

To the addressees set out in the appendix

12 February 2024

Dear Sir/Madam,

## **Implementation of the 2023 periodic review: Issue of notices of agreement**

This letter sets out the notice(s) of agreement that are today being served on you and other beneficiaries in connection with the implementation of the 2023 periodic review (PR23).

### **Notices of agreement**

On 20 December 2023, we issued [review notices](#) under Schedule 4A to the Railways Act 1993 (the Act) setting out the changes that we proposed to make to track and station access agreements and the Traction Electricity Rules to implement PR23. These notices gave Network Rail until 9 February 2024 to object to the proposed changes.

Network Rail has now formally confirmed that it does not object to the proposed changes. Accordingly, in line with paragraph 5 of Schedule 4A to the Act, we today issued 'notices of agreement' to Network Rail's access contract customers (beneficiaries) to confirm that we have not received an objection from Network Rail. These are being served in hard copy in line with the requirements of the Act.

Under [paragraph 6 of Schedule 4A](#) to the Act, each beneficiary listed in the annex to the relevant notice of agreement now has the right to give notice to terminate any relevant access agreement to which it is party, should it wish to do so. This notice must be served by 12 March 2024 (following the 28-day period laid out in the legislation) and be consistent with the requirements of paragraph 6 of Schedule 4A.

After 12 March, we will then issue review implementation notices. These will confirm that the changes in the review notices served on 20 December 2023 will take effect on 1 April 2024. They will also direct the parties to the relevant access agreements to make the relevant changes specified in the review notices by entering into a short supplemental agreement, a draft of which we will provide alongside the review implementation notice.



## **Conclusions to our July 2023 consultation on implementing PR23**

We will also shortly publish conclusions to our [July 2023 consultation on drafting changes to access contracts](#). Our July consultation set out how we proposed to amend track and station access contracts to implement our PR23 decisions. The conclusion document will explain our final decisions, which were reflected in our [review notices](#) in December 2023.

### **Next steps**

If you have any questions about the enclosed notice(s) of agreement or the procedure which is being followed, please email [PR23@orr.gov.uk](mailto:PR23@orr.gov.uk).

Electronic versions of this letter (containing relevant links) and the notices of agreement have been published on our website and sent to those listed under the "copy to" heading in the Appendix.

Yours faithfully

**Will Godfrey**  
**Director Economics, Finance and Markets**

## **Appendix – List of addressees and email cc recipients**

### **Addressees (by post)**

Charter passenger train operators

Freight train operators

Holders of freight customer contracts

Open access passenger train operators

Public Service Operators

### **Copy to (by email)**

HM Treasury

London TravelWatch

Mayoral Combined Authorities

Network Rail Infrastructure Limited

Passenger Transport Executives / concession authorities

Rail Delivery Group

Rail Partners

Scottish Minister for Transport

Secretary of State for Transport

Transport Focus

Transport Scotland

Welsh Government