

Document DCO 8.4G/MCO8.4G

# Statement of Common Ground between SEGRO and Leicestershire County Council (relating to Flood Risk and Drainage)

June 2026

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

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## 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.
<b>DCO Application made by the DCO Applicant for the DCO Scheme</b>		
<b>EMG2 Works</b>	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 ( <b>Document DCO 3.1</b> ).  DCO Works Nos. 20 and 21 including relevant Further Works as described in the draft DCO ( <b>Document DCO 3.1</b> ).
<b>Highway Works</b>	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 ( <b>Document DCO 3.1</b> ).
<b>MCO Application made by the MCO Applicant for the MCO Scheme</b>		
<b>EMG1 Works</b>	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 ( <b>Document MCO 3.1</b> ).

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 flood risk and drainage 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 methodology and approach taken to the assessment of flood risk and water quality undertaken to inform the Environmental Statement (“ES”).

3.2.2 Whether flood risk and drainage impacts have been appropriately assessed and identified.

3.2.3 The scope of the assessment and mitigation measures required.

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 flood risk and drainage.

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
<b>Flood Risk and Drainage</b>						
4.1	NPSNN	ES Chapter 13: Flood Risk and Drainage (Reference REP3-020) <a href="#">[Hyperlink]</a>	The Flood Risk Assessment and ES Chapter 13 (DCO/MCO 6.13) have been prepared in accordance with the National Policy Statement for National Networks (NPSNN).	The Flood Risk Assessment and ES Chapter 13 (DCO/MCO 6.13) have been prepared in accordance with the National Policy Statement for National Networks (NPSNN).	Agreed	07/04/26
4.2	Methodology for assessment of flood risk, drainage and water quality	ES Chapter 13: Flood Risk and Drainage (Reference REP3-020) <a href="#">[Hyperlink]</a> ,  ES Appendix 13G: Flood Risk Assessment (Reference AS-058) and ES Appendices 13H and 13I (Reference APP-149 and APP-150) <a href="#">[Hyperlinks]</a>	The methodology and approach taken for the assessment of flood risk, drainage and water quality is appropriate and acceptable, including consideration of the effects of climate change. The information detailed within the Chapter 13 and within the supporting appendices (Flood Risk Assessments and Sustainable Drainage Statements) is appropriate and acceptable.	The methodology and approach taken for the assessment of flood risk, drainage and water quality is appropriate and acceptable, including consideration of the effects of climate change. The information detailed within the Chapter 13 and within the supporting appendices (Flood Risk Assessments and Sustainable Drainage Statements) is appropriate and acceptable.	Agreed	07/04/26
4.3	Flood Risk	ES Chapter 13: Flood Risk and Drainage (Reference REP3-020) <a href="#">[Hyperlink]</a> ,	The Scheme is at an acceptable level of flood risk and, subject to the implementation of the flood risk management principles outlined in the Flood Risk Assessments, and the surface water drainage principles	The Scheme is at an acceptable level of flood risk and, subject to the implementation of the flood risk management principles outlined in the Flood Risk Assessments, and the surface water drainage principles	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
		ES Appendix 13G: Flood Risk Assessment (Reference AS-058) and ES Appendices 13H and 13I (Reference APP-149 and APP-150) <a href="#">[Hyperlinks]</a>	outlined in the Sustainable Drainage Statements, the proposed scheme will seek to appropriately mitigate flood risk in line with best practice guidance.	outlined in the Sustainable Drainage Statements, the proposed scheme will seek to appropriately mitigate flood risk in line with best practice guidance.		
4.4	Implementation of Surface Water Drainage Strategy	ES Appendices 13H and 13I (Reference APP-149 and APP-150) <a href="#">[Hyperlinks]</a>  draft DCO (Reference REP2-0008D) <a href="#">[Hyperlink]</a>	The surface water drainage strategy shall be implemented in accordance with the principles outlined in the Sustainable Drainage Statements and in accordance with Requirement 16 and 17 of the Draft DCO.	LCC continues to raise concerns with the wording of Requirement 17 of the dDCO. This matter was first raised in September 2025.	Under discussion	
4.5	Construction Environmental Management Plan (CEMP)	Construction Environmental Management Plan (CEMP) (Reference REP2-026D) <a href="#">[Hyperlink]</a>	Matters contained in the Construction Environmental Management Plan (CEMP) in relation to flood risk and water quality are considered appropriate to address the construction phase of the Scheme.	Matters contained in the Construction Environmental Management Plan (CEMP) in relation to flood risk and water quality are considered appropriate to address the construction phase of the Scheme.	Agreed	07/04/26
4.6	P-CEMP	Draft DCO (Reference REP2-0008D) <a href="#">[Hyperlink]</a>	Phase specific CEMPs are to be prepared prior to the construction of each development phase. This will	Phase specific CEMPs are to be prepared prior to the construction of each development phase. This will	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
			include details of any necessary temporary (or otherwise) flood risk and surface water quantity and quality management measures. The performance of implemented measures will be monitored and changes made where appropriate in order to maintain water quality and adequately mitigate flood risk during the construction period.	include details of any necessary temporary (or otherwise) flood risk and surface water quantity and quality management measures. The performance of implemented measures will be monitored and changes made where appropriate in order to maintain water quality and adequately mitigate flood risk during the construction period.		
4.7	Residual impacts	ES Chapter 13: Flood Risk and Drainage, Sections 13.5-13.9 (Reference REP3-020) <a href="#">[Hyperlink]</a>	The outcomes of ES Chapter 13 are appropriate and acceptable. Specifically, there are no likely significant effects on flood risk or water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	The outcomes of ES Chapter 13 are appropriate and acceptable. Specifically, there are no likely significant effects on flood risk or water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed	07/04/26
4.8	Disapplication, application and modification of legislative provisions in relation to Ordinary Watercourses	Draft DCO (Reference REP2-0008D) <a href="#">[Hyperlink]</a>	Part 6 (Article 41) of the draft DCO sets out disapplication, application and modification of legislative provisions in relation to Ordinary Watercourses.	The Lead Local Flood Authority are comfortable with the content of the draft DCO relating to flood risk and water environment. This includes approval of Part 6 (Article 41) of the draft DCO which sets out disapplication, application and modification of legislative provisions in relation to Ordinary Watercourses.	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
<b>Topic Area</b>						
5.1	NPSNN	ES Chapter 13: Flood Risk and Drainage (Reference REP3-020) <a href="#">[Hyperlink]</a>	The Flood Risk Assessment and ES Chapter 13 have been prepared in accordance with the National Policy Statement for National Networks (NPSNN).	The Flood Risk Assessment and ES Chapter 13 have been prepared in accordance with the National Policy Statement for National Networks (NPSNN).	Agreed	07/04/26
5.2	Methodology for assessment of flood risk, drainage and water quality	ES Chapter 13: Flood Risk and Drainage (Reference REP3-020) <a href="#">[Hyperlink]</a> ,  ES Appendix 13G: Flood Risk Assessment (Reference AS-058) and ES Appendix 13J: Sustainable Drainage Statement (Reference APP-151) <a href="#">[Hyperlinks]</a>	The methodology and approach taken for the assessment of flood risk, drainage and water quality is appropriate and acceptable, including consideration of the effects of climate change. The information detailed within the Chapter 13 and within the supporting appendices (Flood Risk Assessments and Sustainable Drainage Statements) is appropriate and acceptable.	The methodology and approach taken for the assessment of flood risk, drainage and water quality is appropriate and acceptable, including consideration of the effects of climate change. The information detailed within the Chapter 13 and within the supporting appendices (Flood Risk Assessments and Sustainable Drainage Statements) is appropriate and acceptable.	Agreed	07/04/26
5.3	Flood risk	ES Chapter 13: Flood Risk and Drainage (Reference	The Scheme is at an acceptable level of flood risk and, subject to the implementation of the flood risk management principles	The Scheme is at an acceptable level of flood risk and, subject to the implementation of the flood risk management principles	Agreed	07/04/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
		<p>REP3-020) <a href="#">[Hyperlink]</a>,</p> <p>ES Appendix 13G: Flood Risk Assessment (Reference AS-058) <a href="#">[Hyperlink]</a></p> <p>ES Appendix 13J: Sustainable Drainage Statement (Reference APP-151) <a href="#">[Hyperlink]</a></p>	<p>outlined in the Flood Risk Assessments, and the surface water drainage principles outlined in the Sustainable Drainage Statements, the proposed scheme will seek to appropriately mitigate flood risk in line with best practice guidance.</p>	<p>outlined in the Flood Risk Assessments, and the surface water drainage principles outlined in the Sustainable Drainage Statements, the proposed scheme will seek to appropriately mitigate flood risk in line with best practice guidance.</p>		
5.4	Implementation of Surface Water Drainage Strategy	<p>ES Appendix 13J: Sustainable Drainage Statement (Reference APP-151) <a href="#">[Hyperlink]</a></p> <p>draft MCO (Reference REP2-018M) <a href="#">[Hyperlink]</a></p>	<p>The surface water drainage strategy shall be implemented in accordance with the principles outlined in the Sustainable Drainage Statements and in accordance with Requirement 16 and 17 of the Draft MCO.</p>	<p>The surface water drainage strategy shall be implemented in accordance with the principles outlined in the Sustainable Drainage Statements and in accordance with Requirement 16 and 17 of the Draft MCO.</p>	Agreed	07/04/26
5.5	Construction Management	<p>ES Chapter 13: Flood Risk and</p>	<p>All construction activities will be undertaken in accordance with the Construction Management</p>		<u>Agreed</u>	

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
	Framework Plan	Drainage, Section 13.6. (Reference REP3-020) <a href="#">[Hyperlink]</a>	Framework Plan approved pursuant to the EMG1 DCO.			
5.6	Phase-specific CEMP	ES Chapter 13: Flood Risk and Drainage, Section 13.6 (Reference REP3-020) <a href="#">[Hyperlink]</a>	Under the EMG1 DCO, Phase specific CEMPs are to be prepared prior to the construction of each development phase. This will include details of any necessary temporary (or otherwise) flood risk and surface water quantity and quality management measures. The performance of implemented measures will be monitored and changes made where appropriate in order to maintain water quality and adequately mitigate flood risk during the construction period.	Under the EMG1 DCO Phase specific CEMPs are to be prepared prior to the construction of each development phase. This will include details of any necessary temporary (or otherwise) flood risk and surface water quantity and quality management measures. The performance of implemented measures will be monitored and changes made where appropriate in order to maintain water quality and adequately mitigate flood risk during the construction period.	Agreed	07/04/26
5.7	Residual impacts	ES Chapter 13: Flood Risk and Drainage, Sections 13.6 – 13.9 (Reference REP3-020) <a href="#">[Hyperlink]</a>	The outcomes of ES Chapter 13 are appropriate and acceptable. Specifically, there are no likely significant effects on flood risk or water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	The outcomes of ES Chapter 13 are appropriate and acceptable. Specifically, there are no likely significant effects on flood risk or water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed	07/04/26

**6 Conclusions**

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

6.2 The Applicant and LCC will continue to engage with each other as necessary during the Examination processes with a view to narrowing and resolving any issues that may subsequently be raised.

**SIGNATURES:**

**On behalf of the Applicant:**

.....  
**Signature**

.....  
**Name**

.....  
**Position**

**On behalf of Leicestershire County Council:**

.....  
**Signature**

.....  
**Name**

.....  
**Position**

**APPENDIX**  
**RECORD OF ENGAGEMENT**

<b>Date</b>	<b>Form of engagement</b>	<b>Summary of matters dealt with</b>
25/07/2024	Meeting	An initial introductory meeting was held with the LLFA to discuss the project and the best communication routes for engagement.
03/09/2024	Email	Email to the LLFA making them aware that a scoping request had been submitted, and offering another meeting to discuss the scheme should they have any questions.
24/09/2024	Scoping Opinion	The LLFA identified that they were supportive of the proposed approach to draining surface water from the scheme. They raised a number of items relating to flood risk and water quality that the development should consider including: the need for robust surface water management measures at the construction phase, that the extent of watercourse disruption should be kept to a minimum, and that any hydraulic modelling should be independently reviewed by a third party.
21/11/2024	Email	A summary note was returned to the LLFA providing additional information related to matters raised by them and the EA in the scoping opinion.
13/02/25	Email	Two preliminary culvert capacity assessments were shared with the LLFA. One associated with the footpath crossing of the Hemington Brook (the L57 footpath), and the other associated with the Active Travel Route's proximity to a minor tributary of the River Soar outfalling from the East Midlands Airport. While these were to address comments raised by the EA, the LLFA were included to keep them informed.

03/03/25	Email	At the request of the LLFA, the summary note previously shared on the 13.02.25 was reissued.
17/03/25	Statutory Consultation	The LLFA raised no issues, but requested that agreement of the following are secured as a requirement in the DCO: the construction phase drainage strategy; the operational phase drainage strategy; the long-term maintenance strategy for the drainage.
30/04/25	Email	At the request of the EA, the LLFA were approached in relation to the footpath improvements (L57) and the increased length of culvert that would be required.
08/05/25	Email	The LLFA replied to confirm that they did not foresee any issues with the footpath improvements (L57) and the increased length of culvert.
21/05/25	Email	The LLFA were made aware of the change in programme and the intention to undertake a second round of consultations.
02/07/25	Email	The LLFA were made aware that the second consultation had begun, and also that the hydraulic modelling had been independently reviewed. The model review proforma was shared.
11/08/25	Email	The LLFA were asked if they had any outstanding concerns on the EMG2 or EMG1 schemes.
28/07/25	Statutory Consultation	The LLFA comments remained unchanged from those submitted in response to first statutory consultation, but it was stated that the associated EMG1 and off-site highways works raise a cause for concern and that details are required to demonstrate that the suggested surface water requirement(s) have been met

15/08/25	Email	The LLFA were approached with suggested amendments to the wording of the draft DCO Requirements.
28/08/25	Email	The LLFA were asked what their outstanding concerns were on the EMG2 or EMG1 schemes, and if they had chance to consider the suggested rewording of the DCO requirements.
08/09/25	Email	The LLFA were asked what their outstanding concerns were on the EMG2 or EMG1 schemes, and if they had chance to consider the suggested rewording of the DCO requirements.
12/09/25	Email	The LLFA requested rewording of draft Requirement 17 to include wording which enables enforceability.
15/09/25	Email	The LLFA were approached in relation to comments attributed to the LLFA in the second consultation, which stated that the drainage works in EMG1 and on the highways are “of concern”. It was asked what the concerns were, and what information were could be provided to them to address them
17/09/25	Email	The LLFA confirmed that they did not raise any comments in relation to the drainage in the second consultation, and that they have no outstanding concerns in relation to EMG2 and the associated Highway Works, or the proposed works to EMG1 proposed as part of the MCO.
17/09/25	Email	The LLFA clarified their request for rewording of Requirement 17 in reference to email dated 12/09/25.
February to June 2026	Examination	Discussion has continued during the examination by way of the ExP Questions, hearing sessions and responses to reach an agreement on all technical aspects.