



Notice under section 12(2) of the Railways Act 1993 (the Act) and regulation 13(2) of the Railway (Licensing of Railway Undertakings) Regulations 2005 (the Regulations)

1. This notice concerns the licences granted under section 8 of the Act and Statements of National Regulatory Provisions (SNRPs) granted under regulation 10 of the Regulations, to the operators listed at Schedule 1 to this notice.
2. The Office of Rail Regulation (ORR) hereby gives notice, pursuant to section 12(2) of the Act and regulation 13(2) of the Regulations, of its proposal to modify the licences and SNRPs of those operators out in Schedule 1 by the inclusion of a new licence condition as set out in Schedule 2 to this notice.
3. The reason for this proposed modification is to support the formalisation of the Rail Delivery Group (RDG) as the leadership body of the industry by requiring the licence holders listed in Schedule 1 to be Licensed Members of the RDG and to comply with its articles of association.
4. Formalisation of the RDG in this way will ensure that all licence holders in Schedule 1 will have the opportunity to contribute to the development of policies and strategies for the benefit of the whole industry and be a key factor in delivering a more sustainable and cost efficient railway in the future. Whilst this may result in an unquantifiable increase in the workload of licence holders we consider that this will ultimately be for their benefit, both in helping to develop understanding the implications of proposals for their business/sector, and the impact of delivering RDG's purpose of improving value for money. There will clearly be some cost implications for licence holders in participating in RDG activities and, where appropriate, contributing to the RDG levy. These costs should however be relatively small. It is not therefore anticipated that the proposed new licence condition will place any additional risk or significant burden, either administrative or financial, on the licence holders affected.
5. Any representations or objections to the proposed modification should be made in writing before 5pm 13 November 2012. Please send any comments on this proposal to:



Gordon Herbert
Licensing and Network Regulation Team
Office of Rail Regulation
One Kemble Street
London
WC2B 4AN
Gordon.Herbert@orr.gsi.gov.uk

6. Copies of this notice will be published on the ORR website (www.rail-reg.gov.uk).

A handwritten signature in blue ink, appearing to read 'Michael Beswick', written in a cursive style.

MICHAEL BESWICK
Date: 16 October 2012



Schedule 1

The licences granted under section 8 of the Act, and SNRPs granted under regulation 10 of the Regulations, subject to this notice, with reference numbers, are:

Abellio Greater Anglia Ltd

- [GB passenger SNRP](#) UK 02 2012 0001

Arriva Trains Wales Ltd

- [GB passenger SNRP](#) UK 02 2005 0011
- [GB freight SNRP](#) UK 02 2005 0013

c2c rail ltd

- [GB passenger SNRP](#) UK 02 2005 0015

The Chiltern Railway Company Ltd

- [GB Passenger SNRP](#) UK 02 2005 0019
- [GB freight SNRP](#) 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](#) UK 02 2005 0026
- [GB passenger SNRP](#) 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](#) UK 02 2005 0031
- [GB freight SNRP \(international services\)](#) UK 02 2005 0033

Europorte Channel SAS

- [GB freight SNRP](#) UK 02 2011 0001

Eurostar International Ltd

- [GB passenger SNRP](#) UK 02 2005 0027

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](#) UK 02 2005 0035
- [GB freight SNRP](#) UK 02 2005 0037



First/Keolis Transpennine Ltd

- [GB passenger SNRP](#) UK 02 2005 0039
- [GB freight SNRP](#) 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](#) UK 02 2009 0001
- [GB freight SNRP](#) UK 02 2005 0049

Golding's Rail Ltd

- [GB passenger SNRP](#) UK 02 2006 0008

Grand Central Railway Company Ltd

- [GB passenger SNRP](#) UK 02 2007 0003

Hay's Rail Ltd

- [GB passenger SNRP](#) UK 02 2006 0009

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 licence](#) UK 02 2007 0012

London Underground Ltd

- [Passenger train licence](#) UK 03 2004 0008

Merseyrail Electrics 2002 Ltd

- [Passenger train licence](#) UK 03 2003 0011

Network Rail Infrastructure Ltd

- [Network licence](#) UK 03 1994 0005

North Yorkshire Moors Railway Enterprises plc

- [Passenger train licence](#) UK 03 2007 0002

Northern Rail Ltd

- [GB passenger SNRP](#) UK 02 2005 0067
- [GB freight SNRP](#) UK 02 2005 0069

OQS Rail Ltd

- [GB passenger SNRP](#) UK 02 2006 0010

Orchard Rail Ltd



- [GB passenger SNRP](#) UK 02 2006 0011

Pre Metro Operations Ltd

- [Passenger train licence](#) UK 03 2003 0004

Rail Express Systems Ltd

- [GB passenger SNRP](#) UK 02 2005 0071
- [GB freight SNRP](#) UK 02 2005 0073

Rail for London Limited

- [GB passenger SNRP](#) UK 02 2007 0008

SOLR1 Ltd

- [GB passenger SNRP](#) UK 02 2007 0006

SOLR2 Ltd

- [GB passenger SNRP](#) UK 02 2007 0007

Southern Railway Limited

- [GB passenger SNRP](#) UK 02 2009 0002

Stagecoach South Western Trains Ltd

- [GB passenger SNRP](#) UK 02 2007 0001

Strutton Rail Ltd

- [GB passenger SNRP](#) UK 02 2006 0012

Tyne & Wear Passenger Transport Executive

- [Passenger train licence](#) UK 03 2002 0002



West Coast Main Line Company Limited

- [GB passenger SNRP](#) UK 02 2006 0007

West Coast Railway Company Ltd

- [GB passenger SNRP](#) UK 02 2005 0079
- [GB freight SNRP](#) UK 02 2005 0081

West Coast Trains Ltd

- [GB passenger SNRP](#) UK 02 2005 0083
- [GB freight SNRP](#) UK 02 2005 0085

Westminster Rail Ltd

- [GB passenger SNRP](#) UK 02 2006 0013

XC Trains Limited

- [GB passenger SNRP](#) UK 02 2007 0010



Schedule 2

The proposed modifications are:

1. For the network licence subject to this notice as listed in Schedule 1:

Insert the following new licence condition:

Condition 25: Rail Delivery Group

1. *The licence holder shall:*

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

(b) comply with its obligations under the RDG Articles.

2. *In this condition:*

“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.



2. For each passenger and freight licence and SNRP subject to this notice as listed in Schedule 1:

Insert the following new licence condition:

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.