

**PR23 draft determination consultation: pro forma**

This pro forma is available to those that wish to respond to our [draft determination](https://www.orr.gov.uk/search-consultations/periodic-review-2023-draft-determination) consultation and it is structured around the main areas of the draft determination. Other forms of response (e.g. letter format) are equally welcome, though we would be grateful if these could be structured broadly in line with the areas listed below (where you wish to comment), to aid our review of responses.

Further information on how we will treat information provided to us as part of this consultation is available in **annex A** below.

Please send your response to pr23@orr.gov.uk by **31 August 2023**.

## About you

Full name: Click or tap here to enter text.

Job title: Click or tap here to enter text.

Organisation: Click or tap here to enter text.

Email\*: Click or tap here to enter text.

Telephone number\*: Click or tap here to enter text.

*\*This information will not be published on our website.*

**1. General comments on ORR’s draft determination for Network Rail in CP7**

**High-level / general comments on our** [**draft determination**](https://www.orr.gov.uk/search-consultations/periodic-review-2023-draft-determination)**. Please use sections below for more detailed responses on specific topics.**

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### 2. Comments on our supporting draft settlements for the System Operator (SO), Scotland and England & Wales regional documents

**For further information, please see our** [**Scotland**](https://www.orr.gov.uk/media/24365/download)**,** [**System Operator**](https://www.orr.gov.uk/media/24366/download)**,** [**Northwest & Central**](https://www.orr.gov.uk/media/24363/download)**,** [**Wales & Western**](https://www.orr.gov.uk/media/24364/download)**,** [**Eastern**](https://www.orr.gov.uk/media/24361/download) **and** [**Southern**](https://www.orr.gov.uk/media/24362/download) **draft settlement documents.**

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### 3. Our review of Network Rail’s stakeholder engagement

***For further information, please see our assessment of each region and System Operator engagement with its stakeholders in our draft settlement documents under section 2 above.***

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**4. Our review of Network Rail’s proposed outcomes**

**For further information, please see section 3 of our** [**England and Wales**](https://www.orr.gov.uk/media/24357/download) **and** [**Scotland**](https://www.orr.gov.uk/media/24358/download) **overview documents and our related supplementary document on** [**outcomes**](https://www.orr.gov.uk/media/24368/download)**.**

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**5. Our assessment of accessibility**

**For further information, please see section 12 of our** [**outcomes**](https://www.orr.gov.uk/media/24368/download) **document.**

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**6. Our review of Network Rail’s proposed costs and income**

**For further information, please see sections 4 and 7 of our** [**England and Wales**](https://www.orr.gov.uk/media/24357/download) **and** [**Scotland**](https://www.orr.gov.uk/media/24358/download) **overview documents and our related supplementary documents on our** [**Sustainable and Efficient Cost**](https://www.orr.gov.uk/media/24369/download) **assessment and** [**other income – property and charges**](https://www.orr.gov.uk/media/24371/download)**.**

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**7. Our review of Network Rail’s National Functions**

**For further information, please see our related supplementary document on** [**national functions**](https://www.orr.gov.uk/media/24370/download)**.**

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**8. Our assessment of health and safety**

**For further information, please see section 5 of our** [**England and Wales**](https://www.orr.gov.uk/media/24357/download) **and** [**Scotland**](https://www.orr.gov.uk/media/24358/download) **overview documents and our related supplementary document on** [**health and safety**](https://www.orr.gov.uk/media/24367/download)**.**

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**9. Access Charges in CP7**

**For further information, please see section 10 of our** [**England and Wales**](https://www.orr.gov.uk/media/24357/download) **and** [**Scotland**](https://www.orr.gov.uk/media/24358/download) **overview documents and our related supplementary documents on** [**access charges**](https://www.orr.gov.uk/media/24373/download)**.**

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**10. Schedules 4 & 8 Incentives in CP7**

**For further information, please see section 11 of our** [**England and Wales**](https://www.orr.gov.uk/media/24357/download) **and** [**Scotland**](https://www.orr.gov.uk/media/24358/download) **overview documents and our related supplementary documents on** [**incentives**](https://www.orr.gov.uk/media/24374/download)**.**

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**11. Financial framework for CP7**

**For further information, please see section 12 of our** [**England and Wales**](https://www.orr.gov.uk/media/24357/download) **and** [**Scotland**](https://www.orr.gov.uk/media/24358/download) **overview documents and our related supplementary document on the** [**financial framework**](https://www.orr.gov.uk/media/24372/download)**.**

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**12. Managing Change in CP7**

**For further information, please see section 13 of our** [**England and Wales**](https://www.orr.gov.uk/media/24357/download) **and** [**Scotland**](https://www.orr.gov.uk/media/24358/download) **overview documents and our** [**managing change**](https://www.orr.gov.uk/media/24375/download) **consultation document.**

*Under* ***section 3.4*** *of the* ***managing change*** *consultation document, we are seeking stakeholders’ views on if the threshold for categorising change to the allocation of Network Rail’s centrally held risk fund is appropriate. Currently in the policy we propose that changes up to £50 million (fifty million pounds) are notified and changes above this threshold are consulted.*

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*Any other comments on managing change.*

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## 13. Are there any other comments you would like to make?

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Thank you for taking the time to respond.

## Annex A: Publishing your response

We plan to publish all responses to this consultation on our website.

Should you wish for any information that you provide to be treated as confidential, please be aware that this may be subject to publication, or release to other parties or to disclosure, in accordance with the access to information regimes. These regimes are primarily the Freedom of Information Act 2000 (FOIA), the UK General Data Protection Regulation (UK GDPR) the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004.

Under the FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this, if you are seeking confidentiality for information you are providing, please explain why. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on ORR.

If you are seeking to make a response in confidence, we would also be grateful if you would annex any confidential information, or provide a non-confidential summary, so that we can publish the non-confidential aspects of your response.

Any personal data you provide to us will be used for the purposes of this consultation and will be handled in accordance with our privacy notice, which sets out how we comply with the UK General Data Protection Regulation and Data Protection Act 2018.

### Consent

In responding to this consultation you consent to us:

* handling your personal data for the purposes of this consultation; and
* publishing your response on our website (unless you have indicated to us that you wish for your response to be treated as confidential as set out above.)

Your consent to either of the above can be withdrawn at any time. Further information about how we handle your personal data and your rights is set out in our privacy notice.

### Format of responses

So that we are able to apply web standards to content on our website, we would prefer that you email us your response either in Microsoft Word format or OpenDocument Text (.odt) format. ODT files have a fully open format and do not rely on any specific piece of software.

If you send us a PDF document, please:

* create it directly from an electronic word-processed file using PDF creation software (rather than as a scanned image of a printout); and
* ensure that the PDF's security method is set to no security in the document properties.