

TRANSPORT AND WORKS ACT 1992
THE TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE)
(ENGLAND AND WALES) RULES 2006
THE BRECON MOUNTAIN RAILWAY (LIGHT RAILWAY) ORDER
STATEMENT OF AIMS

Background and brief history of the railways

1. The applicant for the Order is the Vale of Rheidol Railway Limited. The Vale of Rheidol Railway is a private limited company in England and Wales under company number 02188631 (charity number 1076037), whose registered office is at Park Avenue, Aberystwth, Ceredigion, Wales SY23 1PG.
2. The Vale of Rheidol Railway was incorporated in 1987. The charity was registered in 1999. It is managed by a board of directors.
3. The purpose of the charity is to advance the education of the public and to promote research (including the publication of the useful results of such research) in matters concerning narrow gauge railways including but not limited to the narrow gauge railway in the county of Ceredigion which extends from Aberystwyth to Devil's Bridge and is known as the Vale of Rheidol Railway and of other railways or tramways which are or may be worked or operated in conjunction therewith and matters concerning the history, buildings, tramways, rolling stock, machinery and equipment, the historical operation, the restoration and the current operation of the Vale of Rheidol Railway.
4. The charity fulfils these objectives through its principal activity, the operation of the Vale of Rheidol narrow gauge railway line as a working museum. Its principal objects also include the maintenance of a museum for items of historic railway interest, and the carrying out of restoration and maintenance work of light railway equipment.
5. The Brecon Mountain Railway was conceived as a heritage project over 40 years ago when a search started to find a suitable site to build and operate a steam railway using locomotives collected from around the world.
6. The choice of the Merthyr Tydfil location was heavily influenced by its industrial heritage. At one time Merthyr Tydfil was the greatest iron making town in the world,

most of the very early railways used rails rolled in Merthyr Mills. Merthyr witnessed, in 1804, the trial run of the world's first steam railway locomotive built by Richard Trevithick.

7. The current railway runs for about six miles from its southern terminus at Pant station, adjacent to the abandoned Morlais Quarries, which supplied limestone to the iron works in the area, again by rail. In fact there were railways everywhere, all built to secure the intense activity generated by the iron industry and mines in the area. The northern terminus is at Torpantau, deep in the Bannau Brycheiniog National Park, giving users access to an area otherwise difficult to reach.
8. All of the operation and maintenance on the railway is carried out by the railway's own staff. In addition to the routine servicing and repairs, complete locomotive rebuilds are carried out using some machinery dating back over 100 years, yet still performing a useful task. For example, the wheel lathe and hydraulic press were built in the 1890s and are still both operational and useful. New boilers are manufactured and even complete locomotives built from scratch. All the carriages and wagons in use were built here.
9. The two railways were in common ownership for a period after the privatisation of the Vale of Rheidol Railway in 1989. Under the former British Rail ownership the Vale of Rheidol had been allowed to deteriorate significantly to the point where closure was a serious possibility. The Brecon Mountain Railway was successful in its bid to acquire the Vale of Rheidol and thereafter was able to recover both technically and commercially to the point where it was again able to operate on a stand-alone basis after 1996. These foundations have enabled the Vale of Rheidol to flourish. It has been able to implement a continuous program of development that continues to this day with the very recent opening of its new museum and visitor centre at Aberystwyth station.
10. Notwithstanding the formal de-merger of 1996, the two railways have continued to maintain close links. It is common knowledge that heritage railways have experienced considerable operational difficulties post-COVID and cost-of-living issues. Most of their income derives from visitor-generated revenue and the Brecon Mountain Railway is no exception.
11. Thanks to a very generous charitable donation the Vale of Rheidol Railway is now in a position to reunite the two railways and to maintain and develop the Brecon Mountain Railway in a way that would be much more difficult in a stand-alone commercial environment.

Purpose of the application

12. The application seeks to authorise the Vale of Rheidol Railway to operate the Brecon Mountain Railway whose assets are in the course of being acquired. Because the Vale of Rheidol Railway is a registered charity and the Brecon Mountain Railway is not, legal advice suggests that to ensure compliance with charities law, it is preferable that the acquisition should proceed by way of the purchase of the assets. This will result in a technical change of the operator and this in turn is why a Transport & Works Order is needed.
13. The Brecon Mountain Railway currently operates under the authority of a Light Railway Order made in 1980¹. A Light Railway Order is the predecessor of the Transport & Works Act regime.
14. The application is not intended in any way to change the nature of the operation of the Brecon Mountain Railway and no approval for any works is sought. It is intended that the existing management and staff will be retained and this proposal will not result in any loss of existing operational experience or expertise.
15. The Applicant, the Vale of Rheidol Railway Limited is an existing and experienced railway operator acting under the authority of details of a Light Railway Order dating from 1989².

Means by which the proposal will be implemented

16. The Vale of Rheidol Railway will fund the acquisition by a cash purchase. The acquisition is within the charitable objects of the Vale of Rheidol Railway. The charitable objectives have been amended to facilitate the proposed acquisition with approval of the Charity Commission granted on 13 December 2023. No external borrowing will be required and no third party approvals (other than the normal contractual novations associated with changes of ownership of assets) are contemplated.
17. Heads of terms were agreed by the two railways in July 2023 and the sale and purchase is proceeding on a willing seller-willing buyer basis. The only material condition affecting the final completion of the sale is the approval of this Application without which the Applicant would be unable to operate the railway.

Timescale and other matters

¹ The Brecon Mountain Railway (Light Railway) Order 1980, SI 1980 No 671

² The British Railways Board (Vale of Rheidol) Light Railway (Amendment) Order 1989, SI 1989 No 599

18. It had been hoped it would be possible for this Application to be determined in time for the beginning of the 2025 operating season for the Brecon Mountain Railway which has been announced as commencing on 5 April 2025. However it is recognised this may now be optimistic. As the transfer is intended and capable of occurring seamlessly from an operational perspective the actual date is of less significance.
19. Given the recognised competence of the Vale of Rheidol Railway as an operator and in absence of any works linked to this Application, no objections are anticipated that might delay the progress of this Application.