

Les Bryant
Group Engineering Director
W.H. Davis Limited
Langwith Road
Langwith Junction
Mansfield
NG20 9SA

Case Ref PRM-IOP-0490

IN number UK/53/2023/0002

27 April 2023

Contact: Russell Keir
Rail Vehicles Engineer
HM Inspector of Railways
Office of Rail and Road
2nd Floor West
100 Bothwell Street
Glasgow
G2 7JD

Dear Les Bryant,

**THE RAILWAYS (INTEROPERABILITY) REGULATIONS 2011, AS AMENDED
WH DAVIS - IIA(D) BIOMASS HOPPER WAGON**

I refer to your application for authorisation, received on the 18 April 2023. Following review of your application, I can confirm that ORR grants a first authorisation under regulation 4(1)(a) of the Railways (Interoperability) Regulations 2011, as amended. This authorisation is for the placing in service of 30 IIA(D) Biomass Hopper Wagon numbered 83 70 0698 226-3 – 83 70 0698 255-2 inclusive (full list in Annex).

The restrictions or limitations of use on the structural subsystem are those contained on the UK declaration of verification WHD-DV-003 IIA-D Declaration Issue 1 dated 17 April 2023 and contained in technical files,

- UKDV Technical File WHD/TF/003
- TRUK-B 23-045-TF v1.0 ApBo DeBo Technical File

The rolling stock subsystem(s) authorised by this letter must be operated and maintained in accordance with Regulation 20.

You should be aware that any future modifications to the authorised subsystem may constitute a 'renewal' or an 'upgrade' as defined in Regulation 2. If a project entity, in relation to the project, considers that the modification meets either of these definitions they may apply, in accordance with the provisions of Regulation 13, to the Department for Transport (DfT) for a decision on whether a new authorisation will be required.

Should DfT decide that an authorisation is not required they must consult with ORR whether authorisation is required on safety grounds.

As the project entity you are responsible for retaining the technical file, keeping it up to date and making it available to the ORR in accordance with Regulations 18 and 19.

If you are not the owner of the authorised subsystem you shall within 60 days, in accordance with Regulation 19(3), transfer the technical file, certificate of verification and verification declaration to the owner of the subsystem and the owner shall then be regarded as the project entity. If the owner, in accordance with Regulation 19(4), disposes of his interest in the authorised subsystem, he shall within 60 days of the disposal transfer the technical file, certificate of verification and verification declaration to the person acquiring that interest and that person shall be regarded as the project entity.

Please note that under Regulation 36, the person who applied for the authorisation shall send particulars to the Registration Entity to enable the registration entity to enter the information on the National Vehicle Register. This will include such further information as the registration entity may reasonably require set out in the relevant standard.

The person who applied for the authorisation to place in service may apply to the ORR for a determination of type in accordance with Commission Implementing Decision 2018/1614 as amended by Regulation 20 of The Railways (Interoperability) (Miscellaneous Amendments and Revocations) (EU Exit) Regulations 2020.

If you are the operator, may I remind you of the need to have adequate arrangements within your Safety Management System to control the risks associated with this rolling stock subsystem(s).

This decision letter will be published on ORR's website.

Yours sincerely

Steve Fletcher
Deputy Director, Engineering & Asset Management

Cc

Ian Prosser Director, Railway Safety Directorate, ORR
James Le Grice Head of Interoperability, DfT
National Vehicle Register nvr@networkrail.co.uk
Giles Turner Head of Interoperability, ORR
Mike Scully Acceptance Specialist Network Rail High Speed

Annex

83 70 0698 226-3	83 70 0698 236-2	83 70 0698 246-1
83 70 0698 227-1	83 70 0698 237-0	83 70 0698 247-9
83 70 0698 228-9	83 70 0698 238-8	83 70 0698 248-7
83 70 0698 229-7	83 70 0698 239-6	83 70 0698 249-5
83 70 0698 230-5	83 70 0698 240-4	83 70 0698 250-3
83 70 0698 231-3	83 70 0698 241-2	83 70 0698 251-1
83 70 0698 232-1	83 70 0698 242-0	83 70 0698 252-9
83 70 0698 233-9	83 70 0698 243-8	83 70 0698 253-7
83 70 0698 234-7	83 70 0698 244-6	83 70 0698 254-5
83 70 0698 235-4	83 70 0698 245-3	83 70 0698 255-2

Table 1 – IIA(D) wagon numbers