

Document DCO 8.4D/MCO 8.4D

Statement of Common Ground between SEGRO and Leicestershire County Council (relating to Ecology and Biodiversity)

June 2026

The East Midlands Gateway Phase 2
and Highway Order 202X and The East Midlands Gateway
Rail Freight and Highway (Amendment) Order 202X

CONTENTS

Section	Page
1. Introduction	3
2. Parties to this SoCG	4
3. Structure of this SoCG	4
4. DCO	5
5. MCO	10
6. Conclusions	13
Signatures	14
Appendix – Record of Engagement	15

1 Introduction

1.1 This Statement of Common Ground ("SoCG") is a written statement produced during the application process for a Development Consent Order ("DCO") and a Material Change Order ("MCO") for the scheme known as East Midlands Gateway Phase 2 ("EMG2" or "the Scheme") described in clause 1.3 below. This SoCG is prepared jointly by (1) SEGRO who has submitted the DCO Application through SEGRO Properties Limited and has submitted the MCO application through SEGRO (EMG) Limited (referred to collectively as "the Applicant") and (2) Leicestershire County Council ("LCC").

1.2 The Guidance entitled 'Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects' (April 2024) ("the Guidance") describes a SoCG as follows:

"A Statement of Common Ground (SoCG) is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at the examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority" (paragraph 007)

1.3 This SoCG has been prepared as part of the information accompanying the DCO and MCO applications for EMG2 which comprises:

Main Component	Summary of Component	Works Nos.
DCO Application made by the DCO Applicant for the DCO Scheme		
EMG2 Works	Logistics and advanced manufacturing development located on the EMG2 Main Site south of East Midlands Airport and the A453, and west of the M1 motorway. The development includes HGV parking and a bus interchange. Together with an upgrade to the EMG1 substation and provision of a Community Park.	DCO Works Nos. 1 to 5 including Further Works as described in the draft DCO (Document DCO 3.1). DCO Works Nos. 20 and 21 including relevant Further Works as described in the draft DCO (Document DCO 3.1).
Highway Works	Works to the highway network: the A453 EMG2 access junction works (referred to as the EMG2 Access Works); significant improvements at Junction 24 of the M1 (referred to as the J24 Improvements), works to the wider highway network including the Active Travel Link, Hyam's Lane Works, L57 Footpath Upgrade, A6 Kegworth Bypass/A453 Junction Improvements and Finger Farm Roundabout Improvements.	DCO Works Nos. 6 to 19 including relevant Further Works as described in the draft DCO (Document DCO 3.1).
MCO Application made by the MCO Applicant for the MCO Scheme		
EMG1 Works	Additional warehousing development on Plot 16 together with works to increase the permitted height of the cranes at the EMG1 rail-freight terminal, improvements to the public transport interchange, site management building and the EMG1 Pedestrian Crossing.	MCO Works Nos. 3A, 3B, 5A, 5B, 5C, 6A and 8A in the draft MCO (Document MCO 3.1).

1.4 This SoCG has been prepared in accordance with the Guidance to assist the Examining Authority in examining the applications for the DCO and MCO by providing an understanding of the status of discussions or negotiations between the Applicant and LCC.

1.5 Capitalised terms refer to the Glossary at Appendix A to Chapter 1 of the Environmental Statement (Document 6.1A) unless otherwise stated.

2 Parties to this SoCG

2.1 This SoCG is entered into by (1) the Applicant and (2) LCC.

2.2 LCC enters into this SoCG in its capacity as statutory consultee.

2.3 A record of the engagement between the Applicant and LCC in relation to ecology and biodiversity is set out in the Appendix to this SoCG.

3 Structure of this SoCG

3.1 This SoCG has been structured with two clearly defined sections. The first section considers matters relevant to the DCO and the second section considers matters relevant to the MCO. Where a particular matter is common to both the DCO and the MCO this is clearly stated and recorded in both sections.

3.2 The areas covered by this SoCG are as follows:

3.2.1 The approach taken to the assessment of designated sites, including the River Mease SAC and relevant Sites of Special Scientific Interest (SSSIs).

3.2.2 The scope and sufficiency of baseline ecological surveys undertaken to inform the Environmental Statement ("ES") Chapter 9 (Document DCO/MCO 6.9).

3.2.3 The approach to assessing Biodiversity Net Gain (BNG), including use of the Statutory Biodiversity Metric.

3.2.4 The assessment and proposed mitigation for impacts on protected and notable species.

3.3 This SoCG records those matters which are agreed and, if appropriate, any matters that are not agreed and still under discussion between the Applicant and LCC in relation to ecology and biodiversity.

3.4 Where this SoCG is identified as a draft, some matters may still be under discussion. If appropriate, a final version that confirms the final positions of the parties on relevant matters will be submitted before the close of the Examination.

3.5 Within the following tables a Red Amber Green (RAG) status has been applied as follows: **green**: agreed, **amber** - a matter that is under discussion and/or further work is being completed and **red** - not agreed.

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
Ecology and Biodiversity						
4.1	Methodology of ecological surveys	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink]	The scope, timing and methods of ecological surveys undertaken to inform the Environmental Statement are appropriate and align with relevant guidance. This includes surveys for badger, bats, birds, invertebrates, water vole, otter, reptiles.	The scope, timing and methods of ecological surveys undertaken to inform the Environmental Statement are appropriate and align with relevant guidance. This includes surveys for badger, bats, birds, invertebrates, water vole, otter, reptiles. These were agreed by email on the 28.06.24 following an in-person meeting with Sarah Postlethwaite, Ecologist at LCC.	Agreed	07/04/26
4.2	River Mease SAC and Shadow HRA	ES Appendix 9H: Shadow Habitats Regulations Assessment (sHRA) (Reference APP-115) [Hyperlink]	The project does not lie within the River Mease SAC catchment. A Shadow Habitats Regulations Assessment (sHRA) has been undertaken and shows that there are no pathways for likely significant effects and that further Appropriate Assessment is not required.	The project does not lie within the River Mease SAC catchment. LCC agrees with the findings of the Shadow HRA (Document DCO/MCO 6.9H) that there are no pathways for likely significant effects and that further Appropriate Assessment is not required.	Agreed	07/04/26
4.3	Badger setts	ES Appendix 9B: Confidential Badger Report	The retention and buffering of main and outlier badger setts (S1–S4) and ecologist-supervised licensed closure of S5 and S6 is agreed as an acceptable approach. Provision for pre-closure walkover checks and post-closure monitoring is also agreed.	The retention and buffering of main and outlier badger setts (S1–S4) and ecologist-supervised licensed closure of S5 and S6 is agreed as an acceptable approach. Provision for pre-closure walkover checks and post-closure monitoring is also agreed.	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
4.4	Bat Surveys	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9C: Bat Report (Reference APP-110) [Hyperlink]	The survey rationale and methods for bat surveys are agreed, including the use of both 2022 (superseded guidance) and 2024 (updated BCT guidance) data. The approach to addressing access and weather constraints is accepted.	The survey rationale and methods for bat surveys are agreed, including the use of both 2022 (superseded guidance) and 2024 (updated BCT guidance) data. The approach to addressing access and weather constraints is accepted.	Agreed	07/04/26
4.5	Bird Surveys	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9D: Bird Report (Reference APP-111) [Hyperlink]	The baseline survey effort for breeding and wintering birds is agreed as appropriate, covering the DCO Scheme area.	The baseline survey effort for breeding and wintering birds is agreed as appropriate, covering the DCO Scheme area.	Agreed	07/04/26
4.6	Invertebrate Survey	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9E: Invertebrate Report (Reference APP-112) [Hyperlink]	The scope and conclusions of the invertebrate survey (2024) are agreed.	The scope and conclusions of the invertebrate survey (2024) are agreed.	Agreed	07/04/26
4.7	Otter mitigation	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink]	The proposed otter mitigation, including the provision of a log otter holt, is considered proportionate and appropriate to survey findings.	The proposed otter mitigation, including the provision of a log otter holt, is considered proportionate and appropriate to survey findings.	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
		and ES Appendix 9F: Otter and Water Vole Report (Reference APP-113) [Hyperlink]				
4.8	Reptile Survey	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9G: Reptile Report (Reference APP-114) [Hyperlink]	The reptile survey methodology and conclusions are agreed.	The reptile survey methodology and conclusions are agreed.	Agreed	07/04/26
4.9	Basis for Biodiversity Net Gain	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9I: Biodiversity Net Gain Report (Reference APP-116) [Hyperlink]	The use of the Statutory Biodiversity Metric is appropriate. While Biodiversity Net Gain is not mandatory for Nationally Significant Infrastructure Projects, the development seeks to deliver gains for habitat, hedgerow, and watercourse units.	The use of the Statutory Biodiversity Metric is appropriate. While Biodiversity Net Gain is not mandatory for Nationally Significant Infrastructure Projects, LCC welcomes the aspiration to deliver gains for habitat, hedgerow, and watercourse units.	Agreed	07/04/26
4.10	Biodiversity Net Gain Assessment	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9I: Biodiversity Net Gain Report	The Applicant has prepared a BNG report and metrics which provides the baseline against which the detailed proposals will be updated and submitted at the relevant stages post-consent.	LCC has reviewed the BNG assessment for the project and agrees that the provided BNG report and metrics are acceptable. Specifically, LCC confirms that the baseline is accepted and that the detailed proposals will be updated and	Agreed	16/06/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
		(Reference APP-116) [Hyperlink]		submitted at the relevant stages post-consent.		
4.11	Skylark	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9D: Bird Report (Reference APP-111) [Hyperlink]	An assessment of the impacts of the DCO Scheme on skylark has been undertaken and the assessment shows that the level of impact will not be significant and no further off-site mitigation is required.	LCC has reviewed the various submissions made by FPCR related to Skylark and, following a meeting on 11/05/26, agrees with the level of impact identified by FPCR and that no further off-site mitigation is required.	Agreed	16/06/26
4.12	Lighting Scheme	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and draft DCO (Reference REP2-0008D) [Hyperlink]	The detailed design of the sensitive lighting scheme and locations of the bat boxes will be provided at the detailed design stage pursuant to Requirements R10 and R14 of the draft DCO.	The need for a sensitive lighting scheme and provision of bat boxes had been agreed in principle. LCC is satisfied that the detailed design of the sensitive lighting scheme and locations of the bat boxes will be provided at the detailed design stage pursuant to Requirements R10 and R14 of the draft DCO.	Agreed	16/06/26
4.13	Veteran Tree Mitigation Strategy	ES Appendix 9J: LEMP (Reference REP3-043) [Hyperlink]	The veteran tree mitigation strategy is set out in Appendix 9J: LEMP including best practices for tree protection, retention of associated deadwood habitats, and long-term management commitments.	LCC has reviewed and is in agreement with the veteran tree mitigation strategy set out in the updated Appendix 9J: LEMP including best practices for tree protection, retention of associated deadwood habitats, and long-term management commitments.	Agreed	16/06/26
4.14	Air quality impacts	ES Chapter 9: Ecology and Biodiversity	Air quality data has been reviewed and an assessment of impacts has been included in	LCC are in agreement with the air quality assessment as carried	Agreed	16/06/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
		(Reference REP3-014) [Hyperlink]	Chapter 9: Ecology and Biodiversity. No significant adverse residual effects (in EIA terms) have been identified.	out and has nothing further to add on this point.		
4.15	Outstanding matters	n/a	There are currently no matters of disagreement between the Applicant and LCC.	There are currently no matters of disagreement between the Applicant and LCC	Agreed	16/06/26

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Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
Topic Area						
5.1	Methodology of ecological surveys	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink]	The scope, timing and methods of ecological surveys undertaken to inform the Environmental Statement are appropriate and align with relevant guidance. This includes surveys for badger, bats, birds, invertebrates, water vole, otter, and reptiles.	The scope, timing and methods of ecological surveys undertaken to inform the Environmental Statement are appropriate and align with relevant guidance. This includes surveys for badger, bats, birds, invertebrates, water vole, otter, and reptiles. These were agreed by email on June 28.06.24, following an in-person meeting with Sarah Postlethwaite, Ecologist at LCC.	Agreed	07/04/26
5.2	River Mease SAC and Shadow HRA	ES Appendix 9H: Shadow Habitats Regulations Assessment (sHRA) (Reference APP-115) [Hyperlink]	The project does not lie within the River Mease SAC catchment. A Shadow Habitats Regulations Assessment (sHRA) has been undertaken and shows that there are no pathways for likely significant effects and that further Appropriate Assessment is not required.	The project does not lie within the River Mease SAC catchment. LCC agrees with the findings of the Shadow HRA that there are no pathways for likely significant effects and that further Appropriate Assessment is not required.	Agreed	07/04/26
5.3	Bat Surveys	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9C: Bat Report	The survey rationale and methods for bat surveys are agreed, including the use of both 2022 (superseded guidance) and 2024 (updated BCT guidance) data. The approach to addressing access and weather constraints is accepted.	The survey rationale and methods for bat surveys are agreed, including the use of both 2022 (superseded guidance) and 2024 (updated BCT guidance) data. The approach to addressing access and weather constraints is accepted.	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
		(Reference APP-110) [Hyperlink]				
5.4	Bird Surveys	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9D: Bird Report (Reference APP-111) [Hyperlink]	The baseline survey effort for breeding and wintering birds is agreed as appropriate, covering the MCO Scheme area.	The baseline survey effort for breeding and wintering birds is agreed as appropriate, covering the MCO Scheme area.	Agreed	07/04/26
5.5	Invertebrate Survey	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9E: Invertebrate Report (Reference APP-112) [Hyperlink]	The scope and conclusions of the invertebrate survey (2024) are agreed; no further comments raised.	The scope and conclusions of the invertebrate survey (2024) are agreed; no further comments raised.	Agreed	07/04/26
5.6	Reptile Survey	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9G: Reptile Report (Reference APP-114) [Hyperlink]	The reptile survey methodology and conclusions are agreed; no further comments raised.	The reptile survey methodology and conclusions are agreed; no further comments raised.	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
5.7	Basis for Biodiversity Net Gain	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9I: Biodiversity Net Gain Report (Reference APP-116) [Hyperlink]	The use of the Statutory Biodiversity Metric is appropriate. While Biodiversity Net Gain is not mandatory for Nationally Significant Infrastructure Projects, the development seeks to deliver gains for habitat, hedgerow, and watercourse units.	The use of the Statutory Biodiversity Metric is appropriate. While Biodiversity Net Gain is not mandatory for Nationally Significant Infrastructure Projects, LCC welcomes the aspiration to deliver gains for habitat, hedgerow, and watercourse units.	Agreed	07/04/26
5.8	Biodiversity Net Gain Assessment	ES Chapter 9: Ecology and Biodiversity (Reference REP3-014) [Hyperlink] and ES Appendix 9I: Biodiversity Net Gain Report (Reference APP-116) [Hyperlink]	The Applicant has prepared a BNG report and metrics which provides the baseline against which the detailed proposals will be updated and submitted at the relevant stages post-consent.	LCC has reviewed the BNG assessment for the project and agrees that the provided BNG report and metrics are acceptable. Specifically, LCC confirms that the baseline is accepted and that the detailed proposals will be updated and submitted at the relevant stages post-consent.	Agreed	16/06/26
5.9	Outstanding matters	n/a	There are no matters of disagreement between the Applicant and LCC	There are no matters of disagreement between the Applicant and LCC	Agreed	16/06/26

6 Conclusions

- 6.1 The Applicant and LCC confirm that all ecology and biodiversity matters under discussion in relation to the Scheme have been agreed as recorded in the tables in sections 4 and 5 above.

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SIGNATURES:

On behalf of the Applicant:

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Signature

.....
Name

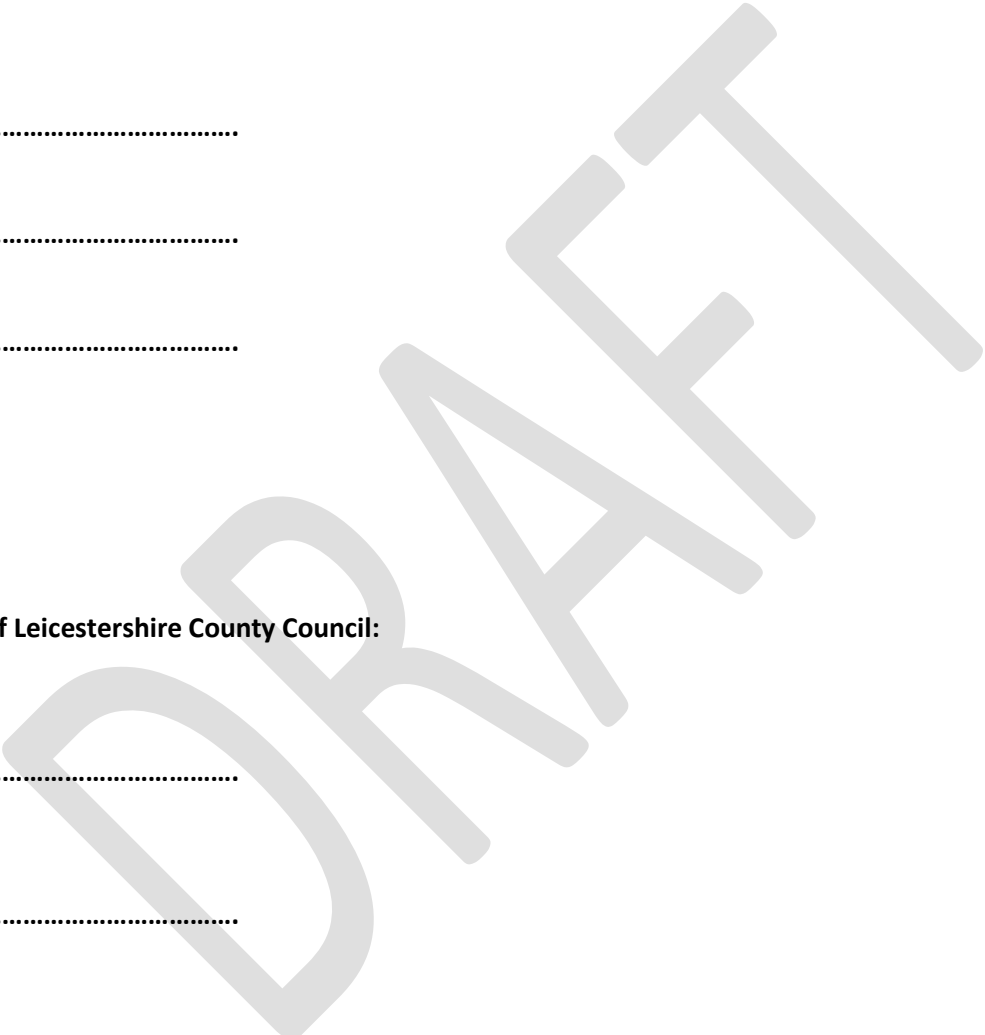
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Position

On behalf of Leicestershire County Council:

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Signature

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Name

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Position



APPENDIX
RECORD OF ENGAGEMENT

Date	Form of engagement	Summary of matters dealt with
09-Feb-23	Email	FPCR shared the first draft of the BNG assessment for early review.
09-Feb-23	Email Response	LCC's Ecologist, Sarah Postlethwaite, confirmed general agreement with the approach to the BNG assessment. A query was raised regarding the partial loss of 0.03ha of a retained pond and a request was made for clarification on enhancement opportunities. The response also asked if outputs would be compiled in a feasibility report. These comments were addressed in the submitted BNG work.
24-May-24	Email	FPCR requested a meeting to discuss the updated scheme (now progressing as a DCO). Key topics proposed: site extent, survey types, survey effort, results, and broad mitigation principles.
26- Jun 2024	Meeting (In-person, Lockington)	FPCR met with LCC's Ecologist to review survey methodologies, survey effort, and broad mitigation principles. The discussion covered baseline ecology, habitat assessments, and early BNG scoping.
27-Jun-24	Follow-up Email	FPCR issued an updated summary table reflecting meeting discussions. LCC's Ecologist confirmed the summary accurately reflected their comments and made no further additions.
21-Nov-24	Email	FPCR (Sam Arthur) requested an introductory call with Vanessa Evans (who replaced Sarah Postlethwaite as LCC's Ecologist) to continue LCC Ecology engagement on EMG2.

11-Dec-24	Email Exchange	Vanessa Evans confirmed availability for meetings w/c 13 Jan 2025. FPCR issued an agenda covering baseline ecology, survey methods, mitigation (including BNG and veteran trees), and SoCG preparation.
07-Mar-25	Email	FPCR issued draft ES Appendices 9.2–9.8 to LCC Ecology for review, noting forthcoming PEA and BNG reports. Requested a Teams call to discuss comments.
02-Jun-25	Email	FPCR sought input on near-final ES appendices; requested confirmation of any further requirements.
15-Jul-25	Email	FPCR highlighted the second round of public consultation, requested LCC input within two weeks, and offered a Teams call.
24-Jul-25	Email	FPCR followed up with LCC and noted that ~10 days remained to address any comments raised by LCC.
Late Jul 2025	Email Response	Vanessa Evans apologised for the delay due to staffing pressures; she confirmed comments would be provided by the end of the week.
25-Jul-25	Formal Comments	LCC Ecology issued a detailed consultation response on ES Appendices 9.2–9.8. Confirmed agreement with survey scope, badger and bat mitigation, and other species reports. Requested further information on BNG assessment, skylark breeding mitigation, sensitive bat lighting strategy, bat box locations, and detailed veteran tree mitigation.
31-Jul-25	Email	FPCR issued a first draft of an SoCG to LCC.
04-Aug-25	Email	FPCR issued an updated draft of SoCG following input from the planning team.

08-Aug-25	Email	FPCR issued the final draft of the site wide BNG assessments, including all metrics and figures, plus the BNG report appendix 9i.
14-Aug-25	Email	FPCR issued the updated ES chapter and Bird Report, which contains further details on the breeding bird assessment, as requested in the LCC formal comments. An offer was made for a Teams call to discuss and further comments.
15-Aug-25	Email	Vanessa Evans from LCC acknowledged receipt of the BNG metric and informed FPCR that she will be on leave until the 1 st of September, subsequent to which a review will be completed.
26-Aug-25	Email	FPCR highlighted to LCC that updated final reports would be available soon and that, if LCC informs us when they will be reviewing the documents, we will ensure the final versions are provided.
03-March-26	Teams meeting	Teams meeting between LCC and FPCR.
10-March-26	Email	LCC emailed FPCR to request an unredacted copy of the Preliminary Ecological Appraisal and detailed BNG plans of the EMG2 area.
12-March-26	Teams meeting	Teams meeting between LCC and FPCR to discuss outstanding matters in relation to the SoCG.
16-March-26	Email	LCC emailed FPCR to request clarification on the approach for condition assessment associated with the BNG.

April-26	Emails	LCC and FPCR exchanged various emails corresponding to the matters still to be agreed. These focused on BNG, Skylark and veteran trees.
11-May-26	Teams Meeting	Teams meeting between LCC and FPCR to discuss outstanding matters in relation to the SoCG. LCC confirmed that, subject to a final review of the BNG metric, all outstanding matters are now agreed.
February to June 2026	Examination	Discussion has also continued during the examination by way of the ExP Questions, hearing sessions and responses to reach an agreement on all technical aspects.

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