

**Carl Hetherington**  
**Deputy Director, Railway Markets and Economics**

Charles Robarts  
Director, Planning & Regulation  
Network Rail  
1 Eversholt Street  
London  
NW1 2DN

25 March 2020

Dear Charles

### **Publication of Network Rail's 2020-21 Delivery Plan documents**

We are writing in response to Network Rail's enquiry regarding publication of its Delivery Plan for 2020-21. We appreciate that Network Rail proactively engaged us and its funders regarding what could and should be published, and we welcome Network Rail's concerns that it should continue to be both transparent and flexible at this challenging time.

Network Rail is required to publish its Delivery Plan for the forthcoming year unless ORR issues a notice otherwise. This process is designed to ensure ongoing transparency about how Network Rail will spend £42bn operating, maintaining and renewing the network (in cash prices) over Control Period 6 (2019-2024), and how it will meet its commitments under that settlement to increase reliability and improve performance for passengers and freight users. It also has the benefit of supporting clear governance processes for Network Rail, funders and ourselves.

We recognise that Network Rail's plans and targets will be significantly affected by current events and are expected to require review and reprioritisation. We also understand that in light of changing priorities due to the Covid-19 outbreak, the Department for Transport (DfT) has not put Network Rail's scorecards for 2020-21 to the Secretary of State for Transport for sign off. They therefore have not been approved as required by the Framework Agreement between Network Rail and DfT.

Network Rail has proposed that it should only publish high-level summary Delivery Plan documents, including an overview alongside region and function summaries. It has proposed to provide detailed strategic plans (including long-term scorecards) to ORR, DfT and Transport Scotland, but will not publish these.

This letter provides the required notice under conditions 5.4, 6.4 and 7.4 of Network Rail's network licence that it is not required to publish its Delivery Plan for 2020-21. It will share a single and complete set of documents to ORR and its funders by 31 March. We recognise that these plans will need revision in light of the current situation.

It will, of course, continue to be important that Network Rail plans effectively so that it can respond to its changing / fluid operational requirements in support of governments' requirements. We will engage it further on its response to the situation and will flex our approach to monitoring and holding account to reflect changing priorities. We also expect Network Rail to continue to make improvements to its business planning process, which we have highlighted in recent correspondence.

I am copying this letter to Oliver Mulvey at the Department for Transport, Bill Reeve at Transport Scotland and Gareth Evans at the Welsh Government.

Yours sincerely

A handwritten signature in cursive script, reading "Carl Hetherington", enclosed in a thin black rectangular border.

Carl Hetherington