
STATUTORY INSTRUMENTS

1957 No. 1012

RAILWAYS

LIGHT RAILWAYS

**The British Transport Commission (Wroxham and Reepham)
Light Railway Order, 1957**

Made - - - - 11th June, 1957
Coming into Operation 21st June, 1957

The Minister of Transport and Civil Aviation on the application of the British Transport Commission and in exercise of his powers under Sections 7, 9, 10 and 18 of the Light Railways Act, 1896(a) as amended by the Light Railways Act, 1912(b) and Part V of the Railways Act, 1921(c) and of all other powers him enabling in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order shall come into operation on the twenty-first day of June, 1957 and may be cited as “The British Transport Commission (Wroxham and Reepham) Light Railway Order, 1957.”

Interpretation

2.—(1) In this Order unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them that is to say:—

“The Commission” means the British Transport Commission;

“The Minister” means the Minister of Transport and Civil Aviation;

“The principal Act” means the Light Railways Acts, 1896 and 1912 as amended by the Railways Act, 1921 and “the Act of 1896” means the Light Railways Act, 1896 amended as aforesaid;

“The railway” means the railway authorised by this Order to be worked as a light railway under the principal Act;

“The Wroxham and County School Railway Acts” means the East Norfolk Railway Act, 1876(d) the East Norfolk Railway Act, 1879(e) and the East Norfolk Railway Act, 1880(f).

(2) The Interpretation Act, 1889(g) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Power to work railway as a light railway

3. Subject to the provisions of this Order:—

(a) The Commission may work as a light railway under the principal Act so much of the railway described in and authorised by the Wroxham and County School Railway Acts as extends from its junction with the railway between Wroxham and North Walsham to a point 28 yards west of the bridge at Reepham carrying the railway over the road leading from Reepham to Guestwick;

(a) 59 & 60 Vict. c. 48.

(b) 2 & 3 Geo. 5. c. 19.

(c) 11 & 12 Geo. 5. c. 55.

(d) 39 & 40 Vict. c. ccxxiv.

(e) 42 & 43 Vict. c. lxxix.

(f) 43 & 44 Vict. c. cxxxvi.

(g) 52 & 53 Vict. c. 63.

(b) Sections 63 and 64 of the Railways Clauses Consolidation Act, 1845(h), Sections 5 and 6 of the Railways Clauses Act, 1863(i), and such of the enactments set out in the Second Schedule to the Act of 1896 as are still in force (except Section 19 of the Regulation of Railways Act, 1868(j), and paragraph (c) of Section 1 and Sections 2, 5, 6 and 7 of the Regulation of Railways Act, 1889(k)), shall cease to apply to the railway ;

(c) Section 47 of the Railways Clauses Consolidation Act, 1845, shall cease to apply to any of the level crossings of public carriage roads referred to in the First Schedule to this Order.

As to crossing of certain roads on level and gates

4.—(1) Notwithstanding anything in the Wroxham and County School Railway Acts or in the enactments incorporated therewith and except as hereinafter provided the Commission may remove any gates already erected at any of the level crossings of public carriage roads referred to in the First Schedule to this Order.

Provided that the Commission shall not under the powers of this section remove the gates already erected at any of the said level crossings until the provisions contained in section 5 (Level crossings without gates) of this Order have been carried into effect to the satisfaction of the Minister and the Commission shall further comply with the conditions (if any) which the Minister may prescribe in order to improve as far as possible and maintain the view from the road of the crossings or approaches thereto.

(2) The Minister may at any time if it appears to him necessary for the public safety require the Commission to erect and maintain gates across the railway on each side of the road at any of the said level crossings and also may authorise the Commission to remove subject to such conditions as the Minister may prescribe any gates erected under this subsection and the Commission shall observe such conditions.

(3) Where gates are erected and maintained in accordance with the foregoing subsection the following provisions shall apply:—

(a) The Commission shall unless otherwise permitted by the Minister in writing employ one or more proper persons to open and close such gates ;

(b) Such gates shall be kept constantly closed and locked across the railway except during the time when trains or engines passing along the railway shall have occasion to cross the road and such gates shall be of such dimensions and so constructed as when closed across the railway or across the road to fence in the railway sufficiently ;

(c) The drivers or conductors of any trains or engines passing along the railway or the person whose office or duty it may be to open or close the said gates shall cause the same to be closed and locked as soon as may be reasonably possible after such trains or engines shall have passed through the same under a penalty not exceeding forty shillings for every default therein ;

(d) Such gates shall be made conspicuous by being periodically painted white and be provided with red and white targets and in the event of rail movement taking place after dusk the Commission shall cause lamps to be placed on the gates and arrange for such lamps to be lit and maintained.

(h) 8 & 9 Vict. c. 20.

(i) 26 & 27 Vict. c. 92.
(k) 52 & 53 Vict. c. 57.

(j) 31 & 32 Vict. c. 119.

(4) At all level crossings where gates are already erected or are hereafter erected in accordance with the provisions of subsection (2) of this section distant signals or marker boards or such other indicators shall be provided in such form and at such distance from the level crossing as the Minister may in writing prescribe.

Level crossings without gates

5. With respect to any of the level crossings referred to in the First Schedule to this Order (other than a level crossing where gates are erected and maintained in accordance with the foregoing provisions of this Order) the following provisions shall apply (that is to say):—

(a) Cattle grids shall be constructed at each side of the road and so maintained as to prevent cattle or horses on the road from entering upon the railway ;

(b) The Commission shall erect and maintain—

(i) at such point or points along the railway from the level crossing in each direction such warning posts and whistle boards as may be required by the Minister indicating the number of miles per hour for the time being fixed under the provisions of this Order as the maximum rate of speed of a train or engine approaching the level crossing and instructing the drivers of all trains and engines to give audible warning of their approach to such crossing ; and

(ii) at such point or points along the road from the level crossing in each direction such notice boards as may be required by the Minister to warn the public by day and by night of the existence of a level crossing where no gates are erected and maintained across the railway.

Trains not to stand on level crossings

6. Where the railway is carried across any public carriage road on the level the Commission shall not unnecessarily allow any engine carriage or truck to stand across the level crossing nor shall they for the purposes of railway traffic at any time allow any such public carriage road to be closed for longer than is reasonably necessary and if the Commission act in contravention of the provisions of this section they shall for each such offence be liable on summary conviction to a penalty not exceeding forty shillings.

Trains to stop at certain level crossings

7. Before any train or engine passes in the direction of Wroxham over the Belaugh Green level crossing or the Spratts Green level crossing it shall be brought to a stop and audible warning shall be given immediately before such engine or train proceeds over the level crossing :

Provided that the provisions of this section shall not apply with respect to either of the said level crossings if gates are erected and maintained thereat in accordance with the foregoing provisions of this Order.

Restrictions of weight on rails and of speed

8.—(1) The Commission shall not use upon the railway engines carriages or trucks bringing any weight upon the rails by any one pair of wheels exceeding such weight as the Minister may allow in writing, in accordance with the following sliding scale and having regard among other things

to the rate of speed authorised to be run and the volume of traffic carried on the railway:—

<i>Maximum axle load in tons</i>	<i>If rails used weigh at least in lbs. per yard</i>
8 to 10	50
9 to 11	55
11 to 13	60
13 to 15	65
15 to 17	70
16 to 18 or more	75 and upwards.

Provided that if the Minister thinks fit he may allow in writing variations from the said scale subject to such conditions as he may prescribe in any case.

(2) The Commission shall not except as otherwise permitted by the Minister in writing run any train or engine upon the railway at a rate of speed:—

(a) exceeding at any time twenty-five miles per hour;

(b) exceeding ten miles per hour when such train or engine is within a distance of two hundred yards from a level crossing of a public carriage road where no gates are erected and maintained across the railway;

(c) exceeding any less maximum speed fixed by the Minister for any part of the railway where the Minister considers such further restrictions necessary for public safety.

(3) Not more than four trains a day in each direction shall be run upon any part of the railway nor shall the railway be used for the public conveyance of passengers without the permission in writing of the Minister being first had and obtained and the Commission shall comply with the conditions (if any) which the Minister may prescribe in relation thereto.

(4) If the Commission act in contravention of any of the provisions of this section they shall for each such offence be liable on summary conviction to a penalty not exceeding twenty pounds.

As to Second Schedule

9. The provisions of the Second Schedule to this Order shall be observed if required by the Minister.

Recovery of penalties

10. Any penalty under this Order may be recovered in manner provided by the Magistrates Courts Act, 1952(1).

Costs of Order

11. All costs charges and expenses of and incident to the preparing for obtaining and making of this Order or otherwise in relation thereto shall be paid by the Commission and may in whole or in part be defrayed out of revenue.

Given under the Official Seal of the Minister of Transport and Civil Aviation this eleventh day of June, 1957.

(L.S.)

R. R. Goodison,

An Under Secretary of the Ministry
of Transport and Civil Aviation.

(1) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.

FIRST SCHEDULE

Level crossing known as	County of Norfolk		Road crossed	
	Rural district	Parish	From	To
1. Belaugh Green	Smallburgh, St. Faiths and Aylsham	Tunstead Belaugh	Coltishall	Ashmanhaugh
2. Spratts Green	St. Faiths and Aylsham	Aylsham	Marsham	Burgh next Aylsham
3. Woodgate ...	St. Faiths and Aylsham	Aylsham	Woodgate House	Abel Heath
4. Sankence ...	St. Faiths and Aylsham	Aylsham	Sankence Lodge	Abel Heath

SECOND SCHEDULE

PERMANENT WAY.—The rails used shall weigh at least fifty pounds per yard. On curves with radii of less than nine chains a check-rail shall be provided. If flat-bottomed rails and wooden sleepers are used:—

- (a) The rails at the joints shall be secured to the sleepers by fang or other through bolts or by coach-screws or by double dog spikes, or by spring spikes on the outside of the rail with a bearing-plate; and
- (b) The rails on curves with radii of less than nine chains shall be secured on the outside of the outer rail to each sleeper by a fang or other through bolt or by coach-screws or by double dog spikes or by spring spikes with a bearing-plate; and
- (c) The rails on curves with radii of less than nine chains shall be tied to gauge by iron or steel ties at suitable intervals or in such other manner as may be approved by the Minister.

TURNABLES.—No turntables need be provided.

ELECTRICAL COMMUNICATION.—If the Minister requires means of electrical communication to be provided on the line the Commission shall make that provision in such manner as the Minister may direct.

SIGNALS.—At places where under the system of working for the time being in force trains may cross or pass one another there shall be a home-signal for each direction at or near the entrance points. If the home-signal cannot be seen from a distance of a quarter of a mile a distant-signal must be erected at that distance at least from the entrance points. The home-signals and distant-signals may be worked from the station by wires or otherwise.

Every signal arm shall be so weighted as to fly to and remain at danger on the breaking at any point of the connection between the arm and the level working it.

Precautions shall be taken to the satisfaction of the Minister to ensure that no signal can be lowered unless the points are in the proper position and that two conflicting signals cannot be lowered simultaneously.

PLATFORMS &C.—Platforms shall be provided to the satisfaction of the Minister (unless all carriages in use on the railway for the conveyance of passengers are constructed with proper and convenient means of access to and from the same from and to the level of the ground on the outside of the rail) but there shall be no obligation on the Commission to provide shelter or conveniences at any stations or stopping-place.