitions conveyed by the lights described in paragraphs (1) and (2) are—

- (a) the red light when lit warns the user of a crossing that a railway or tramway vehicle is approaching the vicinity of that crossing and users are prohibited from using the crossing;
- (b) the green light when lit informs the user of a crossing that no railway or tramway vehicle is approaching the vicinity of that crossing and users may use the crossing;

- (c) if neither light is lit, users must either telephone the signaller, or cross the railway or tramway with caution after following the instructions on any crossing sign at or near the crossing.

Crossing signs relating to telephones

9.—(1) The crossing signs shown in a diagram in Schedule 1 which incorporates a telephone symbol highlighted in yellow is permitted to be placed only where there is a fixed telephone, which connects directly to the signaller, provided at each side of the crossing.

(2) The crossing signs shown in diagrams in Schedule 1 which have space designated on them for a telephone number must show the telephone number to contact the signaller. Such crossing signs are only permitted to be placed under these Regulations where there are no fixed telephones at the crossing.

Gates or barriers to be of the character described in Schedule 2 or Schedule 3

10. Where a crossing operator causes or permits the placement of a barrier on a relevant road near a crossing, the barrier must, in the case of a gate, be of the character described in Schedule 2, or in the case of any other barrier be of the character described in Schedule 3.

Revocation

11. The Private Crossings (Signs and Barriers) Regulations 1996(a) are revoked.

Signed by authority of the Secretary of State for Transport

23rd October 2023

Huw Merriman
Minister of State
Department for Transport

(a) S.I. 1996/1786.

SCHEDULE 1

Regulation 3

Crossing signs

PART 1

Warning signs

Diagram 101

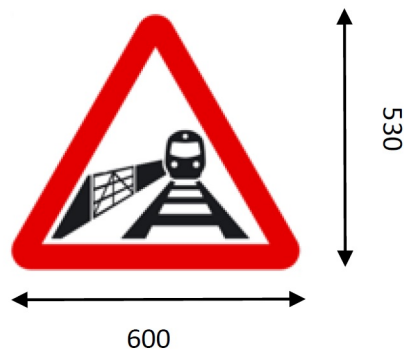


Diagram 102: Permitted variants A or B as circumstances require.

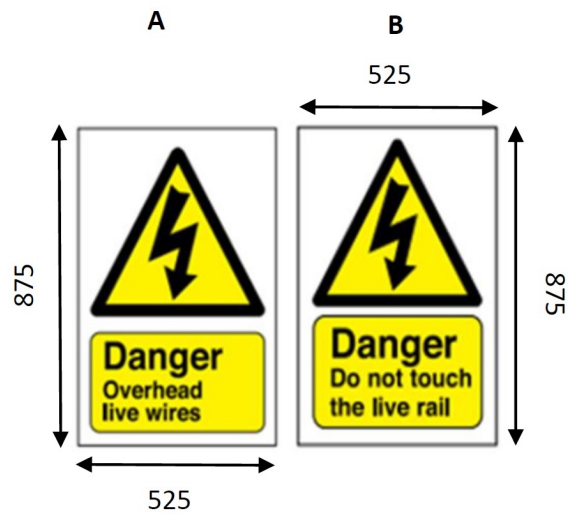


Diagram 103

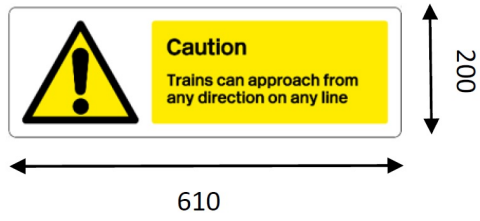


Diagram 104

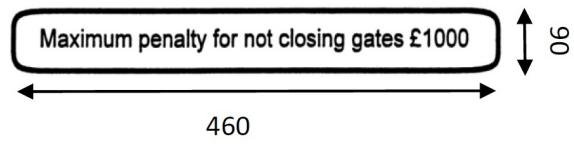


Diagram 105

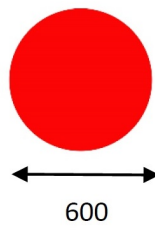
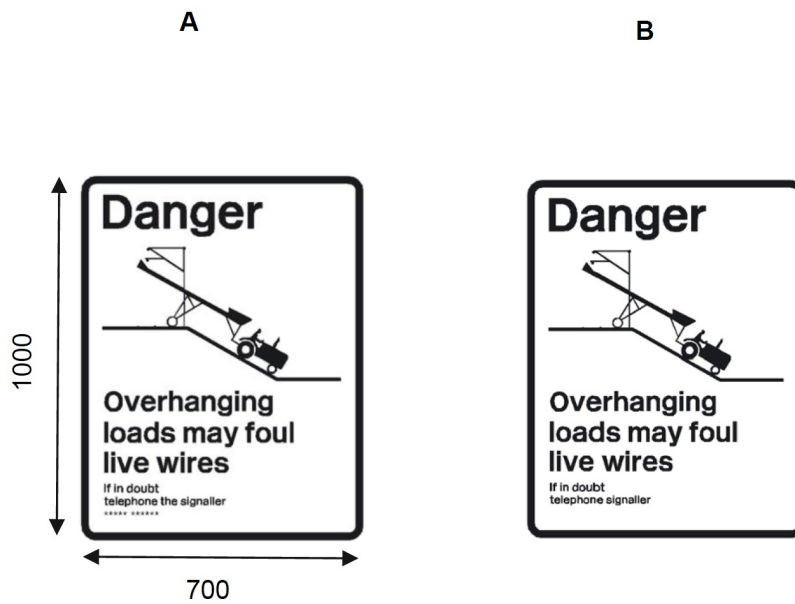


Diagram 106 Permitted variants A or B: On sign B, the telephone number for the signaller must be provided at crossings with no fixed telephones.



PART 2

Summary signs and stop sign

Diagram 107

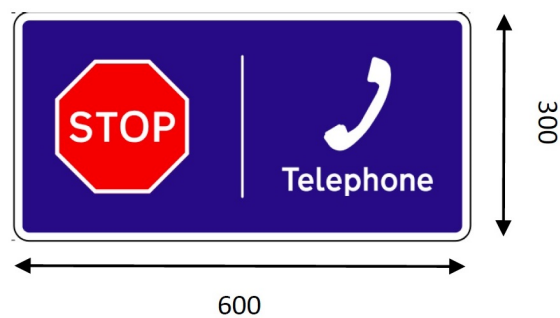


Diagram 108

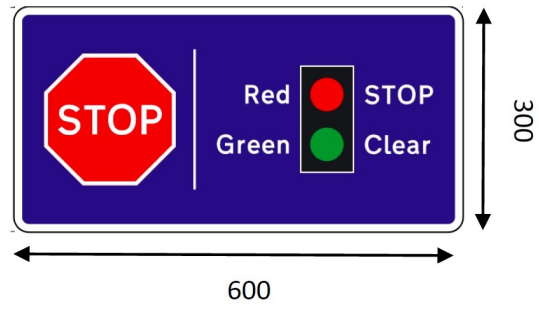


Diagram 109

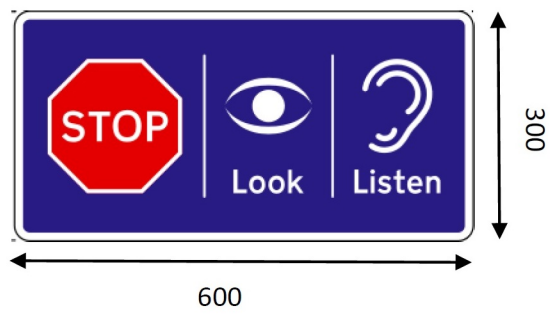
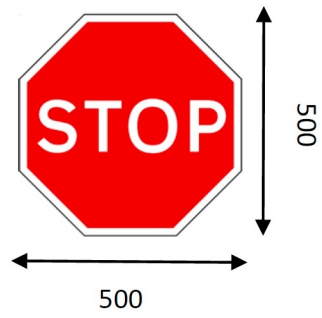


Diagram 110



PART 3
Instruction signs
Diagram 111

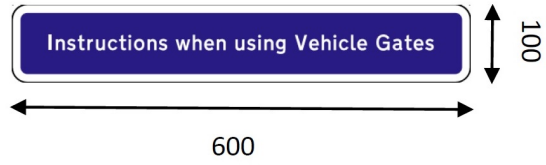


Diagram 112

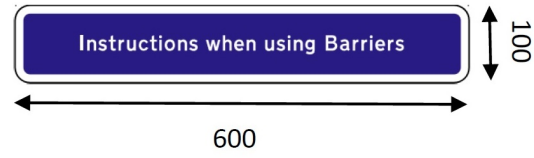


Diagram 113

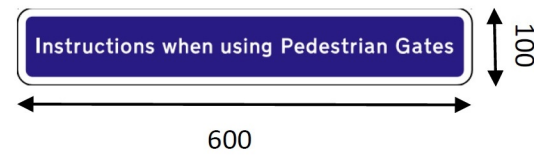


Diagram 114

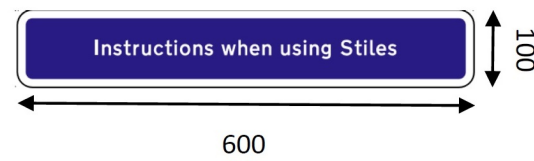


Diagram 115

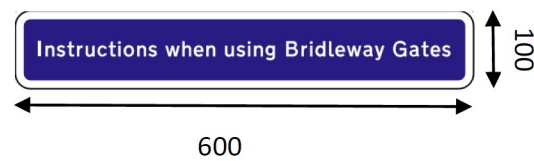


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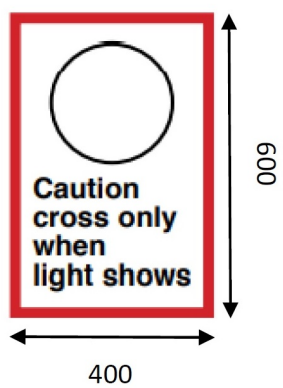


Diagram 117



Diagram 118

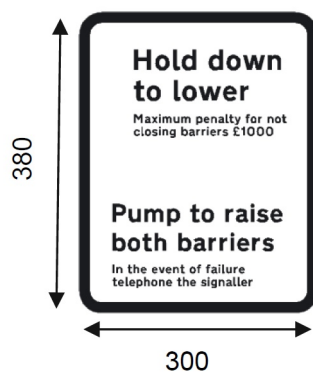


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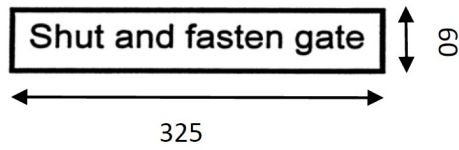


Diagram 120

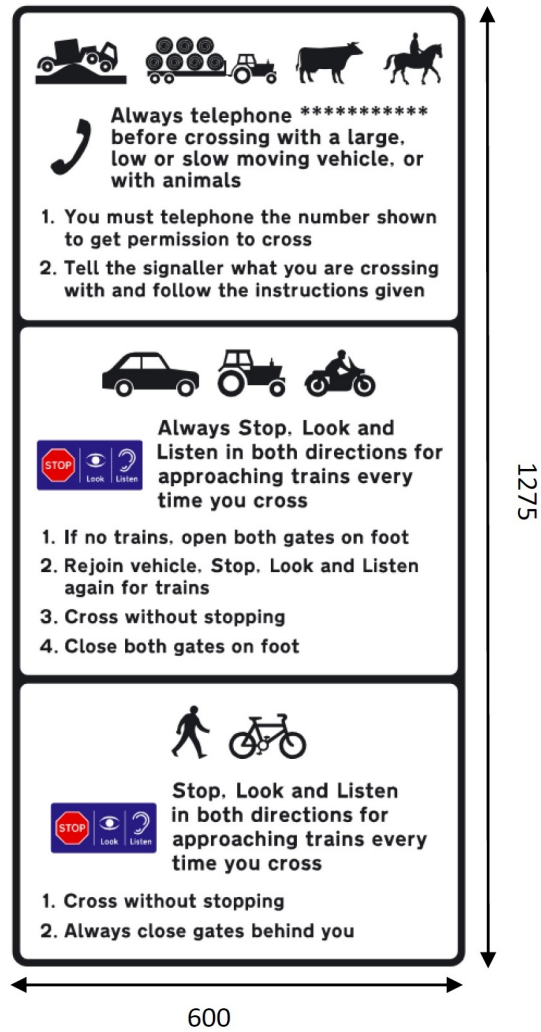


Diagram 121

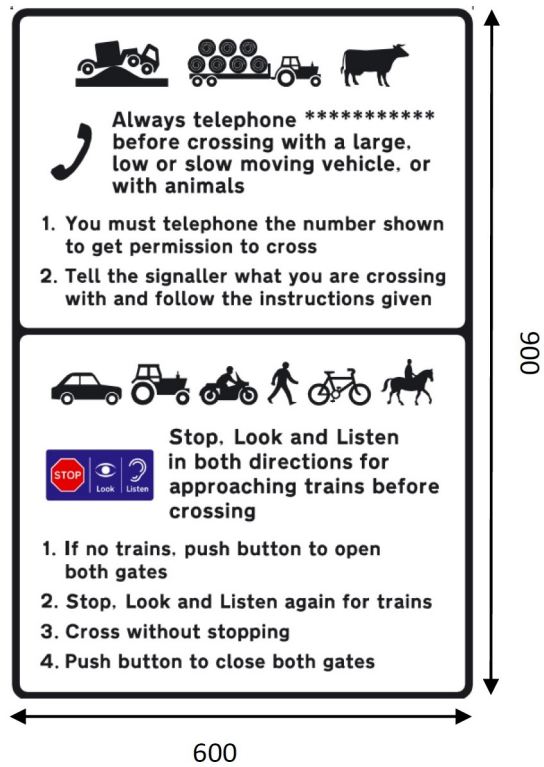


Diagram 122

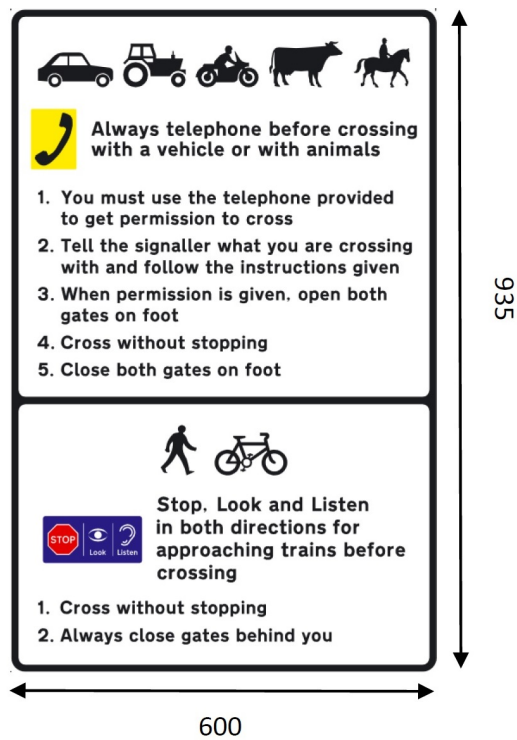


Diagram 123

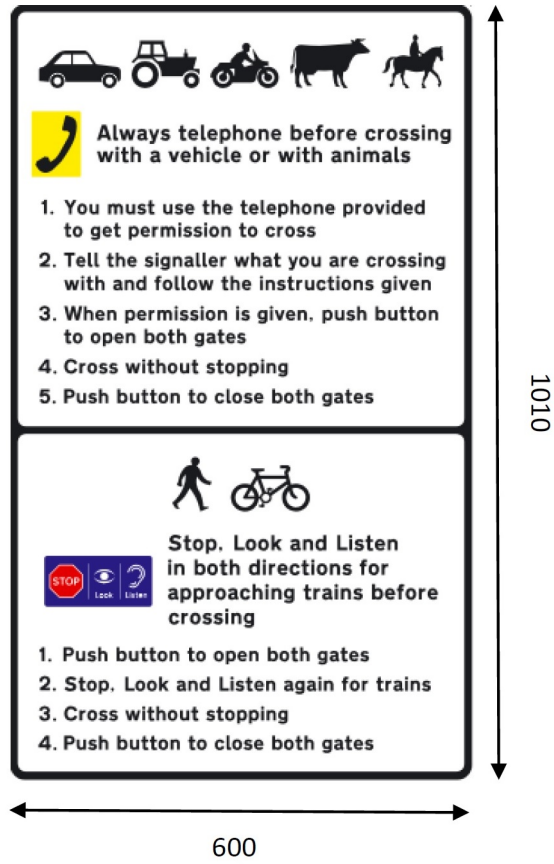


Diagram 124

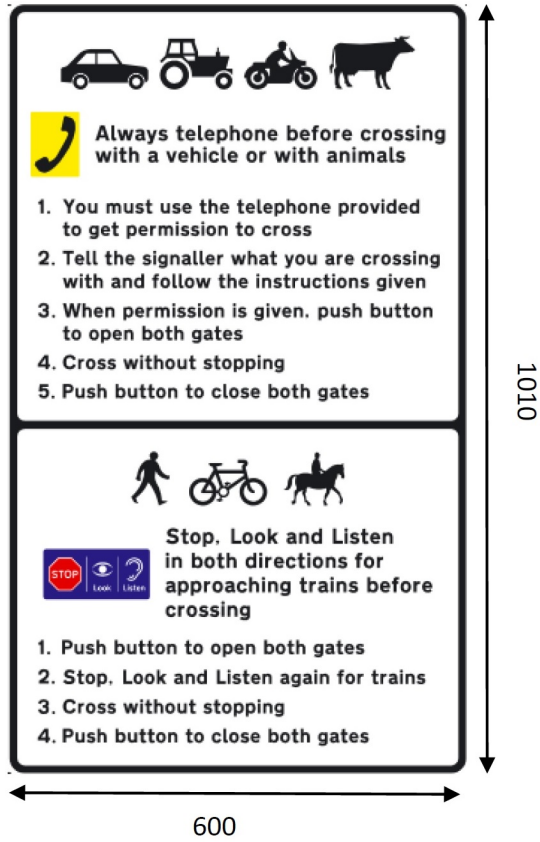


Diagram 125

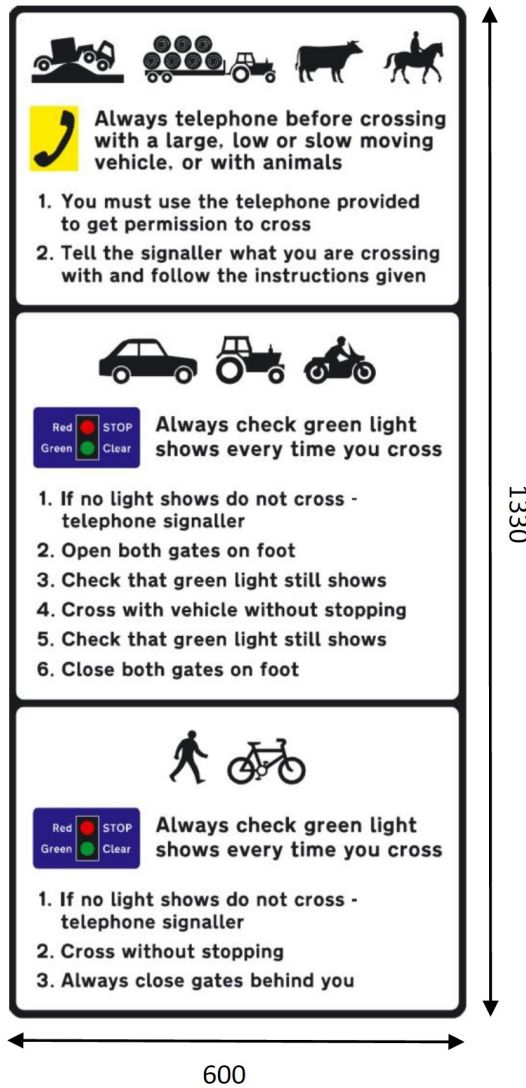


Diagram 126

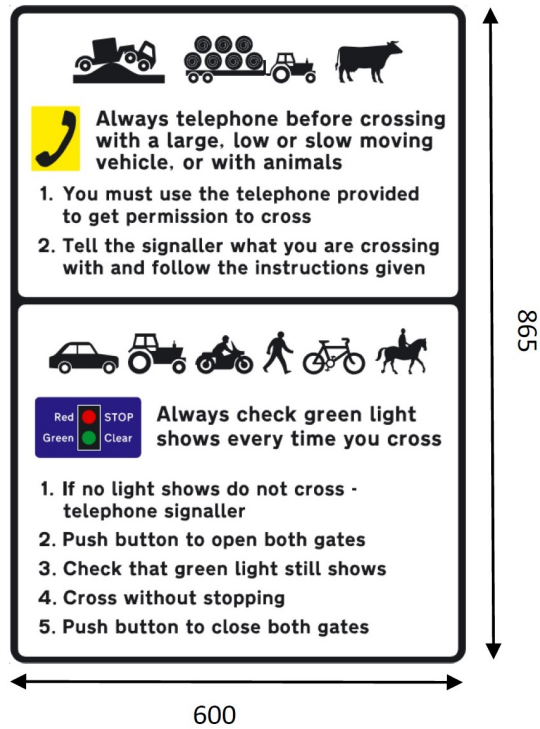


Diagram 127

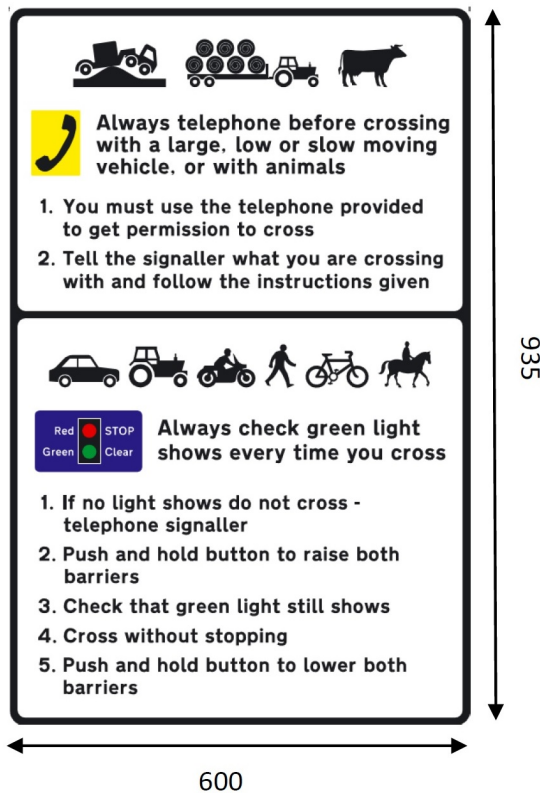


Diagram 128

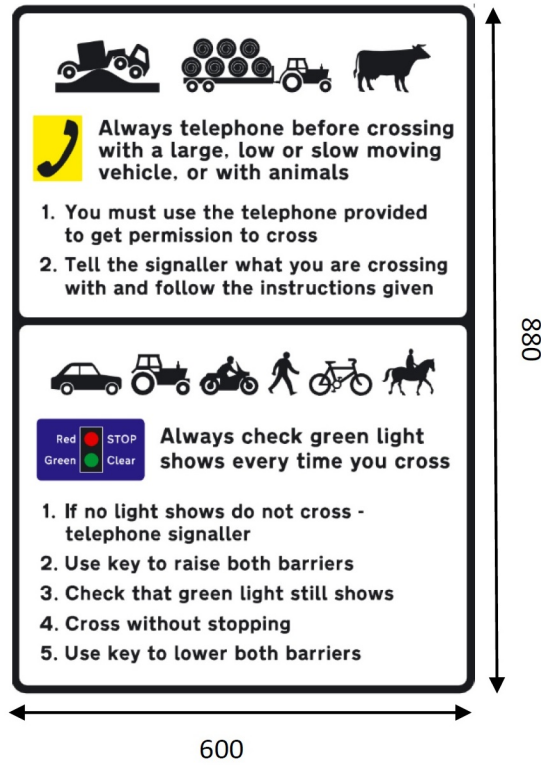


Diagram 129

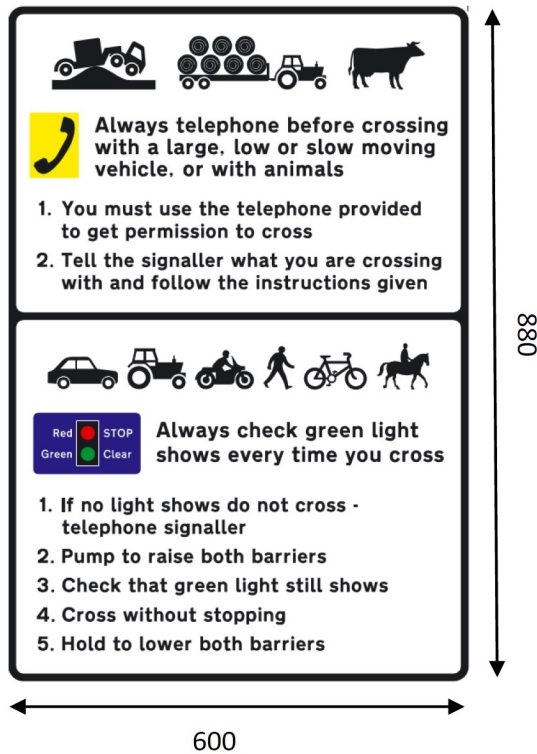


Diagram 130

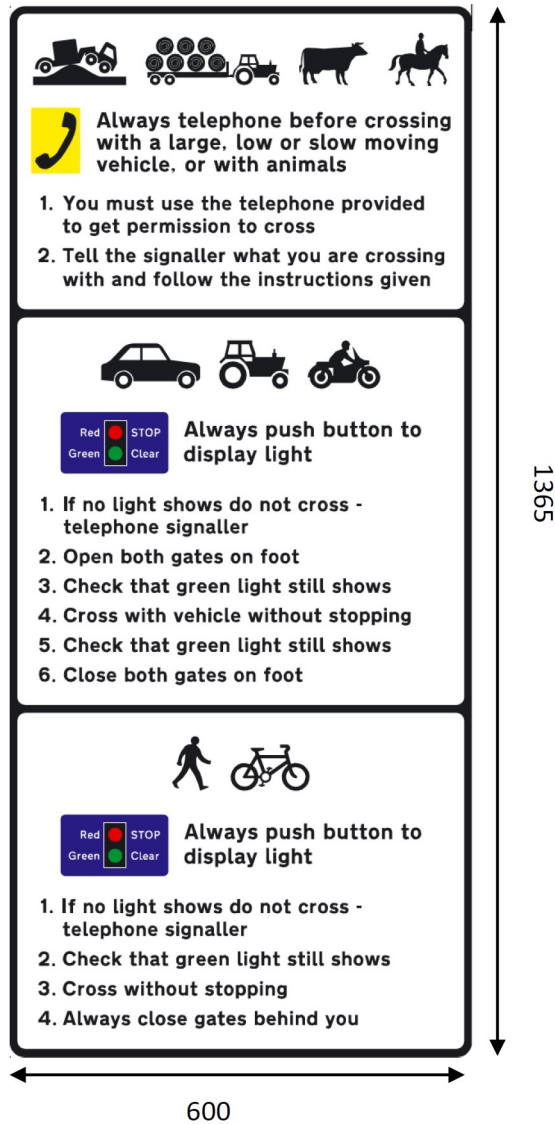


Diagram 131

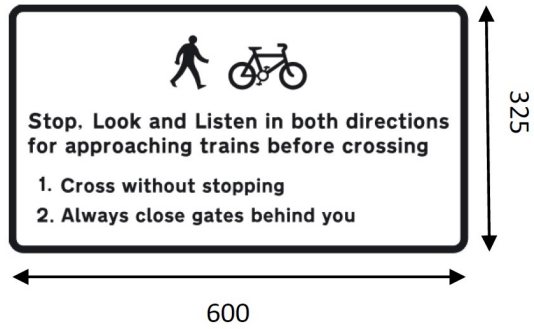


Diagram 132

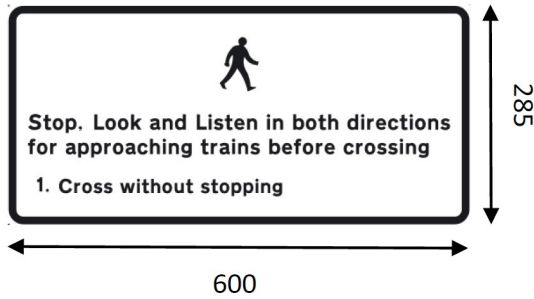


Diagram 133

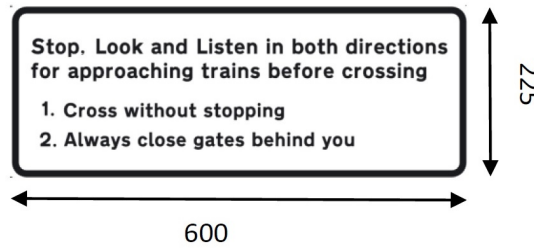


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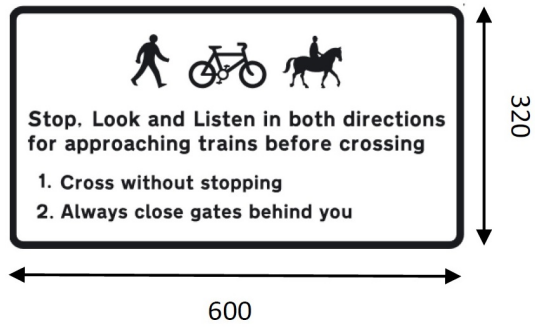


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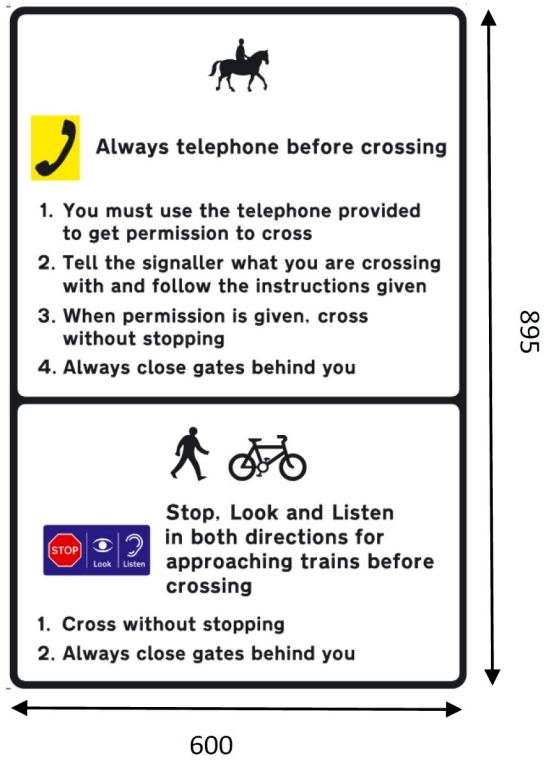


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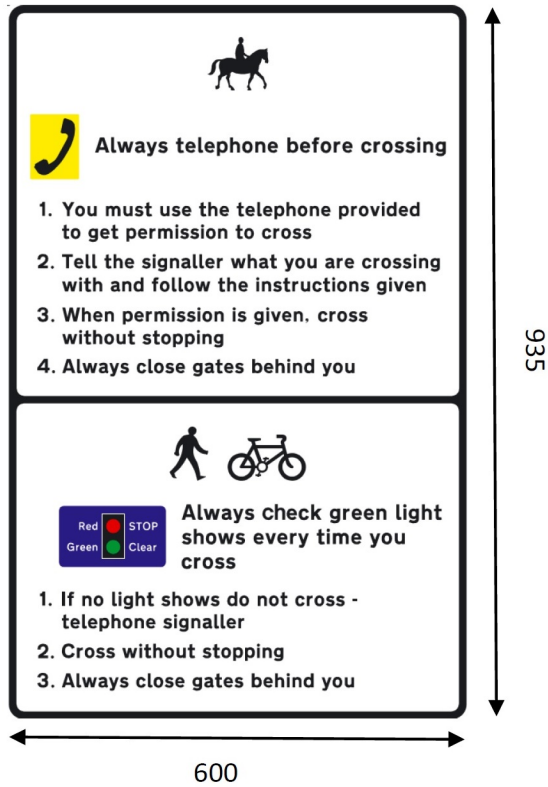


Diagram 137

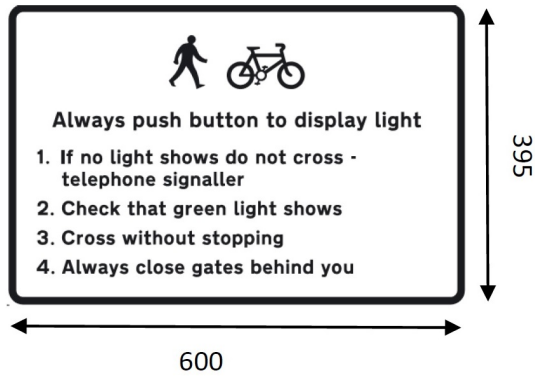


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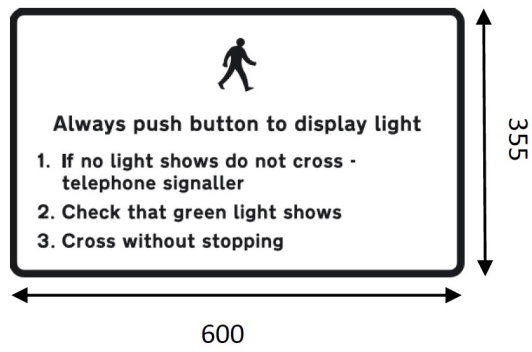


Diagram 139

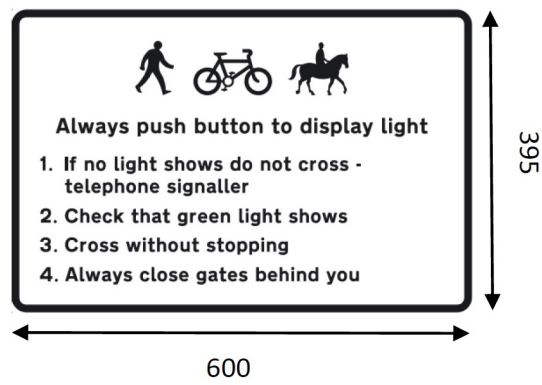


Diagram 140

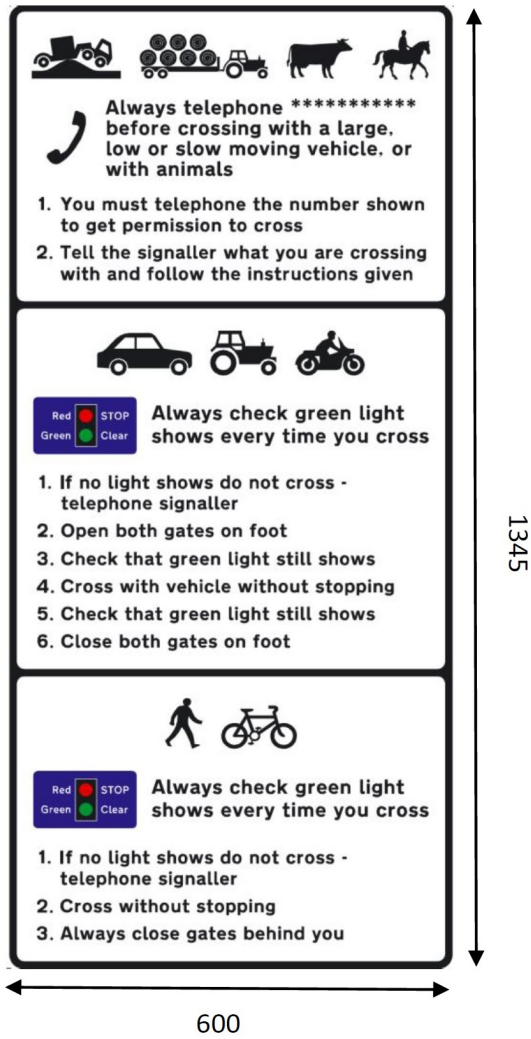


Diagram 141

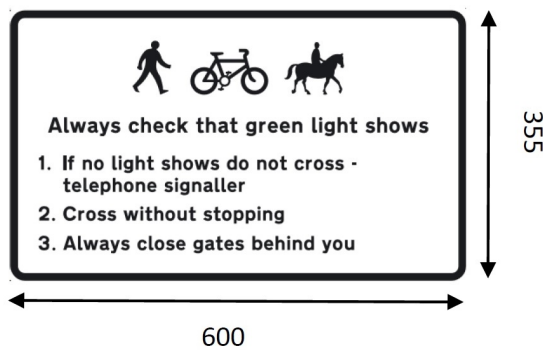


Diagram 142

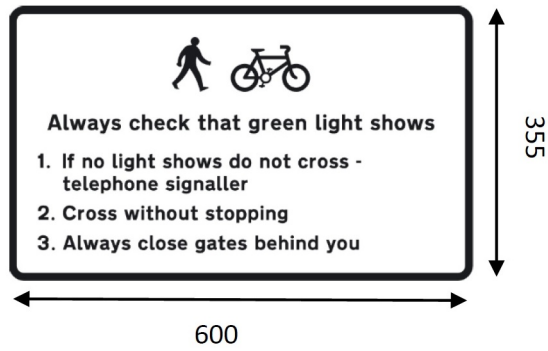


Diagram 143

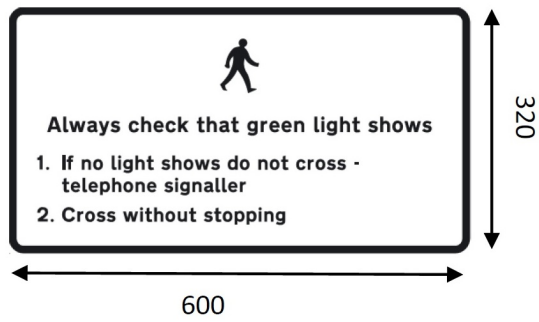


Diagram 144

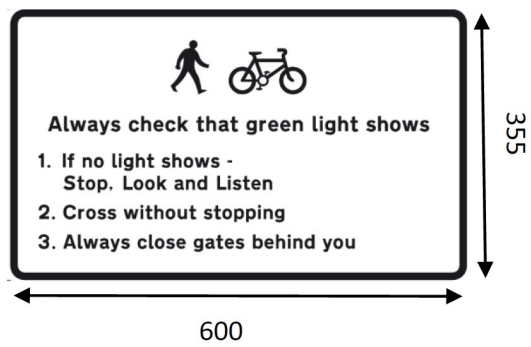


Diagram 145

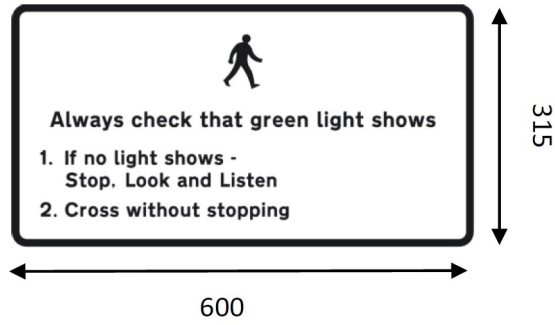


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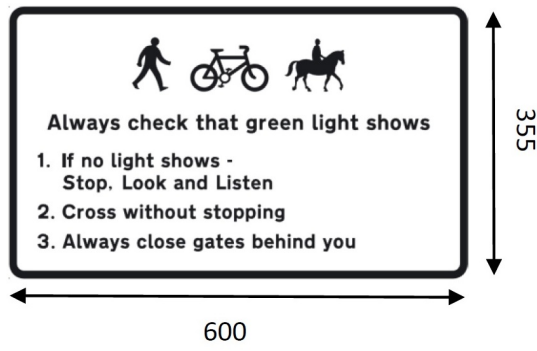


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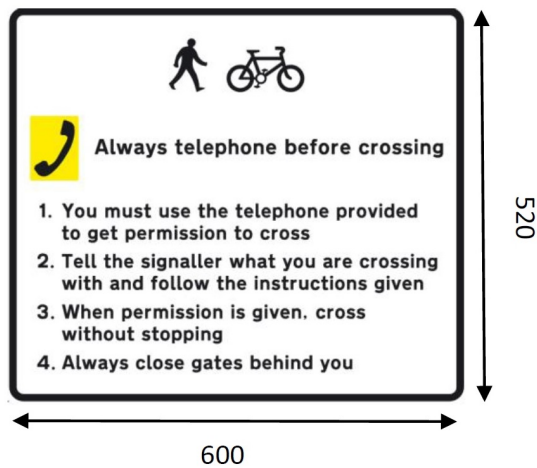


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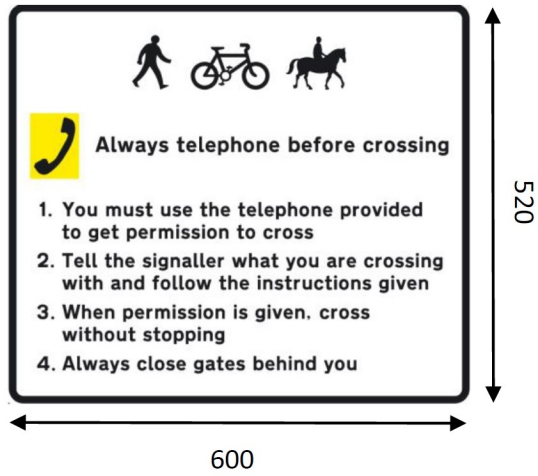


Diagram 149

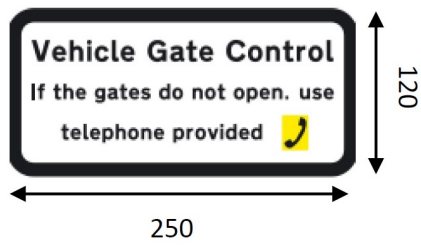


Diagram 150

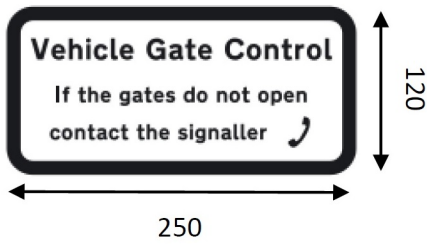


Diagram 151

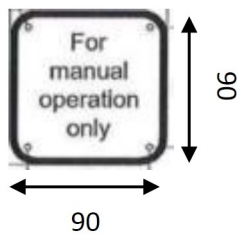


Diagram 152

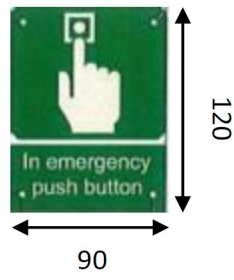


Diagram 153

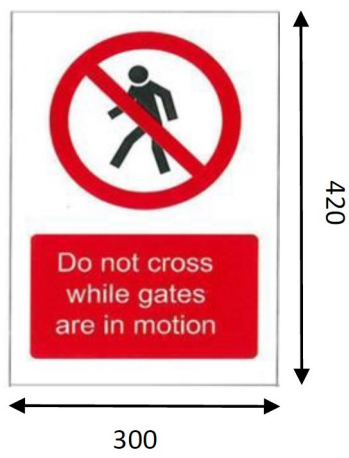


Diagram 154

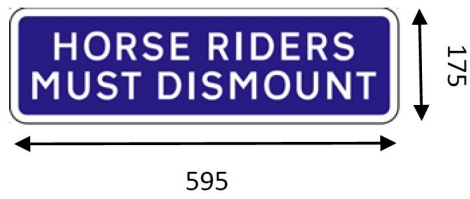


Diagram 155



Diagram 156

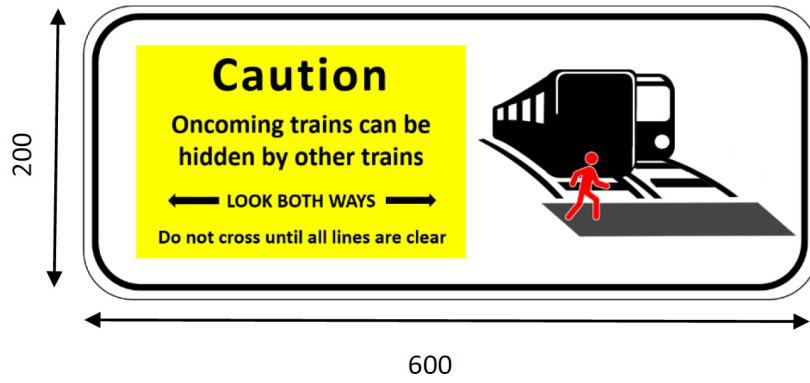
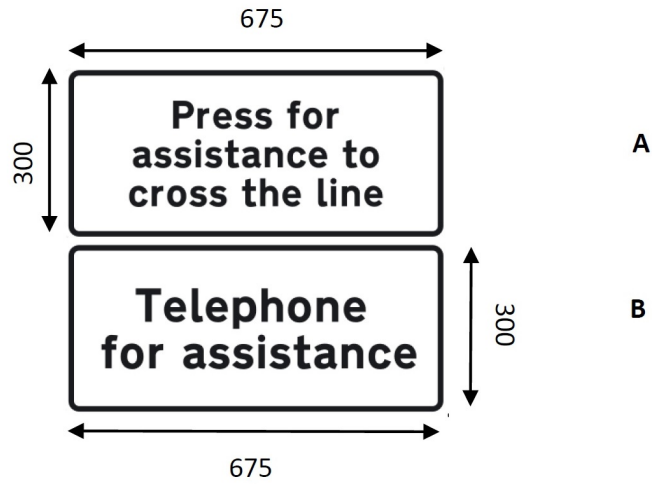


Diagram 157: Permitted variants A or B as the circumstances require



PART 4

Miniature stop light instructions and units

Diagram 158

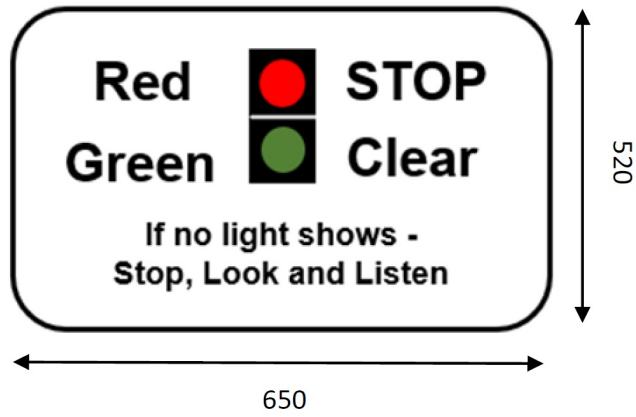


Diagram 159

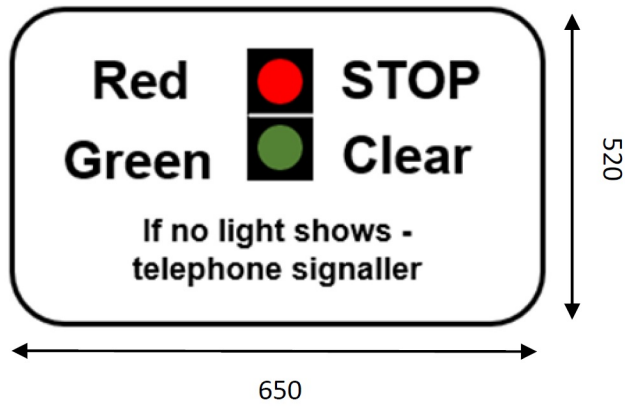


Diagram 160: Permitted variants A, B or C as circumstances require

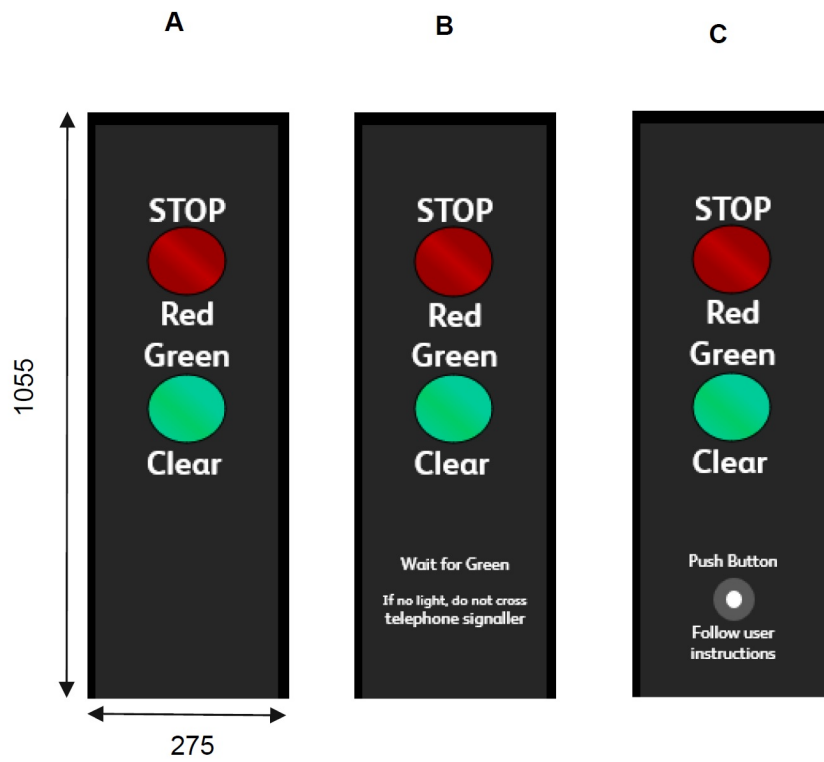
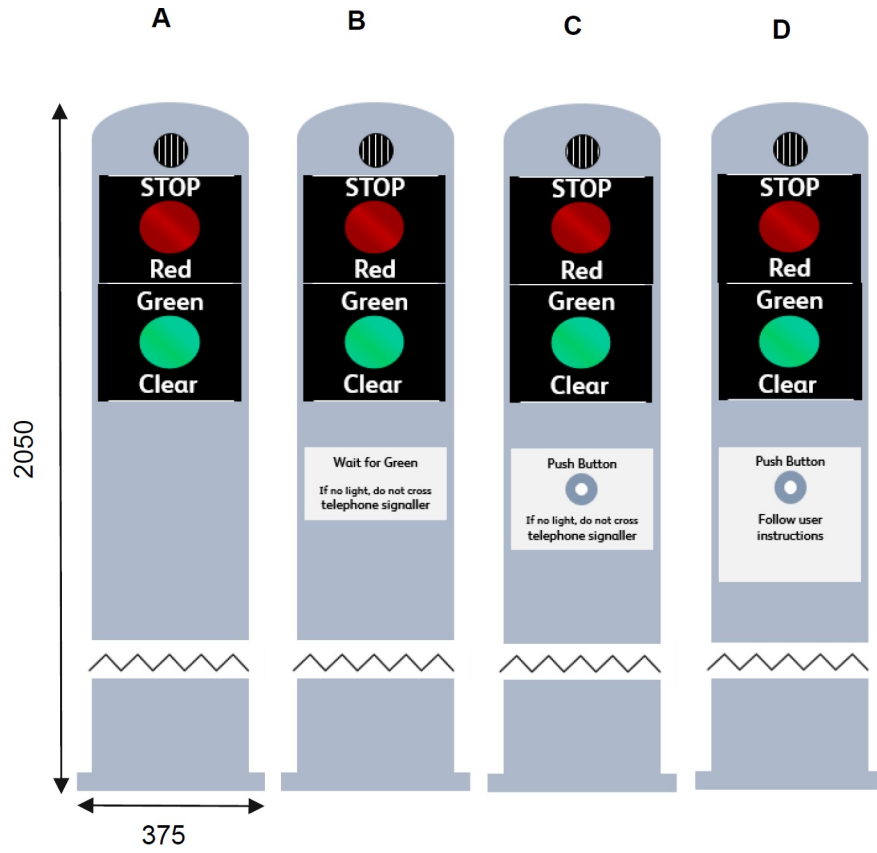


Diagram 161: Permitted variants A, B, C or D as circumstances require



PART 5

Information signs

Diagram 162: Permitted variant: different times may be substituted as circumstances require

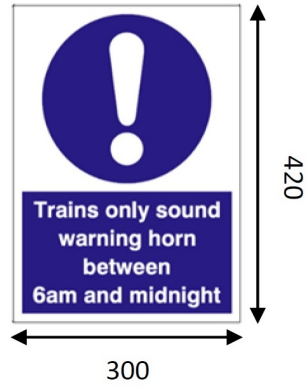
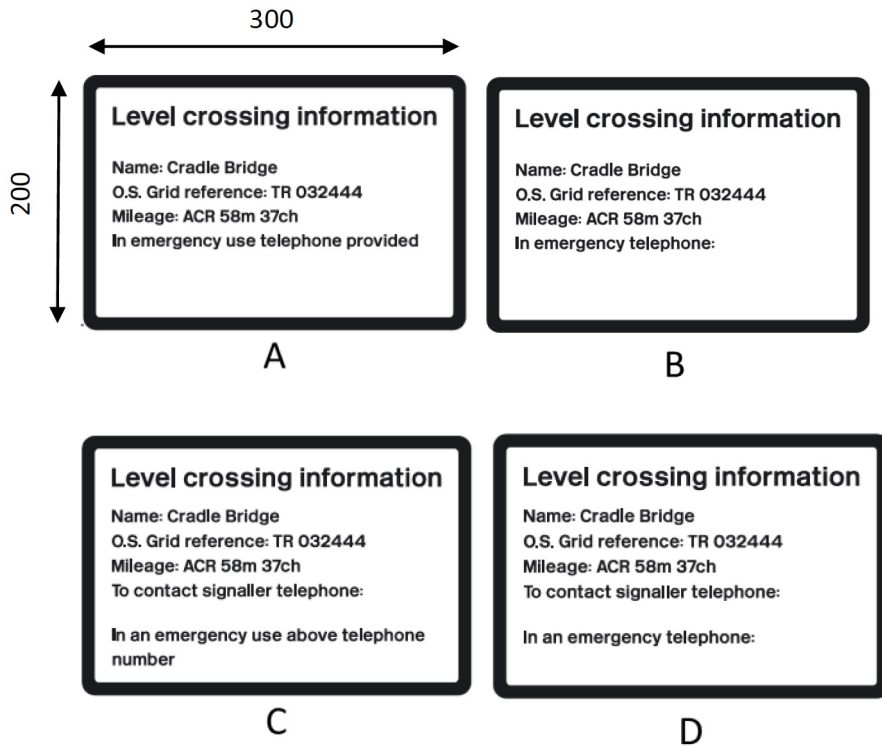


Diagram 163



Diagram 164: Permitted variant: the appropriate variant (A, B, C, or D) may be placed according to the circumstances at the crossing.



PART 6

Reminder signs

Diagram 165

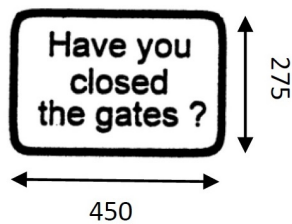
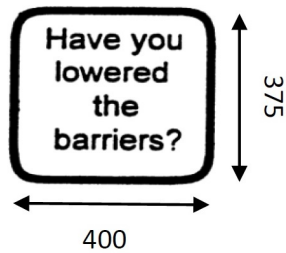


Diagram 166



SCHEDULE 2

Regulation 10

Gates

1. A gate must, by itself or with another gate on the same side of the railway or tramway, be long enough to extend across the full width of the relevant road.
2. Where gates are placed, they must pivot to open away from the railway or tramway.
3. When a gate is closed, the top surface of the gate must be a minimum of 1350 millimetres above the road surface at the centre of the relevant road.
4. The underclearance between each gate and the road must not exceed 150 millimetres. If the relevant road is an unmetalled track, the underclearance between the gate and the road may be greater than 150 millimetres only if necessary to avoid the gate grounding during opening and closing.
5. Where a gate is installed otherwise than for the sole use of pedestrians, it must have a way to secure it in the open and in the closed positions.
6. A gate must be as light in weight as possible but nevertheless strong enough to withstand distortion or breakage caused by wind pressure or by a farm animal.

SCHEDULE 3

Regulation 10

Barriers other than gates

- 1.—(1) Where a barrier, other than a gate, is placed, it must when lowered across the relevant road be long enough to extend either—
 - (a) across the full width of the relevant road, or
 - (b) subject to paragraph (2), from the left-hand side of the relevant road (as seen from a vehicle approaching the crossing) to a point as close as possible to the centre of the relevant road.

(2) In a case falling within paragraph (1)(b), there must be a minimum distance of 3 metres from the tip or, as the case may be, vertical edge of the barrier to the other side of the relevant road to allow clear passage.
2. When a barrier is lowered its top surface must be a minimum height of 900 millimetres above the road surface at the centre of the relevant road.

3. The underclearance between the barrier when lowered and the road surface must not exceed 1000 millimetres.

4. A barrier must have means to raise it, and hold it in the raised position. It must also have means to release the hold and allow the barrier to return to a horizontal position.

5. A barrier may be linked with another barrier at the crossing to allow all the barriers to be raised or lowered simultaneously from either side of the crossing.

6. The pivot post of a barrier must be covered to avoid injury to persons using it.

7. A barrier must have on both front and rear faces alternate red and white bands each approximately 600 millimetres wide (measured horizontally across the face of the barrier) and to the full depth of the barrier measured vertically on the full face of the barrier when horizontal. A strip of retroreflecting material not less than 50 millimetres deep, in a colour matching that of the bands must be attached along the full width of each band.

8. A barrier may be fitted with a skirt which fills the space between the barrier and the road surface. Any skirt must be light in colour.

9. Electric lights may be fitted to a barrier and each light must show a red light, when illuminated, in each direction along the relevant road.

10. A barrier, with or without a skirt if fitted, must be as lightweight as possible but nevertheless—

- (a) a barrier must be strong enough to withstand distortion or breakage, and
- (b) a skirt fitted to a barrier must be capable of withstanding damage

caused by wind pressure or by a farm animal.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 52 of the Transport and Works Act 1992 allows the operator of a railway or tramway that is crossed by a private road or private path to cause or permit the placement near the crossing of crossing signs or barriers that are prescribed in regulations made by the Secretary of State, or as otherwise authorised by the Secretary of State.

These Regulations prescribe crossing signs and barriers which may be placed on or near a private road or private path at or near the crossing as provided for in that section.

A full impact assessment has not been produced for this instrument because no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum has been produced for this instrument and is published alongside this instrument at www.legislation.gov.uk.

