

The Railways Act 1993  
(as amended)

Ribble Rail Limited  
Licence Exemption 2005

2005 No. 6

Made 20 June 2005

Coming into force 20 June 2005

The Office of Rail Regulation, in exercise of the powers conferred upon it by section 7(3) of the Railways Act 1993 (as amended), after consultation with the Secretary of State and the Strategic Rail Authority in accordance with the said section 7(3), hereby grants to Ribble Rail Limited the following exemption.

**Citation and commencement**

1. (1) This exemption may be cited as the Ribble Rail Limited Licence Exemption 2005.

(2) This exemption shall come into force on 20 June 2005 and shall continue in force until revoked in accordance with article 6.

## Interpretation

2. (1) In this exemption:

“the Act” means the Railways Act 1993 (as amended);

“the Company” means Ribble Rail Limited, incorporated in England with company registration number 4293655, whose registered office is at 3 Lincoln Drive, Old Roan, Liverpool, Merseyside L10 3LJ;

“exempt activities” means those things which the Company may do pursuant to this exemption and in respect of which it is exempt from the requirement to be authorised by licence by virtue of article 3; and

“the site” means Railway No.1 and Railway No. 2 as defined in The Preston Dock Railway Order 2004 (SI 2004 No 3126).

(2) In this exemption:

(a) unless the context otherwise requires, terms and expressions herein shall bear the same meaning as in the Act;

(b) the Interpretation Act 1978 shall apply as it applies to an enactment;

(c) any reference to a numbered article is a reference to the article in this exemption which bears that number, and any reference in an article to a numbered paragraph is a reference to the paragraph bearing that number in that article; and

(d) any reference to a person includes any individual, company, unincorporated association or body of persons (including a partnership, joint venture or consortium) or other entity and its respective successors and assigns.

### **Licence exemption**

3. Subject to articles 5 and 6, this exemption is granted to the Company from the requirement to be authorised by licence to be the operator of the railway assets, or the classes or descriptions of assets, specified in article 4.

### **Railway assets to which article 3 applies**

4. The railway assets to which article 3 applies are:
- (a) the station adjacent to the rail museum at Chain Caul Road, Preston; and
  - (b) any light maintenance depots located on the site.

### **Condition**

5. The Company shall notify the Office of Rail Regulation in writing as soon as possible and, in any event, within 30 days, if it reaches an agreement with a train operating company for the provision of regular scheduled services.

### **Revocation**

6. The Office of Rail Regulation may revoke the whole or any part of this exemption:
- (a) at the same time that it grants to the Company any licence or exemption to operate any other railway asset or assets notwithstanding that such licence or exemption may also apply to one or more of the assets specified in article 4;
  - (b) if it suspects on reasonable grounds that the Company has operated any railway asset without having in place a licence or exemption as required by section 6 of the Act;
  - (c) if the Company has not commenced exempt activities within one year beginning with the day on which this exemption comes into force or if the

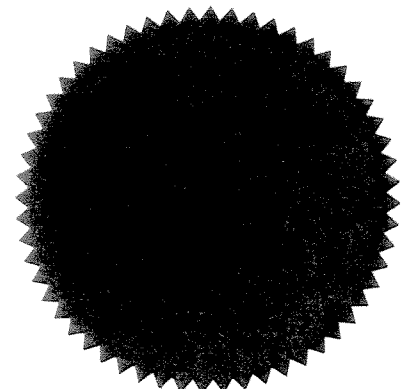
Company ceases to carry on exempt activities for a continuous period of at least one year;

- (d) by agreement in writing between the Office of Rail Regulation and the Company; or
- (e) if the Company does not hold a valid safety case or a valid safety case exemption as required by the Railway (Safety Case) Regulations 2000 (as amended).



20 June 2005

Signed by authority of the  
Office of Rail Regulation



## **EXPLANATORY NOTICE**

This notice is not part of the exemption

*This exemption provides for the grant of exemption from the licensing provisions of the Railways Act 1993 (as amended).*

*Article 3 provides for Ribble Rail Limited ("the Company") to be exempt from the requirement to hold a licence to be the operator of the railway assets specified in article 4.*

*This exemption will permit the Company to operate the station adjacent to the rail museum at Chain Caul Road, Preston and light maintenance depots located on the site (site meaning Railway No.1 and Railway No. 2 as defined in The Preston Dock Railway Order 2004 (SI 2004 No 3126)) without need to hold a licence.*

*Article 5 sets out the circumstances in which this exemption may be revoked.*