

Licence Exemption 2010 Number 22

1. The Office of Rail Regulation (ORR) exempts under section 7(3) of the Railways Act 1993:

Brush Barclay Limited

registered in **England and Wales** with number **06401040**

from the requirement to be authorised by licence to operate the railway assets described in paragraph 2 below.

2. This exemption applies to non-passenger trains being used for shunting operations on the non-mainline transfer sidings adjacent to the Brush Barclay site at Caledonian Works, Kilmarnock, KA1 2QD.
3. This exemption is valid from 14 December 2010.
4. ORR may revoke the whole or any part of this exemption:
 - (a) if the exemption holder is granted another licence or exemption for the operation of all or some of the railway assets to which this exemption applies; or
 - (b) if ORR suspects on reasonable grounds that the exemption holder has operated a railway asset without a necessary licence or exemption; or
 - (c) if all or some of the railway assets to which this exemption applies are not used for at least one year; or
 - (d) if the exemption holder ceases to be the operator of all or some of the assets to which this exemption applies; or
 - (e) by agreement in writing with the exemption holder.

Robert M. Pleskitt

Signed by authority of ORR

14 December 2010

