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STATUTORY INSTRUMENTS

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**2013 No. 1030**

**The Transport for Greater Manchester (Light Rapid Transit System) (Miscellaneous Provisions) Order 2013**

**Requirements as to tramroads crossing the highway at grade**

6.—(1) Any tramroad forming part of the undertaking may cross a road on the level if it is not constructed to cross the road by way of a bridge over, or tunnel under, the road.

(2) Whilst such a tramroad is in operation, the following provisions apply to the crossing—

- (a) the undertaker must provide, operate and maintain such protective equipment including traffic signs within the meaning of the Traffic Signs Regulations and General Directions 2002<sup>(1)</sup> as the undertaker may agree with the local traffic authority;
- (b) the Traffic Signs Regulations and General Directions 2002 apply to any traffic sign placed at the crossing by the undertaker as they apply to a traffic sign placed by the local traffic authority; and
- (c) any traffic sign placed by the undertaker on or near a road in accordance with the provisions of sub-paragraph (a) is to be treated for the purposes of section 64(4) (general provisions as to traffic signs) of the Road Traffic Regulation Act 1984<sup>(2)</sup> as having been placed as provided by that Act.

(3) Regardless of anything to the contrary in any local enactment, none of the following enactments apply to a crossing to which paragraph (1) applies—

- (a) section 1 (where any railroad crosses a highway, etc, proprietors of railroad shall maintain gates) of the Highways (Railway Crossings) Act 1839<sup>(3)</sup>;
- (b) section 9 (gates at level crossings) of the Railway Regulation Act 1842<sup>(4)</sup>;
- (c) section 47 (provision in cases where roads are crossed on a level) of the Railways Clauses Consolidation Act 1845<sup>(5)</sup>;
- (d) section 6 (company to erect lodge at point of crossing, etc) of the Railways Clauses Act 1863<sup>(6)</sup>; and
- (e) the Level Crossings Act 1983<sup>(7)</sup>.

(4) Paragraph (3) does not affect the application of any enactment to a crossing of a road by a railway if the railway is not part of the undertaking.

(5) The Greater Manchester Passenger Transport Executive Hagside Level Crossing Order 2009 and the Greater Manchester Passenger Transport Executive Shaw Level Crossing Order 2009 are revoked.

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(1) S.I. 2002/3113.  
(2) 1984 c. 27.  
(3) 1839 c. 45.  
(4) 1842 c. 55.  
(5) 1845 c. 20.  
(6) 1863 c. 92.  
(7) 1983 c. 16.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(6) In paragraph (2), “local traffic authority” has the same meaning as in the Road Traffic Regulation Act 1984.