

Room C16/14
Department of Transport
 2 Marsham Street London SW1P 3EB

Direct line 01-212 3106
 Switchboard 01-212 3434

The Chief Executive	Your reference
County Councils) in England	
District Councils)	Our reference
London Borough Councils	GT 17/1/054
The Director General	Date
The Greater London Council	21 December 1977
The Town Clerk, City of London	

Dear Sir

**ERECTION OF TRAFFIC SIGNS ON OR NEAR RAILWAY LAND
 ROAD TRAFFIC REGULATION ACT 1967 SECTION 63**

1. Section 63 of the Road Traffic Regulation Act 1967 permits highway authorities to enter upon land for the purpose of exercising a power or duty to erect (or to replace, convert or remove) a traffic sign. This circular gives guidance on the exercise of those powers when traffic signs have to be erected on railway land, and on the procedure recommended to be followed when they have to be erected on other land (including a highway) adjoining railway land.

2. Dangers when working on or near railway land, especially electrified routes, are numerous and consultation and agreement with the railway authorities is recommended in every case. Hazards to guard against include the following:-

- i. unsighting or confusing train drivers in reading train signals;
- ii. fouling structure gauge clearances, telegraph pole routes or overhead electrification wiring; and reduction in access for railway staff for proper maintenance of structures and equipment;
- iii. fouling the track by accident during erection or maintenance, particularly when working on over line bridges;
- iv. damage to cables, particularly buried cables, while digging holes to erect signs; and effect on stability of earth works, drainage or structures caused by excavation for sign foundations;
- v. radiating or causing electrical interference with railway apparatus or circuits;
- vi. endangering men working on the track by obscuring their view of on-coming trains, or by forcing them to step on to the permanent way to avoid an obstruction;
- vii. the risk, to men employed by highway authorities to erect and maintain signs, of dangers from:-
 - a. rail traffic in the absence of proper look out protection, and
 - b. conductor rails and overhead electrification fittings especially when cranes are used.

The dangers at vi and vii above are increased with modern trains which are quieter and faster; a more frequent train service would also add to the danger.

3. When it is proposed to erect, repair or maintain traffic signs on or near railway land, it is considered essential in the interests of safety, both of those entering on the land and of those using the railway, that there should be prior consultation and agreement with the railway authorities on the siting, and on any necessary safety measures, before any entry is made onto railway land and before the sign is actually erected. In the case of British Railways, consultation should be with the appropriate Regional General Manager; in the case of London Transport with the Executive's chief Civil Engineer and for the Tyne and Wear Metro, with the Tyne and Wear Passenger Transport Executive. Addresses are given in the attached appendix.
4. In the Department's experience, a minimum period of 28 days notice should be given in all cases to the railway authorities so that they have adequate time to consider the safety implications and suggest precautions; a longer period should be allowed wherever practicable, particularly where possession of the railway is involved or where difficulty could arise in the siting or fixing of the sign. Every effort should be made to fit the work in with the legitimate requirements of the railway operators.
5. Where the erection and subsequent maintenance or repair of the sign under section 63 of the 1967 Act will be on operational land, highway authorities should accept the conditions of entry and working arrangements which the railway operators seek to impose on safety grounds. If in such cases the agreed precautions involve the railway operators in expenditure, it is recommended that such expenditure reasonably and necessarily incurred should be reimbursed by the highway authority and treated as part of the cost of erecting the sign, and this should be made clear to the railway operators as soon as such a situation becomes apparent. Such expenditure will be eligible for grant in cases where grant is payable.
6. In accordance with the advice given in section 8 of Chapter 14 of the Traffic Signs Manual, it is recommended that where interference with railway land in the exercise of a power or duty to erect a traffic sign is not great (for example where a post is placed on the land or where a sign merely overhangs the land), highway authorities should proceed under section 63 of the Road Traffic Regulation Act 1967.
7. If a significant appropriation of, or interference with, the land is involved, highway authorities may wish to consider proceeding under the Highways Act 1959 and 1971, and acquiring an easement in, or exceptionally title to, the land, for which compensation would be payable as appropriate.
8. Where, exceptionally, highway and railway authorities are unable to reach agreement in a particular case, this Department would be prepared to suggest an acceptable solution if the case is referred to the Department by the parties.
9. This advice supersedes that previously issued in Circular Roads No 28/72 which has now lapsed.
10. Copies of this Circular and of the attached Appendix are enclosed for the information of the Surveyor or Engineer and the Chief Financial Officer to your Council.

Your faithfully

V G CURTIS
Assistant Secretary

Any enquiry on this circular should be made to RSTL Division 01-212-4110. Distribution enquiries on this circular should be made to HMB 01-212-4944.

APPENDIX

BRITISH RAILWAYS BOARD

Addresses of Regional General Managers of the Railway Regions

Eastern Region	Railway Headquarters Offices, YORK, YO1 1HT
London Midland Region	Euston House Eversholt Street LONDON NW1 1DF
Scottish Region	Buchanan House 58 Port Dundas Road GLASGOW, C4
Southern Region	Waterloo Station LONDON, SE1
Western Region	Paddington Station LONDON W2, 1HA
	LONDON TRANSPORT The Chief Civil Engineer London Transport Executive 55 Broadway Westminster LONDON SW1H 0BD
	TYNE AND WEAR METRO Tyne and Wear Passenger Executive Cuthbert House All Saints Newcastle-upon-Tyne NE1 2DA