



OFFICE OF **RAIL REGULATION**

8 August 2006

Mr P Smith
Head of Safety
GB Railfreight Ltd
15-25 Artillery Lane
London E1 7HA

London Metro Team Manager: Tom Wake

Contact: Giles Turner

One Kemble Street
London
WC2B 4AN

Our ref: Case 4022703

T: 020 7282 3870
F: 020 7282 2042
giles.turner@orr.gsi.gov.uk

Dear Mr Smith

**RAILWAY SAFETY REGULATIONS 1999 – APPLICATION FOR EXEMPTION FROM
REGULATION 3(1) – OPERATION IN POSSESSIONS WITHOUT A WORKING TRAIN
PROTECTION SYSTEM**

HMRI has been reviewing the existing exemption from Regulation 3(1) of the Railway Safety Regulations 1999 for trains operating in possessions on the LUL network without a working train protection system.

A new exemption has been granted, which applies to London Underground Limited, TransPlant and GB Railfreight. Please find enclosed a copy of GBRf's certificate. A copy of all three certificates will be posted on the ORR website. The original certificates remain with HMRI.

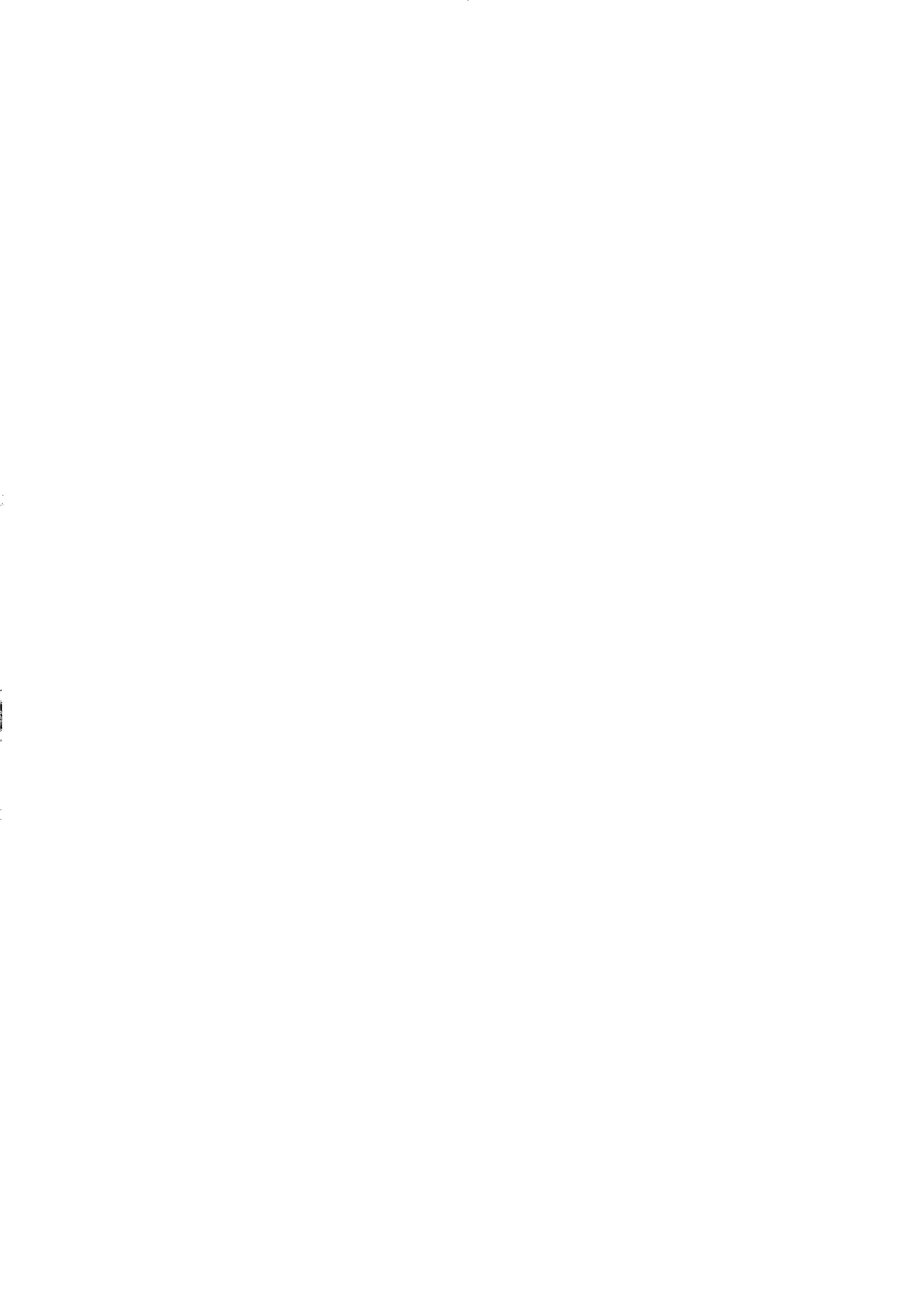
Yours sincerely



Giles Turner
HM Inspector of Railways



INVESTMENT IN PEOPLE





OFFICE OF RAIL REGULATION

THE RAILWAY SAFETY REGULATIONS 1999 (S.I. 1999/2244)

Certificate of Exemption (Grant to train operator: GB Railfreight)

Grant

1. The Office of Rail Regulation, in exercise of the power conferred on it by regulation 6(1) of the Railway Safety Regulations 1999 as amended¹ ("the Regulations), having consulted those persons it considers appropriate in accordance with regulation 6(2) of the Regulations and having had regard to the matters specified in regulation 6(3) of the Regulations, grants the following exemption.

Definitions

2. In this certificate-

"London Underground" means London Underground Limited, the infrastructure manager (formerly the infrastructure controller) whose registered office is at 3rd Floor Albany House, 55 Broadway, London SW1H 0BD;

"LUL Reference Manual" means the document entitled, 'Reference Manual for the Operation and Maintenance of the Railway' prepared by London Underground;

"relevant procedures" means the following sections of the LUL Reference Manual: Am 100 issue 07; Am 101 issue 04; Am109 issue 03; Am110 issue 04; as annexed to this certificate;

"operational safety plan" means the document entitled 'Introduction of GBRF Engineering Trains on London Underground Infrastructure' ref. SSL/1530/06, as annexed to this certificate;

"engineering train" means a non-passenger carrying train that operates for the purpose of engineering work;

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1. amended by paragraph 8 of the Schedule to the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006



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Doc # 245374.05


"GB Railfreight Ltd" is an operator of engineering trains whose registered office is at GB Railfreight Limited, 15-25 Artillery Lane, London E1 7HA.

Exemption

3. GB Railfreight Ltd is exempt from the prohibition contained in regulation 3(1) of the Regulations (prohibition on operating a train on a railway unless a train protection system is in service) in relation to the operation of engineering trains in a possession on London Underground infrastructure.

Conditions

4. This exemption is granted subject to the requirements set out in the relevant procedures and the operational safety plan being met in full.
5. This exemption comes into effect at 0001 hours on 01st August 2006. In accordance with section 6(1) of the Regulations, it may be revoked by ORR at any time by a certificate in writing.

Signed by 
27 July 2006

[HM Deputy Chief Inspector of Railways]

On behalf of the Office of Rail Regulation