

---

STATUTORY INSTRUMENTS

---

**2020 No. 1137**

**The Wear Valley Railway (Transfer) Order 2020**

**PART 3**

**MISCELLANEOUS**

**Power to operate and use railway**

6.—(1) The undertaker may operate and use the railway as a system, or part of a system, of transport for the carriage of passengers and goods.

(2) Nothing in this Order, or in any enactment incorporated with or applied by this Order, is to prejudice or affect the operation of Part 1 of the Railways Act 1993<sup>(1)</sup>.

**Level crossings**

7.—(1) On and after the relevant date, the provisions set out in Part 2 (conditions and requirements to be observed by the undertaker) of Schedule 1 (road level crossings) to this Order apply to the level crossings mentioned in Part 1 (level crossings to which Part 2 applies) of that Schedule.

(2) On and after the relevant date, the provisions set out in Part 2 (conditions and requirements to be observed by the undertaker) of Schedule 2 (footpath/bridleway level crossings) to this Order apply to the level crossings mentioned in Part 1 (level crossings to which Part 2 applies) of that Schedule.

**Restrictions as to the conveyance of passengers**

8. No part of the railway may be used for the conveyance of passengers without the prior written consent of the Office of Rail and Road.

**Provisions as to bridges**

9.—(1) From the relevant date, sections 116 (transfer of responsibility for maintenance of highways on bridges over certain railways, inland waterways, etc.), 117 (duty as respects bridges carrying highways) and 118 (duty of highway authorities, etc., as respects bridges over certain railways or inland waterways) of the Transport Act 1968<sup>(2)</sup> apply to the railway or to the relevant part of it as if references to the British Railways Board were references to the undertaker.

(2) The provisions of paragraph (1) do not affect the application of article 4 (transfer of rights and obligations to undertaker, etc.).

(3) On and after the relevant date, Durham County Council will remain responsible (to the exclusion of the undertaker) for the structure of any bridge carrying a highway over the railway or any relevant part of it.

---

<sup>(1)</sup> 1993 c. 43.

<sup>(2)</sup> 1968 c. 73. Section 116 was amended by Schedule 30 to the Local Government Act 1972 (c. 70) and S.I. 1996/420, S.I. 2003/1615 and S.I. 2012/1659. Section 117 was amended by Schedule 13 to the Road Traffic Regulations Act 1984 (c. 27) and S.I. 1996/420, S.I. 2000/3251, S.I. 2003/1615, and S.I. 2012/1659. Section 118 was amended by Schedule 9 to the New Roads and Street Works Act 1991 (c. 22) and S.I. 1996/420, S.I. 2003/1615, S.I. and 2012/1659.

---

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

---