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Dear Ian

Comments by Gemini Trains on submissions by Eurostar, DfT and Kent County Council

Gemini Trains welcomes the opportunity to provide the ORR with its response to the submissions made by Eurostar and by other S17 applicants. It also welcomes the opportunity to provide comments on the submissions from both DfT and KCC.

In summary, the submissions from each of these participants provides compelling evidence that the sector urgently needs competition and, rather than such competition providing simply a copycat service akin to the incumbent, it is crucial that the focus should be on growing the market, making the most of existing national infrastructure and providing a high-quality complementary service.

Gemini's core objective is to make international rail travel more accessible to more people by providing high quality, value for money services, serving stations not currently part of the incumbent's network. Gemini will therefore be offering a differentiated service under the Uber brand.

Moreover, Gemini will bring additional value to the sector by opening a new international passenger facility at Stratford International and reinstating services at Ebbsfleet. This will provide instant resilience and redundancy on what is a crucial economic link between the UK and the EU. The ORR should take this into account when awarding depot capacity – a granting of depot access to an operator that simply mirrors the existing service not only adds risk to the sector, but it also threatens to continue to constrain growth – as has been the case for the past 30 years of single operator, monopoly operation.

Gemini's positioning as a complementary provider also makes greater use of existing UK taxpayer-funded infrastructure and assets.

- Temple Mills Maintenance Depot (TMI) – According to the KCC response £400m¹ was spent by the UK government to develop the international maintenance depot. Eurostar is naturally the only current user of the facility, but Gemini's request for capacity at TMI dovetails perfectly

with even the available capacity as set out by the IPEX report (Gemini notes that LSPH believes this to be a considerable underestimate of capacity available, a topic that is considered further below). Additionally, Gemini's preferred choice of rolling stock – Siemens – supports smooth integration by aligning with the current use of TMI by Eurostar

- Stratford International – this station was developed at the same time as the channel tunnel rail link (CTRL) programme but has never been used as an international station. This purpose-built infrastructure provides a viable alternative to St Pancras and the use of it by Gemini is a clear example of how Gemini seeks to innovate and make the most use of existing infrastructure and capacity. It is estimated that the development of this station cost between £100-£200m of the overall £5.7bn CTRL programme cost.
- Ebbsfleet International – as per Stratford International, it was built as part of the CTRL project. However, until 2020, it was used both in a national rail and international rail capacity unlike Stratford International. This piece of national infrastructure has not been used for its international purpose for 5 years, and given Eurostar's position on Kent stations, without a new operator using the station, the international element of this station is wasted.

Beyond the UK, Gemini has also confirmed plans to run direct services to Cologne in Germany in the third year of full operations. Not only does this provide brand new journey opportunities for customers and will stimulate significant modal shift, but it also aligns with the recently announced joint declaration of intent between the UK and German governments to run direct services between London and Germany².

Part 1 – Gemini comments on Eurostar's submission

Gemini notes from Eurostar's submission that it appears to have already initiated plans to further exploit the capacity available within the TMI depot. Eurostar's submission suggests this means there is no room for any competitor – thus perpetuating the single operator monopoly position for such time until additional depot capacity is made available – likely through new taxpayer-funded investment in new infrastructure.

Due to the lead-time for such new infrastructure, this is likely to mean that no competitors can enter the market within the next 10-15 years.

Given the direction given by both the rail minister and the Department for Transport that competition in the sector must be fostered, Gemini assumes that the award of the spare capacity at TMI must be granted to one of the new S17 applicants rather than to the incumbent.

Beyond this, Gemini would also like to question the basis on which Eurostar should be entitled to assume that it can continue to make use of TMI on the same basis as currently, let alone increasing services relying only on its UK depot to deny space available to new operators. As a rule, Gemini understands that capacity at neutral infrastructure such as track, stations and in this case, depots should be allocated on a fair and non-discriminatory basis with no residual enduring (grandfather) rights.

² <https://www.gov.uk/government/news/government-agrees-landmark-plans-to-lay-down-the-tracks-for-direct-trains-to-germany>

Notwithstanding this point, it is clear from both the Eurotunnel and London St Pancras Highspeed submissions in response to the ORR's 31 March 2025 consultation on available capacity at Temple Mills that they believe the capacity identified as available in the IPEX report is an *underestimate*. Indeed, LSPH goes so far as to say that Temple Mills 'can accommodate a second operator PLUS the current EIL fleet AND the expanded EIL fleet'. This submission, based on LSPH's consultant's analysis, brings Eurostar's claims - that once they have started expanding their services with their existing fleet, then any capacity available today evaporates – into sharp relief.

We further note that Eurostar has the use of maintenance facilities at Paris and Brussels not available on the same basis to a new operator. Accordingly, the ORR should be confident that a new operator can be accommodated at Temple Mills; in particular Gemini given our space requirement is lower than that of other access applicants.

We would ask ORR to ascertain whether Eurostar's planned expansion is entirely related to the cross-channel route and to quantify this in terms of fleet size for this route and depot roads required. Furthermore, we understand that a significant number of the new trains proposed by Eurostar are to replace both their classic Thalys and E300 fleets. Potential fleet expansion should differentiate between cross-channel and EU-only trains. We expect ORR to make this information public as it is highly relevant to Eurostar's claimed future use of Temple Mills relative to the other non-UK depots available to it.

Gemini remains concerned that, despite Eurostar's claim to welcome 'fair competition' in its response to ORR, its behaviour is revealing a different position. Again, the LSPH submission in response to your 31 March 2025 consultation is helpful:

- 'Published correspondence between EIL and ORR record the lack of urgency in the treatment of access requests'
- 'EIL is subjecting prospective operators to requirements it does not hold itself to'

Indeed, LSPH invites 'the ORR to consider additional measures and monitoring to protect the interests of prospective operators and ensure the timely progression of their applications' beyond the ORR's decision this October.

Gemini believes that ORR should work proactively with it and Eurostar from the point of a favourable decision to Gemini, right up to and beyond the start of Gemini passenger services. This reflects the 'elevated risk of abuse of market dominance' referred to in the LSPH response, and Eurostar's declaration that it is going to use up any capacity at TMI in advance of its new fleet coming on stream.

A proactive approach from the ORR to ensuring that Gemini receives the access made available by a positive Section 17 decision would also be entirely consistent with the ORR's access and competition powers, and the enthusiasm from all parties to grow the cross-Channel market. It would be very embarrassing to all concerned – and disastrous for Gemini's staff and investors – were it to turn out that Eurostar has used its market power to prevent the ORR's decision from creating the benefits to consumers and the wider economy it had intended.

Part 2 – Gemini comments on other submissions

Gemini will not provide any specific comments on the individual submissions of the other S17 applicants. However, it appears clear from those submissions that the intention is at most to mirror the existing Eurostar service and not offer anything new for customers. Gemini believes that while the very presence of some form of competition to the incumbent will deliver some benefits, this is highly unlikely to drive material upside and growth in the sector or to provide wider economic or society benefits.

Gemini's proposition differentiates very clearly from both the incumbent and the other S17 applicants' propositions. Gemini will serve new stations, both in the UK and in Europe, and will be a truly complementary service making international rail travel more accessible to more people. Our partnership with Uber brings an instantly recognisable global brand to our service, promoting accessibility to millions of new customers.

Part 3 – Comments on DfT submissions

a) Department for Transport

Gemini notes the submission provided by the DfT and welcomes the strategic direction outlined that the government is fully supportive of the principle and associated benefits of competition. Confirming Eurostar's sole occupancy of Temple Mills depot cannot deliver this competition. Gemini is naturally aligned with the DfT position and has designed its proposition deliberately to maximise competition via customer choice. The Gemini plan is a truly complementary one, opening a new international rail gateway in Stratford International, and reinstating services in Kent. This proposal is manifestly the best aligned with government's stated aims.

b) Letter from Rail Minister, Lord Hendy

Gemini notes further that the rail minister has set out his vision that sees not only competition, but new services and stations should be very much part of ORR's determination. We encourage the ORR to take this clear direction towards growth beyond the current Eurostar service footprint. Gemini is the only applicant that has set out a clear plan to deliver new services in this way, by serving such new stations.

The provision of a wholly complementary service is at the very heart of what Gemini aims to deliver, with choice delivering benefits both for passengers, but also for the long-term prospects of the UK economy.

Part 4 - Comment on submission from Kent County Council³

Gemini has engaged actively with KCC for some months and shares the view that the return of international rail services to the county is crucial to reverse the social and economic decline that has been witnessed since Eurostar stopped serving both Ebbsfleet and Ashford International stations since the Covid-19 pandemic.

Gemini is the only applicant that has explicitly set out its plans to serve Kent. This will be by stopping all services, both outbound to, and inbound from Europe at Ebbsfleet International. It is

³ [Kent County Council representations to ORR \(redacted\) – 9 July 2025](#)

important to note that we intend to stop all our services at Ebbsfleet as a reliable and consistent stopping pattern is key to growing the market while serving passenger expectations.

This contrasts both with all new applicants for the depot capacity as well as Eurostar itself that has clearly demonstrated its lack of appetite for reinstating such services, preferring to focus on serving only London. Even before the pandemic, Eurostar only stopped a small subset of its scheduled services at Ebbsfleet, primarily peak morning and evening services.

Gemini believes that by ensuring all services call at Ebbsfleet, this will provide the 18.5m people that live within a 90-minute drive of what is effectively an international parkway station, new confidence and enthusiasm for international rail travel which, in turn will mean that Gemini achieves its objective of making international rail travel more accessible to more people.

I trust this provides the additional information you were looking for. Please do not hesitate to contact me if we can provide any other support.

