

Office of the  
**RAIL REGULATOR**

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**THE ELSECAR STEAM RAILWAY  
LICENCE EXEMPTION**

1996 No 7

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# The Railways Act 1993

## The Elsecar Steam Railway Licence Exemption 1996

1996 No. 7

*Made* 26 April 1996

*Coming into force* 26 April 1996

The Rail Regulator, in exercise of the powers conferred on him by section 7(3) of the Railways Act 1993, and 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 Elsecar Steam Railway Licence Exemption 1996.

(2) The exemptions granted by article 3 below shall come into force on 26 April 1996 and shall continue in force until revoked or modified in accordance with articles 3(2) or 5.

### **Interpretation**

2.-(1) In this exemption:

"the Act" means the Railways Act 1993;

"the Council" means Barnsley Metropolitan Borough Council, whose address is Town Hall, Barnsley, South Yorkshire, S70 2TA;

"the network" means the network consisting of the railway authorised to be constructed and maintained by the Council pursuant to Article 5 of the 1996 Order;

"the 1996 Order" means the Elsecar Steam Railway Order 1996 S.I. 1996/937.

(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 Council 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 network, station or light maintenance depot, the exemption granted in this article may be revoked by agreement in writing between the Rail Regulator and the Council.

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

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

- (a) the network;
- (b) any train being used on the network, whether for the purposes of carrying passengers or goods by railway or for any other purpose whatsoever;
- (c) any station which may be constructed by the Council to serve the network; and
- (d) any light maintenance depot which is connected to the network and is operated by the Council in connection with the operation of trains on the network.

### **Conditions**

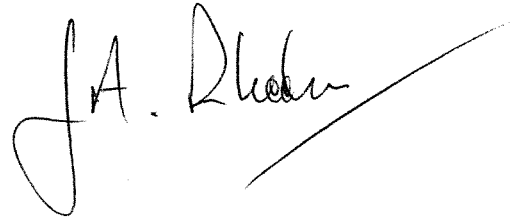
5. The exemptions granted under article 3 are subject to the following conditions:

- (a) The Rail Regulator may revoke or modify the whole or any part of such exemptions at the time that he grants to the Council any licence or exemption

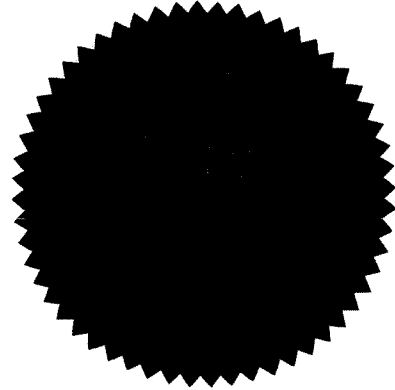
to operate any railway assets other than the railway assets described in article 4; and

(b) The Rail Regulator may revoke or modify the whole or part of such exemptions if a physical connection is made between any track forming part of the network and any track forming part of the network operated by Railtrack PLC.

26 April 1996

A handwritten signature in black ink, appearing to read 'J.A. Doherty', with a long horizontal stroke extending to the right.

Signed by authority of  
The Rail Regulator



## EXPLANATORY NOTE

*This note is does not form part of the Exemption*

*This exemption is granted to the Barnsley Metropolitan Borough Council. The exemption will permit the Council to construct and operate a railway at Elsecar in Barnsley without the need to hold a licence as required by section 6 of the Railways Act 1993.*