

**BY EMAIL ONLY**

12 June 2025

Antonio Urda  
Project Director  
Evolyn  
Calle Serrano 112  
28006  
Madrid  
Spain

Dear Mr Urda,

**EVOLYN'S APPLICATION FOR DIRECTIONS UNDER SECTION 17 OF THE RAILWAYS ACT 1993 FOR ACCESS TO TEMPLE MILLS INTERNATIONAL DEPOT**

1. As set out in our letter of 5 June 2025 and in accordance with paragraph 3(3) of Schedule 4 to the Railways Act 1993 (the Act), we are now writing to invite further information, clarification and representations from Evolyn regarding its requirements for access to Temple Mills International depot (TMI).

*Application from Evolyn*

2. In your applications of 23 August 2024 and 24 October 2024 to the Office of Rail and Road (ORR) for a depot access contract under Section 17 of the Act, you stated Evolyn's access requirements for TMI as follows:
  - 1) Number of trains staying overnight in London: 8.
  - 2) Number of workshop tracks for daily maintenance: 2.
  - 3) Preventive maintenance hours required per day: 2 x 8 hour day slots.
  - 4) Corrective maintenance hours required per day: 2 x 8 hour night slots.
  - 5) Required overhaul hours per year: Corrective: 36 8h slots + OVH: 144 8h slots in overhaul years.
  - 6) Number of tracks for daily stabling/parking: 4 x 200m or 2 x 400m.
  - 7) Number of night slots for servicing tracks per day (\*Estimation: Slot of 1 hour, depending on installed machine productivity): 4 x 1 hour.
  - 8) Wheel reprofiling: Preventive: 1,104 wheelsets per year. Plus, rare corrective reprofiling.
  - 9) Washing tunnel: 4-6 slots per day.
  - 10) A 10-year contract duration is sought and the anticipated date for the commencement date is 1/04/2026 at the moment. We will of course be able to be more precise when we know what access will be

available and what physical amendments will need to be made inside the depot to accommodate our rolling stock.

3. Could you please confirm whether the requirements detailed above remain the same. If not, and if any or all of Evolyn's requirements have changed, please provide details of your updated requirements. Please also provide any additional information about Evolyn's requirements for access to TMI that would assist ORR in the assessment process provided in our letter of 5 June 2025 and attached at Appendix A for ease of reference.

4. In addition to the above and in order that we can assess the application from Evolyn could you please provide details on the following:

*Availability of capacity*

5. Please indicate how the available capacity identified at TMI is sufficient to support the delivery of Evolyn's service delivery plans.

*Performance*

6. What, if any, will be the impact on operational performance of Evolyn's proposed use of capacity at TMI?
7. How has Evolyn assessed the impact on operational performance?
8. Please provide any evidence to support Evolyn's assessment of impact on operational performance.

*Operational Readiness and Viability*

9. Please provide evidence of Evolyn's Delivery Plans, clearly detailing the timescales in which Evolyn will utilise the requested capacity at TMI and how that capacity will be used to deliver services.
10. Please provide an explanation of Evolyn's progress towards securing other necessary access agreements and regulatory approvals.
11. Please provide details of Evolyn's rolling stock plans, to include:
  - Rolling stock class
  - Rolling stock compatibility
  - Rolling stock delivery plan
  - Rolling stock depot strategy
  - Rolling stock maintenance plan

- Rolling stock stabling
- Rolling stock delivery timescales
- Modifications to TMI that Evolyn envisages are required to accommodate its rolling stock plans.

#### *Financial Viability*

12. Please provide a copy of Evolyn's Business Plan(s). Please include evidence of the finance secured to enable services to be run in the short, medium and long term. Details should also include rolling stock financing arrangements.

#### *Economic and societal benefits associated with the applications*

13. Please provide evidence of Evolyn's assessment of the benefits to passengers, or any wider benefits, of introducing new services.
14. Please provide evidence of how your proposed services will contribute to growth of the market for international rail services to/from the UK.
15. What, if any, assessment has Evolyn made of the financial impact on existing operators of introducing new services? If available, please provide evidence to support Evolyn's assessment.

#### *Views of Stakeholders*

16. Does Evolyn wish to make any representations on issues raised by other stakeholders that it has not had the opportunity to make to date?

#### *Memorandum of Understanding between FS Group and Evolyn*

17. In a press release dated 8 April 2025 it was reported that FS Group and Evolyn had signed a Memorandum of Understanding (MoU).
- Please provide details of any implications of the MoU on Evolyn's application for directions for access to TMI.
  - Does Evolyn's application, or the requirements for access to TMI contained within it, require any changes as a consequence of the MoU with Trenitalia?

*Any other information, clarification and/or representations*

18. Please take the opportunity to provide any additional information and evidence in support of your application that you wish ORR to take into account.

*Deadline for Evolyn's response*

19. In our letter of 5 June 2025, we indicated that the deadline for a response to this request for further information, clarifications and representations would be 3 July 2025. ORR has received a request for a short extension to this deadline of one week from one of the stakeholders. We have decided to adjust the deadline for all stakeholders to 10 July 2025. Therefore, please provide your response to this letter no later than 10 July 2025.

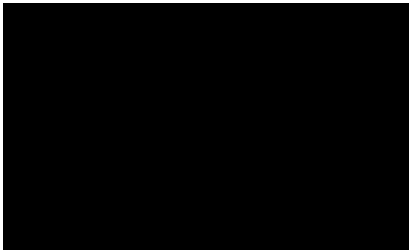
*Publication and disclosure*

20. We intend to publish your response on our website in line with our usual processes. To that end I should be grateful if you would indicate in your response whether there are any matters that Evolyn considers should not be published. The criteria for making exclusions are specified in section 71(2) of the Railways Act 1993 (the Act). They cover any matter which relates to the affairs of an individual or a particular body of persons, whether corporate or unincorporate, where publication of that matter would or might, in the opinion of ORR, seriously and prejudicially affect the interests of that person or body. You should therefore set out for each proposed exclusion your reasons, demonstrating why publication may seriously and prejudicially affect the interests of Evolyn (or any other body or person, if you think that is an issue).
21. ORR also proposes to share any further information, clarification and/or representations that Evolyn provides with Eurostar. We will, however, give consideration to requests for non-disclosure and in doing so we will generally apply the same test as set out in section 71(2) of the Act. Therefore, if there is any information contained within your response that you consider is commercially sensitive or confidential then you should make this clear in your response and we will consider whether it would be appropriate in the circumstances to exclude such information. Please note that we intend to take the same approach to information, clarification and/or representations received from all other applicants, from Eurostar and from interested persons/parties with a wider interest.

*Next steps*

22. We may be in touch to request further details as we review your application (and the information that you have provided so far). If you have any questions in the meantime, please do not hesitate to contact me.

Yours sincerely,



**Ian Biggar**

## *Annex A: Assessment criteria*

To inform our consideration of our section 4 duties, there are several key criteria we use to assess applications for access, including where there are competing applications and/or applications to use constrained capacity. We set out below the key criteria and evidence that ORR intends to use as part of our assessment of the section 17 applications. These are informed by the information currently available to us and are shown in no particular order, in the table below.

<b>Criteria</b>	<b>Relevant Duties</b>	<b>Evidence</b>
Availability of capacity	Promote the use and development of the network to the greatest extent economically practicable.	Evidence that use of the available capacity is justified by operators' service plans and is sufficient to support delivery of those plans.
Performance	Promote improvements in railway service performance.	Demonstration that operators' plans for more extensive use of TMI will not negatively impact operational performance.
Operational readiness and viability	Promote efficiency and economy on the part of persons providing railway services.	Delivery plans demonstrating clear intent and ability to use the capacity promptly.  Explanation of progress towards securing other necessary access agreements and regulatory approvals.
Financial viability	Promote efficiency and economy on the part of persons providing railway services.  Otherwise protect the interests of users of railway services.	Appropriate business plans, suitable expertise and a reasonable expectation of securing the required investment and rolling stock.
Economic and societal benefits associated with the applications	Promote competition in the provision of railway services for the benefit of rail users.  Otherwise protect the interests of users of rail services.	Evidence so that we can assess the benefits (e.g. to passengers) of introducing new services and the anticipated financial impact on existing operators.
Views of stakeholders	Enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.	Operators' responses to issues raised by other stakeholders during the process.