

Licence Exemption

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

W. H. Malcolm Limited

registered in **Scotland** with number **SC035770**

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 at Daventry International Railfreight Terminal *and* any extensions to this network carried out after 8 May 2012 that ORR consents to, *together* known as “the exempt network”; and
- (b) any non-passenger train or light maintenance depot operated on the exempt network.

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

3. This exemption is valid from 8 May 2012.

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 applies 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



8 May 2012

Reference number: NE/12/04



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.	8 May 2012
2. The network at Daventry International Railfreight Terminal (DIRFT) including the DIRFT 2 extension.	8 May 2012
3. The network extension of the following: the upper arrival line; siding 1; and siding 2.	26 July 2015
4. Further extension to the upper arrival line of approximately 650 metres towards the DIRFT 2 northern boundary.	23 October 2015
5. The following network addition and extension: Within DIRFT 2, a second line of approximately 1000m, commencing from the same starting point as the 26 July 2015 extension, to the J Sainsbury northern connection point; and the extension known as DIRFT 3, commencing from the J Sainsbury northern connection point, including two mainlines of approximately 1100m and six sidings all of approximately 1000m.	15 August 2023