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To holders of GB passenger train licences and SNRPs listed in schedule 1

Dear licence holder

Notice of modifications to passenger train licences and SNRPS

The companies listed in schedule 1 to this notice have been granted licences and statements of national regulatory provisions (SNRPs) to operate railway assets under section 8 of the Railways Act 1993 (the Act) or regulation 10 and schedule 4 of the Railway (Licensing of Railway Undertakings) Regulations 2005 (the Regulations).

In accordance with section 12(2) of the Act and regulation 13(2) of the Regulations on 16 October 2012 I gave notice of our intention to modify certain licences and SNRPs.¹

The Office of Rail Regulation's (ORR's) notice set out the reasons for the modification and its effect. I required any representations or objections to be made on or before 13 November 2012. On 9 November 2012 this deadline was extended until 23 November 2012.

ORR has considered the representations and objections which were received during the consultation period and which were not withdrawn. The only issue raised of note, which has resulted in an amendment to the Rail Delivery Group articles of association, was explained in my letter dated 18 January 2013.² As a result no changes are proposed to the licence modification consulted on and to which the licence and SNRP holders listed in schedule 1 to this notice have consented.³

Under section 12(1) of the Act and regulation 13(1) of the Regulations I therefore modify the licences and SNRPs listed in schedule one to this notice by adding new condition 28 'the Rail Delivery Group' as set out in schedule 2.

I will place a copy of this letter on our website and public register. We will also update all the relevant licences and SNRPs on our website.

Yours sincerely



Michael Beswick

¹ <http://www.rail-reg.gov.uk/upload/pdf/rdg-conclusions-and-notice-161012.pdf>

² <http://www.rail-reg.gov.uk/upload/pdf/rdg-formalisation-180113.pdf>

³ For SNRPs the reference in the consulted licence condition has been amended from 'licence holder' to 'SNRP holder'.

Schedule 1: Passenger licences and SNRPs

The licences and statements of national regulatory provisions (SNRPs) subject to this notice, with their reference numbers are:

Operator licence or SNRP	Reference number
Abellio Greater Anglia Ltd • GB passenger SNRP	UK 02 2012 0001
Arriva Trains Wales Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2005 0011 UK 02 2005 0013
c2c rail ltd • GB passenger SNRP	UK 02 2005 0015
The Chiltern Railway Company Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2005 0019 UK 02 2005 0021
Colas Rail Ltd • GB freight SNRP	UK 02 2012 0002
DB Regio Tyne and Wear Ltd • Passenger train licence	UK 03 2010 0001
DB Schenker Rail (UK) Ltd • GB freight SNRP	UK 02 2005 0029
Devon and Cornwall Railways Ltd • GB freight SNRP	UK 02 2010 0001
Direct Rail Services Ltd • GB freight SNRP • GB passenger SNRP	UK 02 2005 0026 UK 02 2005 0024
East Coast Main Line Company Ltd • GB passenger SNRP	UK 02 2006 0006
East Midlands Trains Ltd • GB passenger SNRP	UK 02 2007 0009
English Welsh & Scottish Railway International Ltd • GB freight SNRP • GB freight SNRP (international services)	UK 02 2005 0031 UK 02 2005 0033
Europorte Channel • GB freight SNRP	UK 02 2011 0001

Operator licence or SNRP	Reference number
First Capital Connect Ltd • GB passenger SNRP	UK 02 2006 0004
First Greater Western Ltd • GB passenger SNRP	UK 02 2006 0002
First Scotrail Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2005 0035 UK 02 2005 0037
First/Keolis Transpennine Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2005 0039 UK 02 2005 0041
Freightliner Heavy Haul Ltd • GB freight SNRP	UK 02 2005 0043
Freightliner Ltd • GB freight SNRP	UK 02 2005 0045
GB Railfreight Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2009 0001 UK 02 2005 0049
Grand Central Railway Company Ltd • GB passenger SNRP	UK 02 2007 0003
Heathrow Express Operating Co Ltd • Passenger train licence	UK 03 1997 0001
Hull Trains Company Ltd • GB passenger SNRP	UK 02 2005 0055
London and Birmingham Railway Ltd • GB passenger SNRP	UK 02 2007 0011
London and South Eastern Railway Ltd • GB passenger SNRP	UK 02 2006 0003
London Overground Rail Operations Ltd • GB passenger SNRP	UK 02 2007 0012

Operator licence or SNRP	Reference number
London Underground Ltd • Passenger licence	UK 03 2004 0008
Merseyrail Electrics 2002 Ltd • Passenger train licence	UK 03 2003 0011
North Yorkshire Moors Railway Enterprises plc • Passenger train licence	UK 03 2007 0002
Northern Rail Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2005 0067 UK 02 2005 0069
Pre Metro Operations Ltd • Passenger train licence	UK 03 2003 0004
Rail Express Systems Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2005 0071 UK 02 2005 0073

Operator licence or SNRP	Reference number
Southern Railway Limited • GB passenger SNRP	UK 02 2009 0002
Stagecoach South Western Trains Ltd • GB passenger SNRP	UK 02 2007 0001
West Coast Main Line Company Limited • GB passenger SNRP	UK 02 2006 0007
West Coast Railway Company Ltd • GB passenger SNRP • GB freight SNRP	UK 02 2005 0079 UK 02 2005 0081
West Coast Trains Ltd (Virgin) • GB passenger SNRP • GB freight SNRP	UK 02 2005 0083 UK 02 2005 0085
XC Trains Limited • GB passenger SNRP	UK 02 2007 0010

Schedule 2

For licences insert new condition 28:

Condition 28: Rail Delivery Group

1. *The licence holder shall:*

(a) become and thereafter remain a Licensed Member of RDG;

(b) comply with its obligations under the RDG Articles; and

(c) procure that any member of its Group that is entitled under the RDG Articles to become a Member of RDG:

(i) becomes and thereafter remains a Member of RDG; and

(ii) complies with its obligations under the RDG Articles.

2. *In this condition:*

“Group” has the meaning ascribed to it in the RDG Articles;

“Licensed Member” has the meaning ascribed to it in the RDG Articles;

“Member” has the meaning ascribed to it in the RDG Articles;

“RDG” means the Rail Delivery Group (a company limited by guarantee and registered in England and Wales under number 08176197); and

“RDG Articles” means the articles of association of RDG.

For SNRPs insert new condition 28:

Condition 28: Rail Delivery Group

1. The SNRP holder shall:

(a) become and thereafter remain a Licensed Member of RDG;

(b) comply with its obligations under the RDG Articles; and

(c) procure that any member of its Group that is entitled under the RDG Articles to become a Member of RDG:

(i) becomes and thereafter remains a Member of RDG; and

(ii) complies with its obligations under the RDG Articles.

2. In this condition:

“Group” has the meaning ascribed to it in the RDG Articles;

“Licensed Member” has the meaning ascribed to it in the RDG Articles;

“Member” has the meaning ascribed to it in the RDG Articles;

“RDG” means the Rail Delivery Group (a company limited by guarantee and registered in England and Wales under number 08176197); and

“RDG Articles” means the articles of association of RDG.