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19 March 2025

Dear Kathryn, Jason and Susan,

**High Speed 1: Approval to amendments to Passenger Access Terms through the side letters dated 11 March 2025 to the track access contract between HS1 Limited and Eurostar International Limited and dated 13 March 2025 to the track access contract between HS1 Limited and SE Trains Limited**

The Office of Rail and Road (ORR) has today approved amendments to the HS1 Passenger Access Terms (PATs) through the side letters dated 11 March 2025 to the track access contract between HS1 Limited and Eurostar International Limited (EIL), and dated 13 March 2025 to the track access contract between HS1 Limited and SE Trains Limited (SE Trains) (the parties), submitted to us formally on 12 March 2025 and 18 March 2025 respectively under the Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016 (the 2016 Regulations). The side letters also make amendments to the track access contracts between HS1 and EIL and between HS1 and SE Trains. This follows an earlier informal submission of a draft side letter for our consideration. The purpose of our letter is to explain the reasons for our decision.

**Purpose of the side letters**

On 6 January 2025 we published our final determination for the periodic review 2024 (PR24) of HS1 Ltd, which includes setting operating, maintenance and renewals

charges for train services using the HS1 network from 1 April 2025 – 31 March 2030 (Control Period 4 – “CP4”).

Through our implementation of PR24, a number of changes will be made to the HS1 PATs. As part of the PR24 implementation review, a number of additional changes have been identified which need to be made which are outside the scope of PR24, including:

- Changing certain dates within the PATs so that the existing outperformance regime remains in place for CP4;
- Changes to reflect recent changes in law; and
- Corrections for minor typos and cross-referencing errors.

These amendments will come into effect on 1 April 2025 to align with the implementation of PR24.

## **Consultation**

HS1 consulted on the proposed amendments to the HS1 PATs in September 2024. EIL and SE Trains responded noting that they had no comments on the proposals or drafting. Both parties took the opportunity to provide further comment on proposals that they had made through the PR24 process which HS1 had not proceeded with.

## **Our review**

We have reviewed the proposed amendments to the HS1 PATs. Our review raised no concerns.

## **ORR’s conclusions**

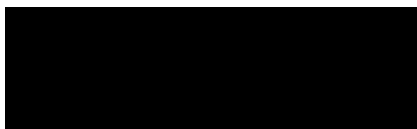
Pursuant to Regulation 31(1) of the Regulations, in considering the application and in reaching our decision, we are required to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Railways Act 1993. Approval of this application is consistent with these duties; in particular our duties to:

- protect the interests of users of rail services;
- promote the use of the railway network in Great Britain for the carriage of passengers and goods, and the development of the railway network, to the greatest extent that ORR considers economically practicable;
- contribute to the development of an integrated system of transport of passengers and goods; and
- enable persons providing railway service to plan the future of their businesses with a reasonable degree of assurance.



We will place a copy of the side letters on our website and public register. Please ensure that a consolidated version of the HS1 PATs is published on the HS1 website, and a conformed copy of the access contracts are provided to us within 30 days for publication on our website.

Yours sincerely



**David Reed**