

**Licence application form**

Before completing this form, you should read our [licensing guidance](http://orr.gov.uk/__data/assets/pdf_file/0011/2216/licensing-guidance.pdf) and the [guidance notes](#guid) in this application form.

* Send a signed copy of this form, with supporting information, to:
Licensing Team, Office of Rail and Road, 25 Cabot Square, London, E14 4QZ, or
by email to licensing.enquiries@orr.gov.uk.
* Indicate any information that is commercially sensitive and which you do not want disclosed to third parties.
* The licence application fee is £250.

**1**. **Day to day contact for this application**

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| 1.1 Name |  |
| 1.2 Position/Job title |  |
| 1.3 Address |  |
| 1.4 Telephone |  |
| 1.5 E-mail |  |
| 1.6 Name, e-mail and phone of alternative contact |  |

2. Company information

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| 2.1 Registered company name |  |
| 2.2 Company registration no. |  |
| 2.3 Trading name(s) |  |
| 2.4 Date and place of incorporation ([Guidance note](#dateandplace)): |
| 2.5 Address of registered office([Guidance note](#S3aadd)) |
| 2.6 Telephone |  |
| 2.7 Website address |  |
| 2.8. Company officers ([Guidance note](#S3aadd)). Please list details of your company officers. |
| Full name of company officer | Position held | Address ([Guidance note](#S3da)) |
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| 2.9 Shareholders. Please list each person or company holding more than 3%of the total issued share capital of the applicant. In the case of nominee holdings, also name the beneficial holder. ([Guidance note)](#section210) |
| Full name of shareholder | No. of shares | Class of shares | % of total issued |
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| *Group structure*2.10 Tick here if there is no group structure or parent companies ☐ If there is, please attach a company diagram. Diagram is attached ☐ |
| 2.11 Name of immediate parent company (if any), date and place of incorporation and company registration number |
| 2.12 Name of ultimate holding company (if any) and any other intermediate holding companies, date and place of incorporation and company registration numbers |
| 2.13 Holding company shareholdersPlease list below details of each person, or company, holding more than 3% of the total issued share capital in each holding company and ultimate holding company. In the case of nominee holdings, the name of each beneficial holder should be given. |
| Full name of shareholder | Name of holding company | No. of shares | Class of shares | % of total issued |
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| 2.14 Board of holding companies**.** Please list below details of the company officers of any holding companies. |
| Full name of company officer | Company and position held | Address ([Guidance note](#S3da)) |
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**3. Your planned operations**

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| **What authorisation(s) are you applying for? Tick all boxes that apply**  |
| 3.1 If you are applying for Railway undertaking licences under *The Railway (Licensing of Railway Undertakings) Regulations 2005* (as amended),which of these do you need?☐ Railway Undertaking Passenger licence and Passenger SNRP☐ Railway Undertaking Freight licence and Freight SNRP |
| 3.2 If you are you applying for train operating licences under the Railways Act 1993 which of these do you need? ☐ Passenger train[[1]](#footnote-1)☐ Non-passenger train |
| 3.3 Are you applying for licences under the Railways Act 1993 for operating any of these railway assets?☐ Network☐ Station☐ Light maintenance depot |
| 3.4 Please describe your planned operations. Attach any maps, diagrams etc that help explain your plans ([Guidance note](#S2b)).In which Network Rail region/s will you be operating?☐ Eastern☐ North West and Central☐ Scotland’s Railway☐ Southern☐ Wales & Western |
| 3.5 When do you plan to start these operations? ([Guidance note](#S2d)) |
| 3.6 What other licences and licence exemptions do you hold or have you applied for? ([Guidance note](#S2e))  |

4. Safety Competence ([Guidance note](#safety))

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| 4.1 Will your planned operations require a safety certificate/authorisation under the *Railways and Other Guided Transport Systems (Safety) Regulations 2006* (as amended) (“ROGS”)?☐ Yes **Go to 4.2**☐ No **Go to 4.3** ([Guidance note](#rogs3)) |
| 4.2. Tick the box if you have:☐ Identified what safety certificate/authorisation you will need.☐ Applied for the necessary safety certificate/authorisation. If so, when?☐ Been granted the necessary safety certificate/authorisation.If so, when?If you ticked the third box, **go to 4.9**, otherwise, **go to 4.8.** |
| 4.3 If your application is to operate:* A non-mainline railway (e.g. heritage) with a maximum permitted line speed of 40 kph or less, **go to 4.4**
* Only light maintenance depots, **go to 4.5**
* Only vehicles within possessions, **go to 4.6**

Otherwise, **go to 4.7.** |
| 4.4 Non-mainline railways etc:Do you have a SMS in place in accordance with ROGS? ([Guidance note](#rogs3))☐ Yes ☐ NoIs your infrastructure and/or rolling stock verified by a suitably competent person as being in accordance with ORR published guidance?([Guidance note](#s44))☐ Yes ☐ NoIf you answered yes to both questions, go to 4.8, otherwise, **go to 4.7.** |
| 4.5 Light maintenance depots:If you have a Safety Management System (SMS) according to ROGS for other parts of your operation, would your depot operations be covered by relevant parts of the same SMS?☐ Yes **Go to 4.8**☐ No **Go to 4.7** |
| 4.6 Vehicles within possessions:Are you authorised by Network Rail to do this?☐ Yes☐ Not yet**Go to 4.8** |
| 4.7 State briefly how you will manage the safety of your planned operations, and how you will meet your safety obligations e.g. under the Health and Safety at Work Act 1974. Attach a summary if you need more space. |
| 4.8 If you have discussed the safety requirements for your planned operations with ORR safety staff, please give a short summary of your discussion. |
| 4.9. Who is your main contact regarding railway safety at ORR? |

**5. Financial information**

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| 5.1 Is this application in support of a public body-awarded contract, for example a franchise or a concession? [(Guidance note)](#G51)Yes ☐ **Go to section 6**No ☐  **Read on** |
| 5.2 Do you have audited annual accounts prepared on a ‘going concern’ basis? [(Guidance note)](#S4c)Yes ☐ **Please attach the most recent audited annual accounts, then go to 5.5.**No **☐ Read on** |
| 5.3 Do you have a parent company (or other 3rd party) providing full financial support for the next 12 months of your operations? [(](#S4c)[Guidance note)](#s53a)Yes ☐ **Please attach:*** **The most recent audited annual accounts on a ‘going concern’ basis of the parent company or 3rd party**
* **The documentation related to the full financial support by the parent company or 3rd party**
* **A copy of your business plan covering at least the next 12 months**
* **Details of off balance sheet, contingent liabilities and any charges**

**Then go to 5.5**No **☐ Read on** |

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| 5.4 If you do not have audited accounts or a parent company (or other 3rd party backer), please provide: [(Guidance note)](#s55)* **The most recent annual accounts (if available)**
* **A copy of your business plan covering at least the next 12 months of operations**
* **An overview of the sources of funds available covering the next 12 months and related supporting documentation**
* **Details of off balance sheet, contingent liabilities and any charges**

*We don’t expect you to arrange an audit review of financial information solely for this purpose***Now go to question 5.5.** |
| 5.5 Do you have substantial arrears of taxes or social security payments that are owed as a result of your activities? [(Guidance note)](#section56guidance)Yes ☐ Please give details:No ☐ **Now go to section 6** |

## 6. Third Party Liability Insurance

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| 6.1 You will need third party liability insurance cover before you start your operations. Please let us know the contact details of your insurance broker, if known/applicable.If you do not have a broker let us know what arrangements you will be making.Please refer to our [licensing guidance](http://orr.gov.uk/what-and-how-we-regulate/licensing/licensing-railway-operators/how-to-apply) for details. |

## 7. Good repute

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| **The following documentation should be attached** [(Guidance note)](#S5cguidance). |
| Tick the relevant box | Yes, enclosed | Not enclosed. |
| Details of any order made by a court for the winding up of the undertaking or the sequestration of its estate under insolvency legislation; and details of any bankruptcy order; bankruptcy restrictions order; debt relief order or sequestration order made under insolvency legislation in respect of any officer of the applicant. | ☐ | ☐ No such orders have been made against the applicant or its officers. |
| Details of any legal proceedings against company officers or major shareholder(s). | ☐ | ☐ There are no legal proceedings against company officers or major shareholders. |
| Details of any previous, current or pending legal action against the applicant and/or failures of customs law. | ☐ | ☐ There is no previous, current or pending litigation against the applicant; and no serious or repeated failures of customs law. |
| Details of any prosecutions or enforcement orders made by environmental agencies, local authorities or any safety regulator, together with a description of remedial action taken or proposed. | ☐ | ☐ There are no prosecutions or enforcement orders made by environmental agencies, local authorities or any safety regulator. |

## 8. Application fee

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| The applications fee is £250 | ☐ Cheque enclosed | ☐ Paid by electronic transfer. Completed payment form attached. |

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## 9. Declaration

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| I apply for licence(s) and/or SNRP(s) as specified in Section 3 above.I am aware that it is an offence to make a statement that I know is false in a material particular, or recklessly to make a statement which is false in a material particular. ([Guidance note](#s9))I declare that, to the best of my knowledge and belief, the statements given in this application are true and complete. |
| Signed:Name:Position of signatory:(Director or authorised person):Date: |

**How to complete the application form**

* The usual minimum time for concluding a licence application is 12 weeks. This assumes submission of a complete application with all of the supporting information and no substantive representations are received in response to any consultation.
* If supporting information is missing, we will write to you outlining what information we require, and it may take longer to process your application.
* The minimum timescale can only be met if, when the application is made, you have made significant progress towards acquiring railway safety clearance and meeting the ‘day-one’ conditions as set out in our [licensing guidance](http://orr.gov.uk/what-and-how-we-regulate/licensing/licensing-railway-operators/how-to-apply)*.*
* Do not send cash with the completed application form. Cheques for the application fee should be made payable to “Office of Rail and Road”. Payment can also be made by electronic transfer. If you wish to pay by electronic transfer, please complete the form below ([Payment form](#Pay)). You must ensure that any charges made by your bank are settled and not deducted from the statutory £250 fee.
* You can word process your answers. You should be able to expand boxes or add rows to the application form as required. If you have problems, please contact us at licensing.enquiries@orr.gov.uk.You must, however, follow the wording of the application form and ensure that the declaration in Section 9 is signed.

**Section 2: Company information**

* The date the company was established, place and country is as cited on the certificate of incorporation (typically Cardiff for England & Wales, Edinburgh for Scotland). If a charity please make that clear, with the charity number.

Section 2.5: Address of registered office:

* Please state the registered office address. We will address all correspondence to the address given for the day‑to‑day contact, unless specifically requested otherwise. ([Click to return to Section 2](#address))

Section 2.8: Company officers:

* Company officers are the board of directors and the company secretary who manage the company. ([Click to return to Section 2.8](#S3))
* Where the company officer is an individual, please provide his/her home address. In certain circumstances we may accept an alternative address. This must be discussed with us. Where the company officer is a company, the address should be that of the registered or principal office of that company. ([Click to return to Section 2.8](#S3) or [Click to return to 2.14](#holding))

Section 2.9: Shareholders (including details of parent and ultimate holding company). The shareholders (or members) own the company.

* If the information required here is not known, please contact us for advice on how to proceed. ([Click here to return to Section 2.9](#S3bf))

**Section 3: Nature of proposed operation**

* Please tick the relevant boxes. Read our guidance to help you identify which licences you need and do not apply for licences you will not need. Please do not tick any boxes that relate to licences or SNRPs that you already hold. ([Click to return to Section 3](#S4))

Section 3.4: Description of type and extent of services to be operated:

* Give a full description the geographical location, scope and extent of the activity proposed under the licence. Please provide any maps that may help to clarify the proposals. Station or light maintenance depot licence applications should list the stations and depots covered by the application, using their full names. Please ensure that these are the ones you will *operate*, and not where your trains will call at. ([Click to return to Section 3.4](#s34))

Section 3.5:From what date do you want the licence to be effective:

* Please put a date in here, rather than ‘a.s.a.p.’ Doing so will help us set and manage the timetable for your application. The application process normally takes at least 12 weeks including a statutory consultation period of at least 28 days and assuming that a fully complete application is received. ([Click here to return to Section 3.5](#s35))

Section 3.6: Other licences and exemptions held or applied for:

* Give details of other licences and exemptions held. Please also give details of any other application made, including any that were refused or withdrawn, or which are currently being progressed by ORR. ([Click to return to Section 3.6](#s36)).

**Section 4: Safety competence** ([Click to return to Section 4)](#rogs4)

* Any information you give us will be cross-checked with our colleagues in Railway Safety, so you need only enter a short summary of your safety arrangements.
* Giving this information to us does not satisfy any requirement to give information to Railway Safety, or to liaise with them or comply with any direction Railway Safety issues to you.
* When considering your application we will take in to account how you intend to meet your operational safety requirements as set out in any Railway Safety guidance for your type of operation.

#### Sections 4.1 and 4.4:

* For guidance on ROGS see <https://www.orr.gov.uk/guidance-compliance/rail/health-safety/laws/rogs>.

Section 4.4:

* See Guidance on Minor Railways, Railway Safety Publication 5,
[http://webarchive.nationalarchives.gov.uk/20131001175041/http:/www.rail-reg.gov.uk/server/show/nav.1647](http://webarchive.nationalarchives.gov.uk/20131001175041/http%3A/www.rail-reg.gov.uk/server/show/nav.1647).

###### **Section 5: Financial information**

Section 5.1: Applications in support of public body rail service bids/awards:

* You do not need to supply any further information if your application is in connection with a rail service awarded by a public body, such as a franchise or a concession. We will contact the awarding body. ([Click to return to Section 5.1](#s51)).

Section 5.2: Applicants with audited accounts prepared on a ‘going concern’ basis:

* Audited annual accounts signed off on a ‘going concern’ basis should be supplied for the most recent 12 month period preceding the application date and preferably should be drawn up either under UK GAAP or IFRS. This should also include the following items:
* Available funds (including bank balance, pledged overdraft provisions and loans)
* Funds and assets available as security
* Working capital
* Relevant capital costs
* Charges on assets
* Taxes and social security contributions

[(Click to return to Section 5.2)](#s52)

Section 5.3: For applicants without their own audited accounts but having a parent company or 3rd party providing financial support, please provide:

* Audited annual accounts signed off on a ‘going concern’ basis should be supplied for the most recent 12 month period preceding the application date and preferably should be drawn up either under UK GAAP or IFRS. This should also include the following items:
* Available funds (including bank balance, pledged overdraft provisions and loans)
* Funds and assets available as security
* Working capital
* Relevant capital costs
* Charges on assets
* Taxes and social security contributions

[(Click to return to Section 5.3)](#s53)

Section 5.4: Applicants **without** support form a parent company or 3rd party and **without** audited accounts signed off on a ‘going concern’ basis:

* The Business Plan should ideally contain details for the expected costs and revenues for the period from the date of application, including the first 12 months of operations. This should also include the following items:
* Available funds (including bank balance, pledged overdraft provisions and loans)
* Funds and assets available as security
* Working capital
* Relevant capital costs
* Charges on assets
* Taxes and social security contributions

[(Click to return to Section 5.4)](#section55)

Section 5.5: Applicants with arrears of taxes or social security payments:

* Provide details about the amount owed, and to whom.
[(Click to return to Section 5.5)](#S56a)

**Section 7: Legal Proceedings**

* Legal proceedings submitted should cover a period of at least 2 years before the application date. It is your responsibility to declare proceedings you consider to be material to your application. ([Click to return to Section 7)](#Text62)

**Section 9:** **Declaration**

* It is an offence under section 146 of the Railways Act 1993 and regulation 15 of the Railway (Licensing of Railway Undertakings) Regulations 2005, as relevant, to make a statement that you know is false in a material particular, or recklessly to make a statement which is false in a material particular.
* Also, please tell us immediately of any material changes to the information you have provided as your application progresses.

Payment Form

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| I have transferred the sum of £250 ([Guidance note](#Pay1)) to the Office of Rail and Road’s bank account as payment for a licence application for: |
| Applicant’s name |  |
| Details of account payment was made from: |
| Name of account |  |
| Account number |  |
| Sort code |  |
| Date payment was made |  |
| Your reference |  |
| Office of Rail and Road, NatWest bank account details: |
| Bank: | National Westminster Bank |
| Account Name: | ORR No. 2 account |
| Account Number: | 10026045 |
| Sort Code: | 60-70-80 |

([Click here to return to note](#note))

1. This means your proposed passenger operations are geographically small scale or urban/suburban. [↑](#footnote-ref-1)