

European Scrutiny Committee - EU Entry/Exit and the UK border

HS1 Overview

HS1 Ltd has a 30-year concession from the Secretary of State for Transport 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 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.

Committee Questions

1. The EU first proposed an entry/exit system for the Schengen Area in February 2008. How have proposals for its introduction developed over the last 15 years?

There has and continues to be much uncertainty around the proposals for the implementation of EES which has not assisted with planning. The date for implementation has continually been pushed back and delayed and there has been a general lack of detail over the proposed process or how it will work. Even at this late stage we are unable to secure a programme of technical meetings with the French Ministry of the Interior (MOI) until a contract has been signed, yet in order to sign the contract we must identify and finalise kiosk locations, this is almost impossible without holding the aforementioned technical meetings.

2. Are there currently any other domestic or transnational systems either planned or in operation that are similar to EES?

The only system that would appear to be similar to the EES system is the USA ESTA process which is largely completed online before travel with fingerprint biometrics recorded at the border entry. Anecdotal evidence would suggest that the ESTA system often leads to large entry queues in USA arrival halls as passengers are processed and ESTA registration is validated.

3. The EU's Entry/Exit System was initially due to be introduced in 2022. What challenges do the EU and its Member States face in ensuring the full introduction and effective operation of EES?

This is probably more a question for EU Member States to answer. However, the need to register a non-EU passenger will take at least 2 minutes per passenger if carried out solely at the border (which is three times more than today) and therefore the process will add a massive burden on borders throughout EU Member states. The EU has implemented an "optional solution" whereby pre-border kiosks are installed, and certain information and biometrics can be collected from passengers before they approach the border.

Where there is space the kiosk solution will absorb some of this pressure, but we believe it will be almost impossible to roll out kiosks successfully in confined/historic spaces such as St Pancras International without impacting on passenger throughput and satisfaction. Achieving an acceptable level of service on day one in all EU Member states is likely to be impossible hence why we would request, at minimum a phased introduction and ideally dispensations for certain entry points where constraints (such as those at St Pancras International) are known to exist.

4. What challenges will 'third country' (non-EU Member State) ports and operators face servicing destinations in the Schengen Area when EES becomes fully operational?

Commenting on behalf of HS1, the main challenges we face are as follows;

Space – St Pancras International is a unique Grade 1 Listed building with severe space constraints and practical limitations. We cannot create new space within the confines of the building or extend externally, therefore several existing spaces are having to be repurposed to accommodate the kiosks. We are told that the proposed kiosks are “optional” as the process can be delivered at the border, but without around 49 additional kiosks located before the current international zone there would be unacceptable passenger delays of many hours and potential capping of services. It is worth noting that we have only been allocated 24 “free issue” kiosks by the French MOI, which would be severely inadequate to accommodate passenger numbers and we are therefore having to acquire additional kiosks to avoid passenger disruption.

Passenger Flow/Queues – St Pancras International is an extremely busy station/thoroughfare (around 47M passengers per annum) with international and domestic train/tube passengers (as well as non-travelling visitors) all intermingling on the station concourses. The EES kiosks will need to be positioned within the station building away from the international zone (due to lack of space and operational matters) and will therefore add in a new distant process for passengers (upon first entry and for subsequent travel) in addition to their current journey through the station. This and the additional passenger queues that will result from this new process will impact on the passenger flows within the station and is likely to impact both customer experience and satisfaction levels. Due to a bias of “third country” passengers in the am peak and a hard start time at 4.45am, areas of the station are likely to be exceptionally busy and potentially congested in this early morning period.

Cost – The capital cost of design and implementation at St Pancras International is currently estimated to be over £2 million, 24 EES kiosks have been allocated as “free issue” by the French, however this has been demonstrated to be insufficient, and any additional kiosks are charged at £25,000 each (we anticipate requiring around 25 additional kiosks). Ongoing operational and maintenance costs at around £2 million per annum are also expected to be funded by the operator of the kiosks (which at this stage will be Eurostar). HS1 will also suffer a loss in unregulated income from potentially having to relinquish existing retail leases to make way for EES kiosks.

Capped Services – Should the station only install the 24 free issue kiosks allocated by the EU, then analysis by Eurostar shows that they would be unable to process all their passengers, particularly during the morning peak where there is a bias of non-EU citizens. This would potentially lead to services having to be capped in terms of passenger numbers and would represent a large financial loss to Eurostar and HS1.

Customer Satisfaction/Reputation – Passengers will become frustrated at having to add in another process to their travelling experience, the benefits of High Speed rail are at risk of being undermined by the introduction of this additional process. There is the potential that customers will not see High Speed rail as such an attractive option and will seek alternative travel arrangements.

Sustainability - As mentioned above, anything that adds bureaucracy and time into the departure process risks deterring passengers from choosing rail over air, this could have a potential detrimental impact on sustainability targets and fail to help people make the greener choice. Capped services would also fail to maximise the opportunities of green travel afforded by HS1 and would force passengers to use alternative services for international travel.

Safety – Additional volumes of queuing passengers in stations, especially at St Pancras, would be likely to impact upon the station security inspection regimes whereby access to common areas for searches may be incumbered.

5. How will EES affect the travel experience of third country nationals?

The EES process is highly likely to add in additional delay and confusion to the third country national's experience of rail travel from St Pancras International. Passengers will need to arrive at St Pancras International earlier than at present and will need to queue for an additional process before they arrive at the current ticket check and international zone, due to a lack of space this queuing process is likely to be convoluted and staggered requiring passengers to use a holding queue before accessing the queue for the kiosks. We had understood that the EU were working on a mobile App that would be available to pre-register certain information, we now understand that this will be basic in function and have little impact on reducing the time taken at each kiosk, although there is still a lack of information or certainty. It is also understood that the French are not prioritising the roll out of the App for the EES start date, meaning that there will be much heavier reliance on the kiosk solution for both first time and subsequent travellers.

The scheme will cause confusion, as how a passenger transits the border will differ for different types of passengers (e.g first time registrations, subsequent travellers, under 12's, mixed families where one parent may be an EU citizen and the other a third country national) communication and messaging across such a broad range will therefore be difficult for Eurostar and HS1.

The EES process is also likely to have an impact on other domestic station users as areas of the station currently used for seating and crowd management may need to be occupied by EES kiosks and associated queues. At certain times the station concourse may become congested adding to the impact on domestic users.

6. The EU is not planning to allow registration for EES remotely—e.g. via a dedicated website or mobile phone application—or physically at a location away from London St Pancras, Dover or Folkestone (such as an EU or Member State facility in a major UK city).

a. Is this approach justified? – We do not believe so and would ask that the Government seek to negotiate a dispensation on behalf of UK citizens, the lack of ability to pre-register or register on-line will put enormous pressure and cost on the physical infrastructure and operations within St Pancras international. We would suggest that the EU should drop the requirement to record fingerprints as this is the only element that cannot be recorded on a smart phone or website, were it simply a photo that was required, then this could all be managed remotely away from the station thereby saving cost and installation of physical infrastructure.

i. Would remote registration be justifiable for nationals of countries with comparable immigration and security standards to the EU? - It is not for us to comment on this, but it does not feel unreasonable to accept such a position.

7. Juxtaposed UK/France (Schengen) border controls are in operation at London St Pancras International, Folkestone and Dover.

a. If introduced in its current form, what challenges will EES present UK sites facilitating juxtaposed border controls? As outlined above the EES process in its current form is incredibly reliant on physical infrastructure and space, which unfortunately we do not have at St Pancras International. It would seem a missed opportunity not to have embraced a digital solution that can be completed before the day of travel on remote devices and then verified at the border. With or without the kiosks juxtaposed border controls will be able to remain in place, however without kiosks or an alternative remote registration system the time taken at the EU border will be much longer per passenger and therefore will lead to extremely large queues, capped services, and a decline in passenger satisfaction. Ultimately this is likely to drive passengers away from the more sustainable rail travel onto planes.

b. Should special dispensation for remote registration or remote pre-registration for EES be provided for at these sites? We believe that remote registration is essential if severe disruption and a decline in the passenger experience at these sites is to be avoided.

8. In addition to EES, the EU plans to introduce a 'European Travel Information and Authorisation System' (ETIAS) in 2024. The UK's 'Electronic Travel Authorisation' scheme will go live in November 2023.

a. What challenges does the introduction of new EU and UK electronic travel systems present for operators and travellers? We understand that the ETIAS visa system will be managed remotely prior to travel and therefore should not cause too much difficulty at for us at St Pancras International. We are not currently planning for any additional infrastructure in relation to ETIAS. However, any process which has the potential to cause delay at the border crossing will be of concern to us.

b. Should the UK, EU and international partners prioritise interoperability between their respective systems? Anything that would remove friction at the border would be seen as a positive in terms of our operational constraints and challenges.

9. What steps should the UK Government be taking to mitigate potential disruption stemming from the introduction of EES for UK ports, operators, and passengers travelling to the Schengen Area?

HS1 would call on the UK Government to urgently engage with EU counterparts at a senior level to secure the following;

- Mobile App - The rapid development and deployment of a mobile App that avoids the need for physical infrastructure to be installed, this should also consider the relaxation of a requirement for fingerprint biometric information to be recorded. A mobile App would at minimum accelerate the process within the station and at best would do away completely with the need for physical infrastructure. The App needs to be available from day one otherwise abortive cost will have been put into installing infrastructure that may not be required once an App comes online. The UK Government needs to ensure that the French Government have the App ready from Day one of EES operation.
- Progressive Implementation – In the absence of a mobile App, a gradual and phased implementation of the new rules is essential if severe disruption at the EU border in St Pancras International is to be avoided. We understand that this is now being considered by the EU, but much more information is required to enable planning to take place.
- Stop Mechanism – The ability to review the process once operational and stop or pause the implementation of the process should severe disruption at the border come to pass. The UK Government need to assure themselves that they understand whether border systems are ready for this change and that sufficient fall back plans are in place with the EU should some of the concerns raised by HS1 and other consultees come to pass.
- System Led Approach – The UK Government needs to ensure that all UK Juxtaposed ports of entry/exit have the necessary support and resources to enable them to continue operating without detriment to each other. For example, traffic congestion in Kent resulting from one port could have detrimental impacts on other ports and stations. The new approach will also require the need for many more French border officials (PAF officers) and we are concerned that if this is not resourced correctly then resources could be relocated from different port locations to the detriment of others and also hamper the eventual return of International services to Ashford and Ebbsfleet International Stations.
- Assistance with costs – To date there has been no financial assistance from the UK Government in supporting the delivery of a key international border process. The rail system is already financially stretched and this additional burden on operators and passengers is unwelcome, we also believe that due to poor planning and preparation money is having to be spent on infrastructure that may not be required once technological solutions are further developed. we would urge the UK Government to step in and assist with the cost of delivering such an important step change in the border process.