

Guidance on how the 2023 periodic review (PR23) will apply to new access agreements with Network Rail Infrastructure Limited (Network Rail)

On 9 June 2022 we issued a [formal notice](#) initiating an access charges review (the “Review Initiation Notice”) in accordance with the provisions of Paragraph 1C of Schedule 4A to the Railways Act 1993. This access charges review is known as the 2023 periodic review (PR23).

PR23 will determine what Network Rail is expected to deliver and the funding that it is given in control period 7 (‘CP7’, which we expect to run from 1 April 2024 to 31 March 2029). This will affect the access charges that Network Rail’s passenger, freight and charter train operator customers pay to use Network Rail’s track and stations from 1 April 2024.

We served the Review Initiation Notice on the Secretary of State, the Scottish Ministers, the Treasury, the parties to relevant access agreements and such other persons who we considered appropriate. We recognise that there are likely to be persons not named in the notice who may subsequently become parties to a relevant access agreement before the beginning of CP7.

It is the provisions of Schedule 4A to the Railways Act 1993 and the access charges review provision in a relevant access agreement, rather than receipt of the Review Initiation Notice, that bring an access agreement within the scope of our review. Therefore, any track or station access agreement containing an access charges review provision, which is entered into after we have issued the Review Initiation Notice but before we implement our conclusions on the access charges review will fall within the scope of the review by virtue of Paragraph 1 of Schedule 4A. This applies even if we did not serve the new party/parties to relevant access agreements with a copy of the Review Initiation Notice at the time it was published.

Therefore, as part of the implementation of PR23 in early 2024, parties to all relevant new track and station access agreements will have to enter into supplemental agreements to give effect to PR23. ORR will direct the content of these agreements through review implementation notices.

If you have any questions about whether the access charges review may apply to a proposed access agreement then please contact Track.Access@orr.gov.uk or stationsanddepots@orr.gov.uk as appropriate.

The Review Initiation Notice and more information on PR23 can be found on our [website](#).