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Title of paper	London St. Pancras Highspeed feedback on the Railways Bill 2026
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### About London St. Pancras Highspeed

HS1 Ltd, trading as London St. Pancras Highspeed, has the 30-year concession to own, operate and maintain High Speed 1 (HS1), the UK's only high-speed railway, as well as the stations along the route: St Pancras International, Stratford International, Ebbsfleet International and Ashford International. HS1 route is the 109km rail line between St Pancras International in London and the Channel Tunnel and connects the international high-speed routes between London and Paris, London and Brussels and London and Amsterdam, as well as the domestic route from London to Kent.

In July 2017, HS1 Ltd was acquired by a consortium comprising of funds advised and managed by InfraRed Capital Partners Limited and Equitix Investment Management Limited.

### Comments on Railway Bill 2026

We reviewed the Railways Bill 2026 and have feedback on several clauses that could significantly affect our business:

- Clause 72 - This clause gives the Secretary of State significant powers which may be exercised in ways that extend beyond the limited justification that has been set out in the explanatory note published alongside the Railways Bill 2026. Our concerns include the possibility that the Secretary of State could introduce secondary legislation stipulating that:
  - Non-GBR Infrastructure Managers, which could include London St. Pancras Highspeed, may levy only specific access charges, such as restricting the use of an Investment Recovery Charge currently allowed under our exemptions to the Railways Regulations 2016, the recovery of which is permitted under the HS1 Concession.
  - Non-GBR Infrastructure Managers may no longer offer charge discounts as permitted by the Railways Regulations 2016.

- Modifications could be made to the procedures governing operator access to non-GBR facilities and services essential for train operations, such as Temple Mills Depot.
- Secretary of State may restate or completely replace the Railways Regulations 2016, affecting how we grant capacity and carry out our obligations under our Concession Agreement process.
- Clause 73 - This clause allows for regulations by the Secretary of State to be made which can amend the definition of GBR Infrastructure. Currently the Bill's definition for GBR Infrastructure does not include London St. Pancras Highspeed, which means that Railways Bill clauses drafted for GBR Infrastructure do not apply to our business. We are concerned that Clause 73 might allow for changes that would reclassify our network as GBR Infrastructure, which would mean that the entire Railways Bill 2026 would fully apply to us.
- Clause 71 – This clause allows the Secretary of State to make provisions affecting access agreements of domestic operators without consultation. We are concerned this could enable termination or amendment of such agreements for use by domestic operators of London St. Pancras Highspeed route and station assets, potentially impacting our business.

### **Proposed Amendments**

We would like to restate that the right to charge Investment Recovery Charge is essential to the London St. Pancras Highspeed Concession and financing structure. Any future regulatory changes which undermine key provisions on which the Secretary of State let the HS1 Concession in 2009 will have a number of impacts.

Firstly, they may trigger the 'Change in Circumstance' provisions under Schedule 2 of the HS1 Concession Agreement. These provisions require the Secretary of State to provide financial support so that our network is maintained in a position that is neither advantaged nor disadvantaged regarding the operating, repair, and maintenance costs of the HS1 Assets.

Secondly, such changes may reduce investor confidence in UK infrastructure, lessening appetite for future investment and/or increasing risk premia applied by investors to UK assets.

### **Recommendation**

We recognise that the Railways Bill 2026 aims to address GBR infrastructure. We understand the potential need for ongoing minor regulatory amendments to align with emerging access practices and processes on GBR infrastructure, as well as future development of European railways regulations. However, we maintain that the

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scope of the Bill's drafting extends well beyond its intended purpose and, as a result, unintentionally encompasses London St. Pancras Highspeed within its provisions. If the Railways Bill is approved as currently drafted, we will assess whether related regulatory changes trigger the 'Change in Circumstance' provisions in the HS1 Concession Agreement.

We recommend that London St. Pancras Highspeed is explicitly carved out from the Railways Bill 2026 to avoid any unintended consequences on our business and by extension on the duties of Secretary of State under the HS1 Concession Agreement. Otherwise, we recommend narrowing the scope of the Secretary of State's proposed powers in the clauses noted above to protect the London St. Pancras Highspeed regulatory framework and the long-term costs exception, which supports levying the IRC, for example by permitting the Secretary of State to only amend regulations with a purpose, namely for alignment. This is the stated policy aim of the clause, therefore its inclusion would not be obstructive to DfT's aims, whilst continuing to afford significant protection to LSPH and the Concession.