



Planning Inspectorate

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The applicants
North West Leicestershire District
Council
Leicestershire County Council
National Highways
Natural England
Historic England
Environment Agency
East Midlands Airport (as statutory
undertaker)
Prologis UK Limited
Prologis UK 121 Limited (Prologis)
East Midlands Airport Limited
East Midlands Airport Property
Investments (Industrial) Limited

Your Ref:
Our Ref: DCO: BC0410001
MCO: TR0510002
Date: 19 May 2026

Dear Sir/ Madam

**The Infrastructure Planning (Examination Procedure) Rules 2010 – rule 17
Application by SEGRO Properties Limited, for an order granting development
consent for a scheme comprising the East Midlands Gateway Phase 2 (EMG2)**

**The Infrastructure Planning (Changes to, and Revocation of, Development Consent
Orders) Regulations 2011 – regulation 44
Application by SEGRO (EMG) Limited, for an order making material changes to the
previously approved East Midlands Gateway Rail Freight Interchange and Highway
Order 2016**

Request for further information

We are writing as the Examining Panel appointed under the Planning Act 2008 and the two above regulations to seek additional information to assist us in writing our report to the Secretary of State for Transport relating to the above two applications.

We are writing under rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 and regulation 44 of The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

Format of the statements of common ground

During Compulsory Acquisition Hearing 2 and Issue Specific Hearing 3 the Examining Panel explained to the applicants and interested parties present that it would likely be

issuing a rule 17 letter requesting further information regarding statements of common ground. In this regard, the Examining Panel attaches a Microsoft Word document illustrating an example format for statements of common ground.

This largely mirrors the format of the applicants' statement of common ground with National Highways [REP1-076] but with additional information to make the examination and reporting more efficient and effective. Explanatory footnotes have been provided to indicate the type and extent of information that the table should contain (the footnotes themselves do not need to be replicated in the final documents).

All statements of common ground submitted to date should be reformatted and resubmitted at **deadline 4 (16 June 2026)** and kept in this format thereafter.

Scope of the statements of common ground

It is not clear to the Examining Panel whether the scope of the statements of common ground is sufficient and includes all the matters that need to be agreed in each particular case. For example, in response to Q5.0.11 of ExQ1, North West Leicestershire District Council on behalf of Leicestershire County Council states [REP1-106] that ecology surveys were previously agreed but that updates and further ecological surveys would be required. However, it is not clear that this is reflected in the statement of common ground with Leicestershire County Council [REP1-072]. Please can the applicants and all interested parties review their submissions to date and ensure that their respective statements of common ground reflect all of the matters that need to be agreed.

This review should be undertaken and any updates to statements of common ground should be submitted at **deadline 4 (16 June 2026)**.

Tripartite statement of common ground

The Examining Panel requests that the applicants, Prologis UK Limited and Prologis UK 121 Limited (Prologis), East Midlands Airport Limited and East Midlands Airport Property Investments (Industrial) Limited (EMIA) all prepare a comprehensive tripartite statement of common ground. The extent of disagreement between the parties is significant and therefore the Examining Panel feels a tripartite statement of common ground in the updated format that we have requested above will aid the efficient and effective examination and reporting of the issues arising. Whilst the Examining Panel are keen for the tripartite statement of common ground to be comprehensive, we would ask the parties to act reasonably and with pragmatism in terms of narrowing down the matters to those which are important and relevant to the examination and ultimately to the Secretary of State's decision.

The tripartite statement of common ground should be submitted at **deadline 4 (16 June 2026)**.

Yours faithfully

Robert Jackson

Robert Jackson
Lead member of the panel of Examining Inspectors

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Example format for statements of common ground

Reference Number ¹	Matter ²	Application Document ³	Applicants' Position ⁴	Interested Party's Position ⁵	Status ⁶	Date ⁷
Topic Area ⁸						

¹ The unique reference number with which to identify the matter.

² The description of the matter that is under discussion.

³ The name and hyperlinked examination library reference number of the application document to which the matter under discussion principally relates, including specific paragraph reference number where relevant.

For example, if the matter under discussion principally relates to the methodological approach in a particular chapter of the Environmental Statement, the name and hyperlinked examination library reference number of that chapter should be provided in this column, alongside any relevant paragraph reference number.

⁴ A proportionate but sufficiently detailed and intelligible summary of the applicants' position on the matter that is under discussion.

Including the name of the document, hyperlinked examination library reference number and relevant paragraph reference number where the Examining Panel can read the applicants' detailed position in full.

For example, if the matter that is under discussion emerged within an interested party written representation submitted at deadline 1 and related to an objection about the methodological approach in a particular chapter of the Environmental Statement, and the applicants submitted a detailed response at deadline 2 rebutting the objection, these submissions made by the applicants at deadline 2 should be summarised and referenced in this column accordingly.

Where the matter that is under discussion subsequently becomes agreed, this column should include the actions that enabled this to happen.

For example, if the matter that is under discussion emerged within an interested party written representation submitted at deadline 1 and related to an objection about the methodological approach in a particular chapter of the Environmental Statement, and the applicants submitted an updated chapter at deadline 2 that addressed the interested party's objection, then these submissions made by the applicants at deadline 2 should be summarised and referenced in this column accordingly.

⁵ A proportionate but sufficiently detailed and intelligible summary of the interested party's position on the matter that is under discussion.

Including the name of the document, hyperlinked examination library reference number and relevant paragraph reference number where the Examining Panel can read the interested party's detailed position in full.

For example, if the matter that is under discussion emerged within an interested party written representation submitted at deadline 1 relating to the methodological approach in a particular chapter of the Environmental Statement, then the submissions made by the interested party at deadline 1 should be referenced in this column accordingly.

Any information relied upon to support a position should be submitted into the examination. For example, if there have been information exchanges outside the examination process as part of negotiations, the Examining Panel, and indeed other interested parties, would need to see this information in order to properly understand the matter that is under discussion.

Where positions change throughout the course of the examination, these should be set out in updated statements of common ground.

Where a matter is still under discussion, the interested party should be clear why the matter cannot yet be agreed. Furthermore, the interested party should detail any actions that they feel the applicants could take to secure agreement.

For example, if the matter still under discussion relates to securing additional surveys, and this could be resolved by an additional requirement in the dDCO, the interested party should make this clear and provide draft requirement wording accordingly.

- 6 The status of the matter that is under discussion, whether agreed, not agreed or still under discussion, with a Red/Amber/Green (RAG) status applied as follows: green – agreed, amber – under discussion and red – not agreed.
- 7 The date on which the matter that was under discussion was ultimately agreed. (in DD/MM/YY format)
- 8 The topic area within which each matter that is under discussion sits