



Gemini TOC Limited
3rd floor, Great Titchfield House
14-18 Great Titchfield Street
London, W1W 8BD

Ian Biggar
Access Policy Advisor
Office of Rail and Road
25 Cabot Square
London, E14 4QZ

Via e mail to: stationsanddepots@orr.gov.uk

22 April 2025

Dear Ian,

Gemini TOC Limited's (Gemini Trains) application for directions under section 17 of the Railways Act 1993 – Response to Eurostar International Limited's (Eurostar) initial representations dated 1 April 2025

Thank you for your letter of 8 April 2025 forwarding Eurostar International Limited's (Eurostar) letter dated 1 April 2025 and inviting our written representations on Eurostar's initial representations.

We note Eurostar's position on our application for access to Temple Mills International (TMI) depot under Section 17 of the Railways Act 1993.

We met senior representatives at Eurostar before submitting this application and explained to them the nature of our request. Our meeting was cordial and professional and Eurostar stated clearly at our meeting that they understood fully why Gemini Trains would be submitting a Section 17 application at that point in time – the necessity and timing being determined by the previous section 17 applications by two other parties and the ORR independent review of available capacity at Temple Mills International Depot (TMI). We will continue to pursue bilateral discussions with Eurostar to see if depot access can be achieved.

Eurostar kindly hosted our team at TMI earlier this year. This visit was comprehensive with the TMI Eurostar team engaging with us in a constructive and transparent manner. Eurostar has extended all professional courtesies to Gemini Trains during our direct engagements.

It is therefore disappointing that Eurostar has felt it necessary to write such a spuriously detailed response to the ORR, which is legalistic in tone and does not truly reflect the positive and professional engagement there has been to date between Eurostar and Gemini Trains.

We do not intend to address the numerous details that Eurostar has included in the letter but note that this response very closely resembles their letters written after earlier section 17 applications by Virgin and Evolyn. As before, we note Eurostar's position on these points but continue to take a different view.

TMI is a regulated service facility and it is essential that fair access is made available to new operators who wish to operate services on HS1 and through the Channel Tunnel. Without getting into the minutiae of the points raised by Eurostar, the facility operator (Eurostar) must ensure that available spare capacity

Gemini TOC Ltd
3rd floor, Great Titchfield House
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London, W1W 8BD, UK

Registered in England
Company number 14783093

at TMI is made available to other operators. We would expect Eurostar to work positively with the ORR and new operators to support this outcome. In particular, ORR should see access to TMI as just that—whereas the Eurostar letter seems to suggest that it should somehow be tied into decisions to be made even by other regulators in other jurisdictions.

We are grateful to ORR for commissioning the IPEX report, which shows clearly that space exists at TMI, in line with our own observations from our site visit. Eurostar's use of the depot clearly reflects a comfortable sole occupation with entrenched habits of an otherwise good quality facility. Specifically, we observed that all 8 maintenance roads were occupied, tying up almost a third of the whole Eurostar fleet of 25. This is without even factoring in the other maintenance facilities used by Eurostar at Le Landy in France and Foret in Belgium.

However, our observations are that TMI is a well-run facility, albeit on the basis that significant capacity could be made available with more efficient diagramming. Clearly Eurostar's operational processes and approach towards maintenance do not currently optimise available capacity in an efficient manner. Our observations are consistent with the analysis in the IPEX report which sets out in detail how more capacity can readily be created, initially with little or no investment.

Gemini Trains therefore highlights that the volume of capacity it has requested in its Section 17 application can be accommodated at TMI, and this level of capacity is within the identified level of available capacity without modifications set out in the IPEX report. This puts Gemini Trains in a unique position as the only current Section 17 applicant whose request for space for operations and maintenance can currently be accommodated at TMI without further enabling work.


We ask that the ORR now sets out clearly the process it will follow to determine the three Section 17 applications for the available space at TMI and to exercise its powers under that section of the Act to direct the facility owner to enter into an access contract. Furthermore, we request that the ORR provide assurance that it will ensure Eurostar engages with operators transparently, with the objective of finding solutions and agreeing access to TMI, rather than seeking to frustrate the process and cause delay. ORR is playing a very important role in this process, to level the playing field between the dominant incumbent, and Gemini Trains (and other applicants).

We are keen to engage effectively with you in the coming weeks as you develop your understanding of our requirements and your process to opine on the respective applications.

We note the ORR will publish this response on its website. We confirm we are happy for the contents of this letter to be published in full without redaction.

We also highlight that Gemini Trains will respond separately to the ORR consultation on Capacity at Temple Mills International Depot and to your initial findings.

Yours sincerely



Adrian Quine
Chief Executive Officer
Gemini TOC Limited