

Mr. Calum Oates
Professional Head of M&EE
Swietelsky Construction Company Limited
Suite 1, Sycamore House
290 Bath Street, Glasgow, G2 4JR
United Kingdom

Case Ref PRM-IOP-0475
EIN UK/54/2024/0002

6th September 2024

Contact: Russell Keir
Rail Vehicles Engineer
HM Inspector of Railways
Office of Rail and Road
4th Floor, 1 Atlantic Square
21 York Street
Glasgow, G2 8HS

Dear Mr. Oates

**THE RAILWAYS (INTEROPERABILITY) REGULATIONS 2011, AS AMENDED
AUTHORISATION OF A PLASSER & THEURER BDS 2000-4 BALLAST
DISTRIBUTION SYSTEM**

I refer to your application for authorisation, received on the 21st August 2024.

Following review of your application, ORR grants authorisation under regulation 6 of the Railways (Interoperability) Regulations 2011, as amended.

This authorisation is for the placing in service of a Plasser & Theurer BDS 2000-4 Ballast Distribution System, EVN : 99 80 9125 002-2.

The restrictions or limitations of use on the structural subsystem are those contained in your Application Letter received on the 21st August 2024, Declaration of Verification dated 21st August 2024, and contained in your Technical File.

There are two conditions or requirements;

1. The vehicle shall not self-propel; it shall be dead hauled in running mode by compatible locomotive fitted with compliant GSM-R at both ends.
2. The machine is limited to HS1. Compatibility between the vehicle and the infrastructure shall be issued in accordance prior to the machine being put into use.

The rolling stock subsystem(s) authorised by this letter must be operated and maintained in accordance with Regulation 20.

You should be aware that any future modifications to the authorised subsystem may constitute a 'renewal' or an 'upgrade' as defined in Regulation 2. If a project entity, in

relation to the project, considers that the modification meets either of these definitions they may apply, in accordance with the provisions of Regulation 13, to the Department for Transport (DfT) for a decision on whether a new authorisation will be required.

Should DfT decide that an authorisation is not required they must consult with ORR whether authorisation is required on safety grounds.

As the project entity you are responsible for retaining the technical file, keeping it up to date and making it available to the ORR in accordance with Regulations 18 and 19.

If you are not the owner of the authorised subsystem you shall within 60 days, in accordance with Regulation 19(3), transfer the technical file, certificate of verification and verification declaration to the owner of the subsystem and the owner shall then be regarded as the project entity. If the owner, in accordance with Regulation 19(4), disposes of his interest in the authorised subsystem, he shall within 60 days of the disposal transfer the technical file, certificate of verification and verification declaration to the person acquiring that interest and that person shall be regarded as the project entity.

Please note that under Regulation 36, the person who applied for the authorisation shall send particulars to the Registration Entity to enable the registration entity to enter the information on the National Vehicle Register. This will include such further information as the registration entity may reasonably require set out in the relevant standard.

The person who applied for the authorisation to place in service will be issued with a determination of type in accordance with Commission Implementing Decision 2011/665/EC. The person who applied for the authorisation to place in service will receive the type authorisation after providing the data to the Registration Entity in accordance with Annex II of Commission Implementing Decision 2011/665/EC.

If you are the operator, may I remind you of the need to have adequate arrangements within your Safety Management System to control the risks associated with this rolling stock subsystem(s).

This decision letter will be published on ORR website.

Yours sincerely

Steve Fletcher
Deputy Director, Engineering & Asset Management
Cc

Richard Hines
James Le Grice
National Vehicle Register
Giles Turner
Mike Scully

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