
STATUTORY INSTRUMENTS

1993 No. 3160

The Roads (Northern Ireland) Order 1993

PART II

CONSTRUCTION, MAINTENANCE AND CLASSIFICATION OF ROADS

Maintenance of roads

Road bridges over railways

12.—(1) This Article applies to a bridge transferred to the Department by virtue of Article 11 of the Roads (Northern Ireland) Order 1980^{F1}.

(2) Any statutory provision in force in relation to the bridge for the benefit or protection of any statutory undertaker or the operator of^{F2} an electronic communications code network] or the holder of a licence under Article 10(1) of the Electricity Order shall have effect, subject to any necessary modifications, as if for any reference therein to the railway undertaking there were substituted a reference to the Department.

(3) The Department shall not reduce the headway or spans of any bridge to which this Article applies without the consent of the railway undertaking.

(4) Any consent required for the execution of any works by the Department under paragraph (3) shall not be unreasonably withheld.

(5) Any dispute between the Department and—

- (a) the railway undertaking as to whether or not consent is being unreasonably withheld under paragraph (4); or
- (b) any person as to the property or liabilities transferred under Article 11 of the Roads (Northern Ireland) Order 1980,

shall be determined by arbitration.

(6) In this Article “the railway undertaking” has the same meaning as in the Transport Act (Northern Ireland) 1967^{F3}.

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| F1 | 1980 NI 11 |
| F2 | 2003 c. 21 |
| F3 | 1967 c. 37 (N.I.) |

Changes to legislation:

There are currently no known outstanding effects for the The Roads (Northern Ireland) Order 1993, Section 12.