

Licence Exemption 2009 Number 6

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

Associated British Ports

registered in **England and Wales** with number **ZC000195**

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

2. This exemption applies to:

- (a) the network located at the National Distribution Park, Hams Hall, Birmingham *and* any extensions to this network which are carried out after 3 June 2009, which have been notified to ORR and in respect of which ORR has consented within 30 days (or other such reasonable time) of being notified *together* known as "the exempt network"; and
- (b) any non-passenger train and light maintenance depot operated on the exempt network.

A list of the railway assets to which this exemption applies is provided at Schedule 1.

3. This exemption is valid from 3 June 2009.
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 relates 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.



Signed by authority of ORR

3 June 2009



Schedule 1

The assets to which this exemption applies are:

Asset	Date
1. Any non-passenger train or light maintenance depot covered by paragraph 2b of this exemption.	3 June 2009
2. The network located at the National Distribution Park, Hams Hall, Birmingham.	3 June 2009