

Live timetable for PR18 and description of key milestones

Overview

Our 2018 periodic review (PR18) will determine what Network Rail is expected to deliver in control period 6 (CP6) and how the funding available should best be used to support this. We expect CP6 to run from 1 April 2019 to 31 March 2024. What Network Rail delivers will feed through into the service that passengers and freight customers receive and, together with taxpayers, ultimately pay for.

This document sets out:

- the [current timing of planned milestones in PR18](#); and
- an [explanation of the key milestones and overall process](#).

The timetable remains subject to change as we continue to discuss proposals and issues with stakeholders.

Version 1.9 – 6 August 2018

Version ID	Date	Description
1.9	6 August 2018	Minor updates to include links to ORR PR18 publications and additional milestones in summer and autumn 2018.
1.8	13 February 2018	Revision to reflect the issue of Network Rail's strategic business plans and some other minor updates
1.7	30 November 2017	Revision to strategic business plan timescales and minor updates to planned consultations
1.6	20 July 2017	Updates to reflect extension to HLOS and SoFA deadline and other minor changes.
1.5	29 June 2017	Minor updates and changes to milestones in autumn 2017
1.4	27 March 2017	Minor updates following issue of review initiation notice
1.3	26 January 2017	Change to timing of Network Rail's strategic business plans and updates to other milestones.

Version ID	Date	Description
1.2	17 November 2016	Minor changes to update milestones, including conclusions on initial consultation, SBP guidance and November 2016 consultation on system operator.
1.1	21 September 2016	Milestones added to the timetable relating to consultations/conclusions on route-level regulation, system operation, the outputs framework and financial framework.
1.0	18 May 2016	First release

PR18 milestones (as at 6 August 2018)

(Blue shading denotes that the activity is led by other stakeholders. Light red denotes the close of a consultation.)

Date	Milestone
May 2016 to summer 2017: Setting the framework	
18 May 2016	We published our initial consultation on PR18 .
7 June 2016	<p>We published working papers on:</p> <ul style="list-style-type: none"> • implementing route-level regulation (working paper 1 'WP1'); • potential issues and opportunities in system operation (WP2); • initial views on the regulatory framework for Network Rail's system operator function (WP3); <p>We also published a note on our conclusions to our August 2015 consultation on system operation.</p>
8 July 2016	We published a working paper on the outputs framework for CP6 (WP4);
5 August 2016	We published a working paper on the options for the framework for enhancements in PR18 (WP5).
10 August 2016	Consultation closed on our initial consultation on PR18, published on 18 May 2016.
24 August 2016	Deadline for comments on our working papers on route-level regulation and system operation (WP1-WP3), published on 7 June 2016
16 September 2016	Deadline for comments on our working paper on the outputs framework , published on 8 July 2016.
14 October 2016	Deadline for comments on our working paper on the enhancements framework published on 5 August 2016.
17 November 2016	We published our conclusions on our initial consultation from May 2016.
17 November 2016	We consulted on the development of the regulatory settlement for Network Rail's national system operator . We also set out our findings on system operation issues, opportunities and future challenges .
17 November 2016	Transport Scotland published a consultation on Scotland's Rail Infrastructure Strategy from 2019 (the consultation closed on 24 February 2017).

Date	Milestone
23 November 2016	We consulted on our draft guidance to Network Rail on its strategic business plans.
15 December 2016	We published a consultation on the structure of charges and contractual incentives .
11 January 2017	<p>Deadline for responses to consultations on:</p> <ul style="list-style-type: none"> • our draft guidance to Network Rail on its strategic business plans; • the development of the regulatory settlement for Network Rail's national system operator.
26 January 2017	We published a consultation on the financial framework for PR18 .
Early 2017	Industry submitted its initial industry advice to governments.
21 February 2017	The Department for Transport publishes a consultation on introducing a public service obligation (PSO) levy for open access passenger operators.
Late 2016 up to July 2017	We provided advice, as appropriate, to the Scottish Ministers and Secretary of State to inform their HLOSs and SoFAs. (This includes the advice letters we issued to DfT and Transport Scotland, which are available here .)
23 February 2017	We issued guidance to Network Rail on the strategic business plans (SBPs) the company will produce for CP6.
9 March 2017	Deadline for responses to our consultation on changes to charges and contractual incentives .
27 March 2017	We issued our review initiation notice , formally requesting the Secretary of State and the Scottish Ministers to provide their high-level output specifications (HLOSs) and statements of funds available (SoFAs).
13 April 2017	Deadline for responses to our consultation on the financial framework for PR18 .
21 April 2017	Deadline for responses to DfT's consultation on introducing a public service obligation (PSO) levy for open access passenger operators.
13 June 2017	We published an update on the outputs framework, including next steps following working paper 4 (WP4).
16 June 2017	We published a close out report on working paper 5 (WP5), which set out options for the treatment of enhancements in PR18.
29 June 2017	We published conclusions on our December 2016 consultation on changes to charges and contractual incentives.

Date	Milestone
20 July 2017	The Secretary of State and the Scottish Ministers published their HLOSs.
	We issued a notice extending the date by when the Secretary of State and the Scottish Ministers are required to complete their HLOS and SoFA submissions.
	We issued a consultation on improving Network Rail's renewals efficiency.
	We published the advice letters we sent to DfT and Transport Scotland earlier in 2017. These were to help inform their HLOSs and SoFAs.
Summer 2017 to October 2018: Detailed development and review	
July 2017	We consulted on the overall framework for regulating Network Rail's routes and the System Operator (SO), including incentives and SO outputs. This will include subsidiary documents on route scorecard measures and measures for the SO.
13 September 2017	Deadline for responses to our July 2017 consultation on improving Network Rail's renewals efficiency.
21 September 2017	Deadline for responses to our July 2017 consultation on the proposed framework for regulating Network Rail's routes and the System Operator.
28 September 2017	We published a consultation on charges recovering fixed network costs.
12 October 2017	The Secretary of State published his SoFA for England & Wales.
13 October 2017	Deadline for the Secretary of State and the Scottish Ministers to complete their HLOS and SoFA submissions.
November 2017	We published a working paper on Network Rail's volume incentive , inviting stakeholder views on this.
November 2017	We published a working paper on aligning incentives , updating stakeholders on our work to encourage Network Rail and train operators to collaborate to support efficiency. This will help to support further engagement with the industry on this topic.
30 November 2017	Our consultation on charges recovering fixed network costs closed.
18 December 2017	We published a consultation on Schedule 4 (the possessions regime).
December 2017	We published an open letter updating on financial framework issues following our January 2017 consultation .

Date	Milestone
8 December 2017	Network Rail submits versions of its route and other strategic plans to ORR, along with supporting material. Finalised versions of these were then submitted to us on 9 February 2018 and published on 13 February 2018 (see below).
12 January 2018	We published a consultation on improvements to the drafting of Schedules 4, 7 and 8 of the passenger and freight model track access contracts.
25 January 2018	We published conclusions following our July 2017 consultation on the overall framework for regulating Network Rail's routes and the SO.
25 January 2018	Transport Scotland published its statement of funds available
31 January 2018	We consulted on our approach to assessing Network Rail's efficiency and wider financial performance in CP6 .
25 January 2018	Deadline for responses to working papers 6 and 7 on the volume incentive and on aligning incentives .
9 February 2018	Network Rail submits its finalised strategic business plans to ORR (including any updates to the versions provided to ORR on 8 December 2017, subject to a structured change control process).
13 February 2018	Network Rail publishes its strategic business plans. ORR invites stakeholders to comment on these.
6 March 2018	Deadline for final comments on the strategic business plans to be provided to ORR.
27 March 2018	Following on from our financial framework update in December 2017, we will seek views on our 'minded to' decisions on financial framework issues.
28 March 2018	We published a working paper on managing change .
27 April 2018	We published an update letter on PR18 charges and contractual incentives.
3 May 2018	We published a decision on Schedule 4 notification factors .
24 May 2018	We published conclusions on the volume incentive working paper.
12 June 2018	We published our draft determination for CP6, consulting on this until 31 August 2018.

Date	Milestone
12 July 2018	<p>We published separate consultations relating to the implementation of PR18, namely proposed changes to:</p> <ul style="list-style-type: none"> • track access contracts (mostly in Schedules 4, 7 and 8) and station access agreements to give effect to our determination; and • Network Rail's network licence to implement our determination and the outcome of our wider review of the network licence. <p>These consultations will close on 31 August 2018.</p>
12 July 2018	<p>We published conclusions on improvements to the drafting of Schedules 4, 7 and 8 of the passenger and freight model track access contracts</p>
13 July 2018	<p>Network Rail submits information to us in respect of targeted updates to its CP6 plans, following our draft determination. (This is discussed further in chapter 10 of our draft determination overview document.)</p>
31 July 2018	<p>Network Rail publishes draft price lists for variable and station access charges (available here). This is an opportunity for stakeholders to scrutinise the price lists and identify any factual errors.</p>
Mid-August 2018	<p>Network Rail publishes draft price lists for fixed track access charges. This is an opportunity for stakeholders to scrutinise the price lists and identify any factual errors.</p>
31 August 2018	<p>Deadline for responses to ORR's draft determination. Deadline for responses to our consultation on changes to access contracts and the network licence to implement PR18.</p>
31 October 2018	<p>ORR publishes its final determination for CP6.</p>
November 2018 to April 2019: Implementation	
November 2018	<p>ORR publishes a consultation on its enforcement policy for CP6.</p>
December 2018	<p>Network Rail consults on its draft delivery plan for CP6.</p>
20 December 2018	<p>We publish 'review notices', setting out the changes to access contracts needed to implement our final determination. We begin a statutory consultation on modifications to Network Rail's network licence.</p>
20 December 2018	<p>Network Rail publishes its price lists for CP6, setting out the specific access charge rates that would be payable by train operators.</p>
Early February 2019	<p>Network Rail decides whether to accept or reject our final determination. If it accepts, we will then give train operators 28 days in which to terminate their access contracts, as required by law.</p>

Date	Milestone
Mid-March 2019	We issue our 'review implementation notices', confirming that the review will be implemented on 1 April 2019.
March 2019	We publish Network Rail's revised network licence, following completion of the statutory consultation. We also confirm and publish our enforcement policy for CP6.
March 2019	Network Rail publishes its delivery plan.
1 April 2019	CP6 begins. Changes to train operators' access contracts, including new access charges, and Network Rail's network licence, take effect.

Overview of key milestones

1. This section gives an overview on the key milestones that are required or necessary in the statutory process for a periodic review. It does not include any stages required by the framework agreement between Network Rail and the Department for Transport.

Review initiation notices

Published on 27 March 2017

2. The formal legal process for a periodic review (which is called an ‘access charges review’ in the legislation), is set out in Schedule 4A of the Railways Act 1993 (the Act). This requires us to issue notices to formally begin the statutory process for the periodic review. These notices set out:
 - the date by which the Scottish Ministers and Secretary of State must each submit to us a HLOS and SoFA (see below). We must give them a minimum of three months for this;
 - the period that the review will cover, i.e. the proposed control period. (For PR18, this will be control period 6, which will begin on 1 April 2019).

Publication of the HLOSs and SoFAs

Formal deadline: 13 October 2017¹

3. Under the Act, the Scottish Ministers and Secretary of State are required to inform us of:
 - what they each want railway activities to achieve during the proposed control period (we call this the ‘high-level output specification’ or HLOS). The Scottish Ministers’ HLOS relates solely to Scotland, whereas the Secretary of State’s HLOS relates to England & Wales (but to Great Britain as a whole in respect of any safety requirements); and
 - their view on the funds that are, or are likely to be, available to support the achievement of its HLOS (we call this the ‘statement of funds available’ or SoFA).

Submission of Network Rail’s strategic business plans (SBPs) to ORR

Submitted to ORR on 9 February 2018

4. Following the HLOSs and SoFAs, Network Rail will develop its strategic business plans for CP6, building on the planning work it carried out previously. These plans

¹ This was originally 20 July 2017 but we extended the date to 13 October 2017. This was because the governments needed more time to finalise their SoFAs.

will include separate plans by its routes and system operator function. These will set out what it proposes to deliver in CP6 and how much funding it requires for this. The SBPs will be informed, among other things, by the HLOSs and Network Rail's engagement with its stakeholders.

5. Network Rail has said it needs more time to produce plans that reflect the Secretary of State's statement of funds available (which was postponed from July to October 2017). So, while ORR will receive versions of Network Rail's strategic plans for review on 8 December 2017, Network Rail will carry out further assurance work on these in December and January. This may lead to some changes to the plans – subject to a structured change control process. Network Rail will then publish the final versions of the SBPs following its submission to ORR on 9 February 2018.

Our draft determination

Published on 12 June 2018

6. Following Network Rail's submission of its SBPs to us, we will carry out our detailed review and challenge process with Network Rail. This will include reviewing, among other things, whether its plans:
 - would deliver the requirements of the HLOSs;
 - are informed by good quality engagement with train operators and stakeholders, and reflect the interests and priorities of passengers and freight customers;
 - are affordable, efficient and deliverable; and
 - could be delivered safely for the funds available.
7. This process, with our proposed focus on Network Rail's devolved routes, would involve significant comparative analysis, review of evidence and engagement with Network Rail.
8. We will then produce (and consult on) our draft determination setting out:
 - our view on what Network Rail should deliver in CP6 and the funding it needs for this, which will take account of the requirements of the HLOS and Network Rail's engagement with its stakeholders, among other things; and
 - proposed final decisions on the wider 'regulatory framework', including the financial framework for Network Rail and the incentives to encourage it and train operators to perform well.
9. One of our key roles will be to determine whether the requirements of the Scottish Ministers and Secretary of State (as set out in their HLOSs) are affordable within the funding they identify as likely to be available (in their SoFAs). If, at any time, we consider that it is not affordable, we are required to notify the relevant government of a 'mismatch' between the HLOS and SoFA. That government would then have the

opportunity to revise its HLOS and SoFA. But this would be a very time consuming process, and require parts of the above process to be re-run (and as such would be likely to delay the start of CP6).

Our final determination

Current planned date: 31 October 2018

10. Following consideration of responses to our draft determination from Network Rail, government and other stakeholders, we would then publish our final decisions in our final determination.

Consultation on Network Rail's draft delivery plan for CP6

Current expected date: December 2018

11. Following our final determination, Network Rail will finalise its draft delivery plans for delivering its outputs in CP6 and consult on these.

Publication of review notices and price lists

Current planned date: 20 December 2018

12. Following our final determination, we will finalise the changes to track and station access contracts and Network Rail's network licence that are needed to implement our determination. We will then include these in the legal 'review notices' that we must issue to formally begin the implementation process. These notices will be served on Network Rail, train operators, governments and other relevant parties, setting out the changes to contracts and the network licence we propose to make from 1 April 2019.
13. Around the time we issue our review notices, Network Rail will issue its price lists setting out the specific rates for the access charges that train operators would pay in CP6.
14. Following the publication of the review notices, we must give Network Rail at least six weeks in which to object to the proposed changes.

Deadline for Network Rail to object / Issue of 'notices of agreement' by ORR

Current planned date: Early February 2019

15. If Network Rail chooses not to object to the review notices, we must then issue 'notices of agreement' to train operators (and other beneficiaries holding relevant access contracts), explaining this. These notices give train operators 28 days in which to decide whether to give notice that they intend to terminate their contracts.
16. If Network Rail objects to the review notices (and by implication, our final determination), we would need to decide whether to change our determination and

issue revised review notices, or to refer the matter to the Competition & Markets Authority. The rest of this section assumes that Network Rail does not object. Later in PR18, we will discuss contingency arrangements to deal with a scenario where Network Rail objects to the review notices.

Issue of review implementation notices

Current planned date: Mid-March 2019

17. Following the expiry of the 28 days given to train operators to decide whether to terminate their access contracts, we would then issue 'review implementation notices' confirming that the changes set out in our review notices will be implemented on 1 April 2019.

Publication on Network Rail's delivery plan for CP6

Current expected date: March 2019

18. Following its December 2018 consultation, Network Rail will finalise its plans for delivering its outputs in CP6.

Commencement of control period 6

Current expected date: 1 April 2019

19. On 1 April 2019, the changes to access contracts and the network licence to implement our determination will take effect (including new access charges payable by train operators), marking the start of CP6. Network Rail will then implement its delivery plans.