

The Railways Act 1993  
(as amended)

Avon Valley Railway Company Limited  
Licence Exemption 2004

2004 No. 5

Made 22<sup>nd</sup> April 2004

Coming into force 22<sup>nd</sup> April 2004

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

**Citation and commencement**

1.- (1) This exemption may be cited as the Avon Valley Railway Company Limited Licence Exemption 2004.

(2) This exemption shall come into force on 22<sup>nd</sup> April 2004 and shall continue in force until revoked in accordance with article 5.

## **Interpretation**

2. (1) In this exemption:

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

“the Company” means Avon Valley Railway Company Limited, incorporated in England and Wales with company registration number 4311647, whose registered office is at Bitton Railway Station, Bath Road, Bitton, Bristol, BS30 6HD;

“the exempt network” means the network commencing with an end on connection with the existing exempt Avon Valley Railway Company Limited network at a point approximately 20 metres north of Boyd Bridge and consisting of a single line 360 metres in total length and a run round loop at Avon Riverside station (OS, ST 683 686) 140 metres in length between the fouling points; and

(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 article 5, 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 exempt network;
- (b) any installations associated with any of the track comprised in the exempt network;
- (c) the station at Avon Riverside; and
- (d) any train being used on the exempt network, whether for the purposes of carrying passengers or goods by railway or for any other purpose whatsoever.

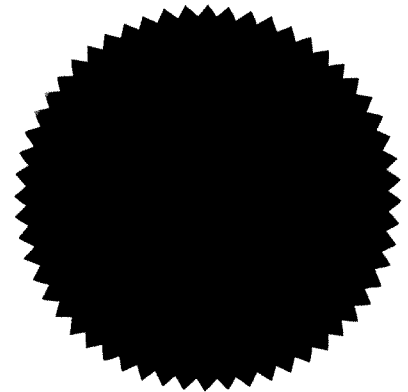
## Revocation

5. The Rail Regulator may revoke the whole or any part of this licence exemption:
- (a) at the same time that he 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 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;
  - (c) by agreement in writing between the Rail Regulator and the Company; or
  - (d) 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.

22 April 2004



Signed by the 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 (as amended).*

*Article 3 provides for Avon Valley Railway Company 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 the station at Avon Riverside, the network commencing with an end on connection with the existing exempt Avon Valley Railway Company Limited network at a point approximately 20 metres north of Boyd Bridge and consisting of a single line 360 metres in total length and a run round loop at Avon Riverside station (OS, ST 683 686) 140 metres in length between the fouling points, passenger trains and non-passenger trains on that network.*

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