

The Railways Act 1993
(as amended)

Jarvis Fastline Limited
(Light Maintenance Depot)
Licence Exemption 2003

2003 No. 2

Made 7 February 2003

Coming into force 7 February 2003

The Rail Regulator, in exercise of the powers conferred upon him by section 7(3) of the Railways Act 1993 (as amended by the Transport Act 2000), after consultation with the Secretary of State and the Strategic Rail Authority in accordance with the said section 7(3), hereby grants the following exemption.

Citation and commencement

1.-(1) This exemption may be cited as Jarvis Fastline Limited (Light Maintenance Depot) Licence Exemption 2003.

(2) This exemption shall come into force on 7 February 2003.

Interpretation

2.-(1) In this exemption:

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

“the Company” means Jarvis Fastline Limited, whose registered office is at Frogmore Park, Watton-at-Stone, Hertfordshire, SG14 3RU;

(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.-(1) 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.

(2) So far as it relates to any particular railway asset specified in article 4, the exemption granted in this article may be revoked by agreement in writing between the Regulator and the Company.

Railway assets to which article 3 applies

4. The Company is exempt from the requirement of a licence to operate the following Light Maintenance depots situated at:

- (a) Bedford, Grain Warehouse;
- (b) Doncaster, Marshgate;
- (c) Doncaster, Roberts Road;
- (d) Hitchen, Nightingale Road;
- (e) Horsham;
- (f) Inverness Workshop;
- (g) Kilmarnock Workshop;
- (h) Liverpool, Edge Hill;
- (i) Liverpool, Tuebrook;
- (j) Manchester, Guide Bridge;
- (k) Newcastle, Forth Banks;
- (l) Nottingham, Eastcroft;
- (m) Perth;
- (n) Rutherglen;
- (o) Shettleston;
- (p) Slateford; and
- (q) York, Leeman Road.

Condition

5.- The exemptions granted under article 3 are subject to the following conditions:

(a) the Rail Regulator may revoke or modify the whole or any part of such exemptions if the Company provides, or procures or permits some other person to provide, light maintenance services at any of the light maintenance depots specified in article 4 in respect of any rolling stock which is used for the carriage of passengers or goods by railway other than in the course of the Company's own business; and

(b) the Rail Regulator may revoke or modify the whole or any part of such exemptions at the time that he grants to the Company any licence or exemption to operate any railway assets other than the railway assets described in article 4.

7 February 2003



Signed by authority of
the Rail Regulator



EXPLANATORY NOTE

This does not form part of the licence exemption

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

Article 3 provides for Jarvis Fastline Limited to be exempt from the requirement to hold a licence to be the operator of the railway assets specified in article 4.

Article 4 provides that the exemption applies in respect of the specified light maintenance depots operated by the Company.

A light maintenance depot is any land or other property which is normally used for or in connection with the provision of light maintenance services, whether or not it is also used for other purposes. Normal use will usually be inferred from the presence at the depot of specialised equipment such as refuelling points or cleaning apparatus, or specially constructed or adapted accommodation for the provision of such light maintenance services.