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30 March 2012

[Multiple recipients]

Dear Exemption Holder,

**Railway (Safety) Regulations 1999: Regulation 4 & 5 Exemptions**

1. We wrote to you in July 2011 to confirm our proposals, following consultation, to make changes to exemptions from regulation 4 and 5 of the Railway (Safety) Regulations 1999 (the Regulations), granted under regulation 6. Exemptions are granted for the operation of Mark I rolling stock and/or rolling stock with hinged doors.
2. This review was carried out in advance of the full review of the Regulations which is currently taking place. The purpose of this review was focussed upon removing redundant conditions, and creating a model exemption template to ensure consistency across exemptions in force.
3. Your re-issued exemption(s) are attached. These replace your existing exemption(s) and revocation is confirmed at Annex A to this letter. The new style exemptions:
  - remove conditions which require barrier vehicles to be used (reg 4);
  - introduce a Schedule of assets to the exemption (reg 4 & 5); and
  - set minimum standards for:
    - (i) modification required to improve crashworthiness (reg 4);
    - (ii) modification required to minimise risks associated with the operation of passenger services using hinged door vehicles (reg 5); and
    - (iii) operators to comply with when using the vehicles for passenger services on the rail network (reg 4 & 5).

Wherever possible bespoke conditions have been removed and the standard template has been used. The standard template can be downloaded from our website at:  
<http://www.rail-reg.gov.uk/server/show/nav.1247>

4. Creating a Schedule to identify the vehicles covered by the exemption makes it easier to notify us when you wish to add or remove a vehicle from your list. You should notify us, in writing, when you want to make a change and provide evidence as necessary to support your request. If we agree to it, we will simply update the list in the Schedule, without the



need to re-issue the exemption. It is your responsibility to notify us as soon as possible of any changes to your vehicle list. Failure to do so may result in the unauthorised operation of a prohibited vehicle.

5. We have also extended the validity of existing exemptions beyond their common expiry date in March 2013. All renewed exemptions are valid until 31 March 2023.

6. If the full review of the Regulations identifies potential for amendment, we will of course consult all stakeholders on the proposals.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'C Wake'.

**Caroline Wake**

## Notice of revocation of exemptions granted under regulation 6 of the Railways (Safety) Regulations 1999

The Office of Rail Regulation gives notice that it has revoked the following exemptions from regulation 4 and regulation 5 of the Railways (Safety) Regulations 1999 (the Regulations), granted under regulation 6 of the Regulations, on the grounds that they have been replaced by exemptions issued in the new model template:

<b>Regulation 4 exemptions</b>	
<b>Exemption Holder</b>	<b>Grant/ Original expiry date</b>
Great Scottish and Western Railway Holdings Limited (Company Number: 02985176)	10 May 2003/31 March 2013
North Yorkshire Moors Railway Enterprises PLC (Company Number: 02490244)	1 April 2008/31 March 2013
The Princess Royal Class Locomotive Trust (Company Number: 02970246)	9 May 2003/31 March 2013
Railfilms Limited (Company Number: 01826977)	9 May 2003/31 March 2013
Riviera Trains Limited (Company Number: 03029396)	1 April 2003/31 March 2013
SRPS Railtours Limited (Company Number: SC158474)	1 April 2003/31 March 2013
Venice Simplon-Orient-Express Limited (British Pullman) (Company Number: 01551659)	6 October 2003/31 March 2013
West Coast Railway Company Limited (Company Number: 03066109)	25 March 2011/31 March 2013
Network Rail Limited (Company Number: 04402220)	10 May 2003/31 March 2013
	10 October 2003/31 March 2013
	1 April 2008/31 March 2013
	9 May 2003/31 March 2013
	9 May 2003/31 March 2013
	1 April 2003/31 March 2013
	1 April 2003/31 March 2013
	6 October 2003/31 March 2013
	25 March 2011/31 March 2013

<b>Regulation 5 exemptions</b>	
<b>Exemption Holder</b>	<b>Grant/ Original expiry date</b>
Great Scottish and Western Railway Holdings Limited (Company Number: 02985176)	9 May 2003/31 March 2013
North Yorkshire Moors Railway Enterprises PLC (Company Number: 02490244)	1 April 2008/31 March 2013
The Princess Royal Class Locomotive Trust (Company Number: 02970246)	1 May 2005/31 March 2013
Railfilms Limited (Company Number: 01826977)	1 May 2005/31 March 2013
Riviera Trains Limited (Company Number: 03029396)	1 May 2005/31 March 2013
SRPS Railtours Limited (Company Number: SC158474)	1 May 2005/31 March 2013
Venice Simplon-Orient-Express Limited (Northern Belle Operations) (Company Number: 01551659)	1 May 2005/31 March 2013
West Coast Railway Company Limited (Company Number: 03066109)	25 March 2011/31 March 2013
Network Rail Limited (Company Number: 04402220)	9 May 2003/31 March 2013
	1 May 2005/30 November 2005
	1 April 2008/31 March 2013
	1 May 2005/31 March 2013
	1 May 2005/31 March 2013
	1 May 2005/31 March 2013
	1 May 2005/31 March 2013
	1 May 2005/31 March 2013
	25 March 2011/31 March 2013

The following exemptions have been revoked on the grounds that they are no longer required:

<b>Regulation 4 exemptions</b>	
<b>Exemption Holder</b>	<b>Grant/ Original expiry date</b>
Fragonset Limited (Company Number: 03305312)	19 May 2003/31 March 2013
Mid Hants Railway Limited (Company Number: 01117090)	1 April 2003/31 March 2013
Scottish Highland Railway Company Limited (Company Number: 06565698)	1 April 2003/31 March 2013
Stagecoach South Western Trains Limited (Company Number: 05599788)	26 January 2009/31 March 2013
Wessex Trains Limited (Company Number: 03381877)	1 April 2003/31 March 2013
Network Rail Limited (Company Number: 04402220)	19 May 2003/31 March 2013
	1 April 2003/31 March 2013

	1 April 2003/31 March 2013
	26 January 2009/31 March 2013
	1 April 2003/31 March 2013

<b>Regulation 5 exemptions</b>	
<b>Exemption Holder</b>	<b>Grant/ Original expiry date</b>
Fragonset Limited (Company Number: 03305312)	1 May 2005/31 March 2013
Scottish Highland Railway Company Limited (Company Number: 06565698)	1 May 2005/31 March 2013
Wessex Trains Limited (Company Number: 03381877)	21 April 2005/31 March 2013
Network Rail Limited (Company Number: 04402220)	1 May 2005/31 March 2013
	1 May 2005/31 March 2013
	21 April 2005/31 March 2013

The following exemptions have been revoked on the grounds of a change of control and replaced as indicated:

<b>Regulation 4 exemptions</b>		
<b>Exemption Holder</b>	<b>Grant/ Original expiry date</b>	<b>Change of Control</b>
English Welsh and Scottish Railway Limited (EWS)	22 November 2007/31 March 2013	New exemption granted to DB Schenker Rail (UK) Limited (Company Number: 02938988)
Network Rail (Company Number: 04402220)	22 November 2007/31 March 2013	Infrastructure Manager exemption granted in respect of EWS operations. Now re-issued to DB Schenker Rail (UK) Limited (Company Number: 02938988)

<b>Regulation 5 exemptions</b>		
<b>Exemption Holder</b>	<b>Grant/ Original expiry date</b>	<b>Change of Control</b>
English Welsh and Scottish Railway Limited (EWS)	22 November 2007/31 March 2013	New exemption granted to DB Schenker Rail (UK) Limited (Company Number: 02938988)
Network Rail (Company Number: 04402220)	22 November 2007/31 March 2013	Infrastructure Manager exemption granted in

		respect of EWS operations. Now re-issued to DB Schenker Rail (UK) Limited (Company Number: 02938988)
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