

**BY EMAIL ONLY**

12 June 2025

Mark Welch CTPP  
Principal Transport Planner  
Transport Strategy  
Highways & Transportation  
Kent County Council  
Invicta House,  
Maidstone, ME14 1XX

Dear Mr Welch,

**APPLICATIONS FOR DIRECTIONS UNDER SECTION 17 OF THE RAILWAYS ACT 1993 FOR ACCESS TO TEMPLE MILLS DEPOT– INTERESTED PERSONS AND PARTIES WITH A WIDER INTEREST**

1. I am writing to you as Kent County Council has asked to be recognised as an interested party in respect of the applications for access to Temple Mills International depot (TMI) made by Evolyn, VTE Holdings Limited (VTE), Gemini Trains (Gemini), and by Trenitalia France (Trenitalia) under section 17 of the Railways Act 1993 (the Act).

*Definition of interested person in the Act*

2. Schedule 4 to the Act defines an “interested person” as:

*“any person whose consent is required by the facility owner, as a result of an obligation or duty owed by the facility owner which arose after the coming into force of section 17 of the Act, **before the facility owner may enter into the required access contract**,” [emphasis added].*

3. ORR does not consider that Kent County Council satisfies the legal definition of interested person as set out in the Act. However, please see the following paragraphs regarding parties with a wider interest in the applications.

*Invitation to provide representations*

4. At its discretion, the Office of Rail and Road (ORR) may invite representations from any party that it considers has a wider interest in an application for directions to ensure they have an opportunity to provide any representations that they wish to make. In your email of 5 June 2025, you asked to register on behalf of Kent County Council, an interest given the importance of competition for the resumption of international rail services at Ebbsfleet International and / or Ashford International stations, especially given that some of the section 17 applications are by potential new operators who have set out that serving Kent is a part of their planned operations. Furthermore, you note that Eurostar has set out a range of alternative

sites in Kent and, whilst these are not the subject of ORR's planned determination concerning TMI, they are relevant potential outcomes that will be affected by ORR's determination. You also refer to your role as the local transport authority for Kent, which hosts international rail infrastructure.

5. ORR therefore wishes to invite Kent County Council to provide written representations on the applications for directions submitted by Evolyn, VTE, Gemini and Trenitalia.

We are providing the following for your consideration:

- A copy of Evolyn's application. Please note that this includes two application forms, the later of which is dated 24 October 2024 and contains additional information supplied by Evolyn in respect of its application  
[Evolyn application form \(redacted\)](#)  
  
[Evolyn updated application form \(redacted\)](#)
- A copy of VTE's application. Please note that this includes two application forms, the later of which is dated 7 November 2024 and contains additional information supplied by VTE in respect of its application  
[VTE Holdings Limited application form \(redacted\)](#)  
  
[VTE Holdings Limited updated application form \(redacted\)](#)
- A copy of Gemini's application.  
[Gemini Trains application form \(redacted\)](#); and
- A copy of Trenitalia's application. Please note that this was supplemented by a letter dated 11 April 2025 which contains additional information supplied by Trenitalia in respect of its application  
[Trenitalia France application form \(redacted\)](#)  
  
[Trenitalia France further information letter \(redacted\)](#)

#### *Disclosure and publication*

6. In accordance with paragraph 4(3) of Schedule 4 to the Act, ORR is required to send a copy of any representations received from an interested person to the facility owner and to the applicant. ORR proposes to adopt the same approach in respect of representations from a party with a wider interest. In this regard, please note that we will seek to provide a copy in full to Eurostar, to Evolyn, to VTE, to Gemini and to Trenitalia of any representations made by Kent County Council. 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 (see

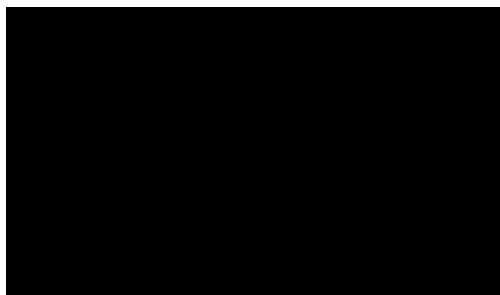
paragraph 7 below). Therefore, if there is any information contained within your response that you consider is commercially sensitive or confidential then please make this clear in your response and we will consider whether it would be appropriate in the circumstances to exclude such information.

7. We intend to publish your response on ORR's 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 you consider should not be published. The decision on publication rests with ORR and the criteria for making exclusions are specified in section 71(2) of 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 that person or body.

*Next steps*

8. I would be grateful if you would email your response to this letter to [StationsandDepots@orr.gov.uk](mailto:StationsandDepots@orr.gov.uk) no later than 10 July 2025.
9. If you have any questions in the meantime, please do not hesitate to contact me.

Yours sincerely,



**Ian Biggar**