

## **Industry Update: Developing GBR's Charges Scheme (2029–2034) – Defining Costs Directly Incurred in the Access and Use Policy**

### **Context**

The Railways Bill 2025 outlines that Great British Railways (GBR) will no longer be defined as an Infrastructure Manager under the Access, Management and Licensing of Railway Undertakings Regulations 2016 (see *Clause 70 of the Railways Bill*). As a result, our working assumption is Commission Implementing Regulation (EU) 2015/909 – which currently defines Costs Directly Incurred (CDI) – will not apply to GBR.

GBR will therefore define CDI within its Access and Use Policy (AUP). This is a key policy area, as the definition of CDI determines which costs are recoverable through variable track access charges and shapes the future charging scheme.

### **Current position**

Our work to date on CDI has focused on reviewing the legislative principles in Implementing Regulation 2015/909. The Regulation provides a detailed framework covering:

- eligible and ineligible cost categories; and
- vehicle characteristics that may be used as cost drivers in charging methodologies.

Having considered the framework carefully, and discussed it with internal subject matter experts, our current view is that we do **not** intend to make substantive changes to the current definition of CDI. This approach is intended to preserve stability and continuity in the charges scheme during the transition to GBR.

Although the Regulation is highly prescriptive, we have not identified compelling reasons to:

- reallocate costs between eligible and ineligible categories; or
- introduce additional (or remove existing) vehicle characteristics for cost attribution.

However, the drafting of the directive will need to be transposed into GBR's AUP. This will necessarily involve re-structuring and re-drafting. Our intention is to preserve the substance and technical integrity of the existing framework, while improving clarity and usability. The draft AUP, including the CDI section, will be formally consulted on in Autumn 2026.

It is important to distinguish between the CDI framework and the detailed charging methodology. The work described here relates to the framework – namely, the definition of which costs are eligible for recovery through CDI and the principles governing

attribution. It does not extend to the detailed modelling or cost estimation used to calculate individual charge rates, which will continue to be developed through separate technical processes. While the framework and methodology are clearly linked, this activity is focused on the policy boundary and drafting of the framework itself.

### **Industry workshop arrangements**

Due to the limited level of intended change, we have decided to consolidate the CDI workshops planned for 10 and 11 March into a single session. This decision reflects both previous stakeholder feedback and the demands on industry time.

We will therefore host one workshop on **Tuesday 10 March**. You are welcome to join us in Waterloo, but there will also be an option to attend virtually.

The session will be an opportunity to:

- provide a brief overview of the principles in Implementing Regulation 2015/909;
- outline our proposed approach to drafting the CDI section of the AUP; and
- facilitate a discussion on drafting clarity and attribution transparency.

We remain keen to ensure that stakeholders who have strong views on CDI have an appropriate forum to raise them.

### **Invitation for views**

If you are not able to attend the workshop, you are welcome to provide written observations on the questions below (or any related points):

1. Where does detailed specification of eligible costs and pricing factors meaningfully improve certainty and stability?
2. Which cost categories must clearly remain outside the scope of CDI recovery?
3. Where does the current attribution framework work well, and where could transparency or explanation be improved?
4. In the absence of periodic regulatory approval, what governance mechanisms are necessary to maintain confidence in the CDI framework?

There is no expectation to respond. However, if you would like to provide written comments, please do so by close of play on Friday 27 March to:

[chargesandperformanceschemes@networkrail.co.uk](mailto:chargesandperformanceschemes@networkrail.co.uk).