

The Railways Act 1993

Epping Ongar Railway Holdings Limited Licence Exemption 2001

2001 No 4

Made 28 February 2001

Coming into force 28 February 2001

The Rail Regulator, in exercise of the powers conferred upon him by section 7(3) of the Railways Act 1993, after consultation with the Secretary of State in accordance with the said section 7(3), hereby grants the following exemption.

Citation and commencement

- 1.-(1) This exemption may be cited as the Epping Ongar Railway Holdings Limited Licence Exemption 2001.
- (2) The exemption granted by article 3 below shall come into force on 28 February 2001.

Interpretation

2.-(1) In this exemption:

"the Act" means the Railways Act 1993;

"the Company" means Epping Ongar Railway Holdings Limited, company registration number 03123151, whose registered office is at Station House, High Street, Ongar, Essex, CM5 9BN;

"the network" means the network between Ongar station (the former terminus of the London Underground Limited-operated Central Line) at reference point TL551035 to a limiting point 70 yards east of Epping London Underground Limited station at former LT signal LW2, reference point TL472020, a distance of 9.2km; and

"reference point" means Ordnance Survey National Grid reference point.

(2) In this exemption:

- (a) unless the context otherwise requires, terms and expressions defined in the Act shall bear the same meaning as in that Act;
- (b) the Interpretation Act 1978 shall apply in the same way as it applies to an enactment; and
- (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.

Licence Exemption

3. Subject to article 5, the exemption is granted to the Company from the requirement to be authorised by licence to be the operator of the railway assets specified in article 4.

Railway assets to which article 3 applies

4. The railway assets to which article 3 applies are:

- (a) the network;
- (b) any installations associated with any of the track comprised in the network;
- (c) any train being used on the network, whether for the purposes of carrying passengers or goods by railway or for any other purpose

whatsoever;

- (d) any station operated in connection with the network; and
- (e) any light maintenance depot operated in connection with the network.

Term as to Revocation

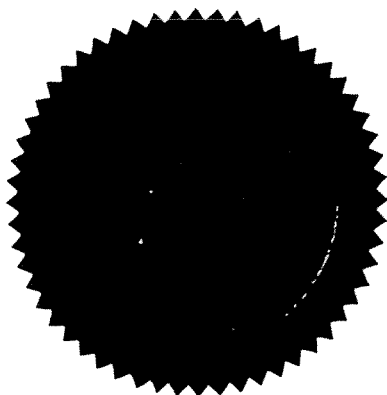
5. The Rail Regulator may revoke the whole or any part of the exemption granted in article 3:

- (a) if any trains are used on the network for any purpose other than the heritage service as described in schedule 1.2 ("Description of Operation") of the Railway Safety Case Issue 5 dated 18 October 2000 granted to the Company;
- (b) at the same time that he grants to the Company any licence or exemption to operate any other railway asset;
- (c) if he 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; or
- (d) by agreement in writing between the Rail Regulator and the Company.

28 February 2001



Signed by authority of
The Rail Regulator



EXPLANATORY NOTICE

(This note is not part of the exemption.)

This exemption provides for the grant of exemption from the licensing provisions of the Railways Act 1993.

Article 3 provides for Epping Ongar Railway Holdings 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.

The exemption will permit the Company to operate a railway between Ongar station (the former terminus of the LUL-operated Central Line) at reference point TL551035 to a limiting point 70 yards east of Epping LUL station at former LT signal LW2, reference point TL472020, a distance of 9.2km without need to hold a licence as required in section 6 of the Railways Act 1993.

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

The licence exemption holder may only operate a heritage service as described in its safety case. A copy of the relevant extract from the safety case is attached.

EPPING ONGAR RAILWAY LTD.

Railway Safety Case

Issue 5

Date: 18th October 2000

2. Description of the Operation. *(Schedule 1.2 - A description of the operation intended to be undertaken by the duty holder)*

1. The railway will operate as a heritage railway between Ongar Station (the former terminus of the LUL- operated Central Line), to a terminus point (Milepost 9.2km) near Epping. The terminus point has been agreed with HMRI and London Underground Ltd. The LUL Epping-Ongar service was discontinued in 1994.
2. A single train will run as required on selected days of the week running on a 'One-Train-On-Line' (OTOL) system at a maximum line speed of 25 mph carrying between 150 and 200 passengers daily.
3. The company, operating its heritage railway at a maximum line speed of 25mph, is excluded from the regulations to provide the train protection system (TPWS), and the requirement to withdraw or improve the crash worthiness of Mark 1 rolling stock and Diesel Multiple Units.
4. Former British Railways built Class 117, or such similar units as may be acquired in the future, will operate the railway service. In due course the service may also operate diesel or steam locomotive-hauled passenger coaches of Mark 1 or Mark 2 type for the heritage leisure service between the two points described. Initially a two-car class 117 unit will be provided for services and the details are as follows:

Class 117 units are two-car Diesel Multiple Units of a type which was introduced onto the national network in 1959. It has blue square standard multiple controls and is gangwayed throughout with access by external slam doors to every row of seats.

One unit is made up of Driving Motor Brake Standard (DMBS) No. 51342 and Driving Motor Second (DMS) No. 51384. The DMBS has seats for 65 passengers, plus a generous guard's and luggage compartment (which is also a source of wheelchair accommodation) whilst the DMS has seats for 89 passengers.

Both cars are powered by two British United Traction (Leyland) 680 diesel engines, providing 150 horsepower (112kw) which drives the inner axle of each bogie via a 4-speed epicyclic gearbox and fluid flywheel. There is a further cardan shaft to the final drive.

Gangways are of the GWR suspension type and run only within the 2-car unit. Bogies are DD10 (motor) and DT9 (trailer). Seats are 3 + 2 facing. The following data applies to each car:

Weight:	36 tons
Length:	64ft
Height:	12'8 1/2"

Width: 9'3"
Brakes: Vacuum with separate reservoir train pipe.
Maximum speed: 70 mph.

The 117 unit described above had a full ultrasonic axle test on 1st April 1999 and copies of the certificates for each car are attached to this Safety Case. The next UAT is due on April 1st 2002.

5. A similar unit (Class 115) is operational but currently undergoing an overhaul to passenger carrying standards. Other classes of Diesel Multiple Units are currently being sourced and details of acquisitions requiring approval will be discussed with HMRI before purchase.
6. Overleaf is a simplified diagram of the line between Epping and Ongar.