

Railway Safety Regulations 1999: Regulation 5

Certificate of Exemption

1. The Office of Rail Regulation (ORR) exempts under regulation 6(1) of the Railway Safety Regulations 1999 (the Regulations) the Mark I rolling stock listed in the Schedule from the requirements of regulation 5(1) of the Regulations. In granting this exemption, ORR has carried out a review of the evidence provided by **North Yorkshire Moors Railway Enterprises Plc (Company Number 02490244)** (the company) in support of the exemption request, consulted as required by regulation 6(2) and had regard to the matters set out in regulation 6(3) of the Regulations.

2. In this exemption:

“railway” has the same meaning as in the Regulations;

“rolling stock” means any carriage, wagon or other vehicle used on track and includes a locomotive;

“safety management system” has the meaning it has in the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS).

3. This exemption applies to the rolling stock with hinged doors for passenger access listed in the Schedule (“the rolling stock”) and is granted subject to the following conditions:

(a) The rolling stock must only be used for passenger services between Battersby Station and Whitby Station on the Esk Valley Line.

(b) the rolling stock is not used for passenger services unless:

(i) the operator of the rolling stock has and maintains an established safety management system which covers the operation of hinged door rolling stock;

(ii) sufficient, competent and adequately trained stewards are provided and are responsible for monitoring doors and passenger behaviour during the operation of passenger services;

(iii) clear and intelligible passenger announcements and briefing notices are used, as appropriate, to explain to passengers the door arrangements and their use to passengers using the services .

2. This exemption is valid from 24 June 2015 until 31 March 2023.

3. Under regulation 6(1) of the Regulations, ORR may revoke the whole or any part of this exemption, at any time, in writing.

Signed by authority of ORR



24 June 2015



Schedule

The rolling stock vehicles to which this exemption applies are:

Vehicle Number	Type	Date Built
641	Buffet	1937
3087	Saloon	1909
3669	Brake Third Corridor	1930
23956	Tourist Third Open	1936
43567	Brake Third Open	1935
43654	Restaurant	1935
56856	Tourist Third Open	1938

