

Document DCO 8.2 / MCO 8.2

Statement of Commonality

June 2026 (2)

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

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

**DRAFT STATEMENT OF COMMONALITY
(DOCUMENT DCO 8.2 / MCO 8.2)**

Version	Date	Status of Version
0	April 2026	Deadline 1 Submission
1	April 2026	Deadline 2 Submission
2	June 2026	Deadline 4 Submission
<u>3</u>	<u>June 2026 (2)</u>	<u>Deadline 5 Submission</u>

CONTENTS

Section	Page
1. Introduction	4
2. Structure and List of Statements of Common Ground	4
3. Commonality	7

1 Introduction

- 1.1 This document has been prepared to provide the Examining Panel (ExP) with the position on Statements of Common Ground (SoCG) between the Applicant and various other parties.
- 1.2 The Statements of Common Ground have been re-formatted and submitted to accord with the Exp's request contained in their Rule 17 letter ([PD-019](#)).
- 1.3 This document is being submitted at Deadline ~~54~~ and ~~will be updated at Deadline 5 with a final version is~~ expected to be submitted at Deadline 6. This document is up to date as at **10.00 a.m. on ~~30~~46 June 2026 (Deadline 15)**.
- 1.4 The remainder of this report is structured as follows:
 - (a) Section 2 addresses the general structure of the contents of the SoCG and provides an up to date list of the SoCG and their status.
 - (b) Section 3 sets out the commonality between SoCG.

2 Structure and List of SoCG

- 2.1 The contents of the SoCG mostly follow the same structure. This involves an introduction to the SoCG outlining the development to which it relates, and statement of the role of the relevant parties.
- 2.2 The SoCG then set out matters agreed, matters under discussion and matters not agreed in tabular form. The table indicates the status of the discussions between the parties using a RAG code.
- 2.3 Each SoCG firstly deals with the DCO and then the MCO.
- 2.4 Some differences between the structure of the individual SoCG arise from the consideration of specific topics and the extent to which the structure is acceptable to other parties with whom the Applicant is seeking to reach agreement on the substantive issues. Notwithstanding minor differences in structure all SoCG include a RAG table.
- 2.5 SoCG have been prepared with all the parties referred to in the Rule 8 letter. In addition, a SoCG has been prepared with the Forestry Commission.
- 2.6 A list of the draft SoCG is set out in Table 1 below along with the stage reached. ~~The SoCG were last submitted at Deadline 4 which was only two weeks prior to Deadline 5. Accordingly, some of the SoCG have not moved on. Those SoCG remain in the form submitted at Deadline 4 and are not therefore being submitted again at Deadline 5. Table 1 identifies those SoCG which are not being submitted at Deadline 5 with an asterix. LCC require the SoCG to be submitted to them as a set and do not deal with them individually. A re-formatted set of SoCG were sent to LCC on 1 June 2026. A response was received on 15 June 2026. The Applicant has submitted these as received from LCC but has not had the opportunity to review them or add hyperlinks. This will be done for Deadline 5.~~
- ~~2.7 The tripartite SoCG involving Prologis and EMIA has been re-formatted and expanded and was submitted to those parties on 1 June 2026. No response has been received and so those SoCG have been submitted as sent to those parties.~~

Table 1

Doc No.	Party	Status of SoCG	Stage reached
North West Leicestershire Council			
8.3A	Overarching SoCG*	Under discussion	NWL responded to the re-formatted SoCG on Friday 12 June 2026. Matters still under discussion.
8.3B	Planning Policy*	Under discussion	NWL responded to the re-formatted SoCG on Friday 12 June 2026. Matters still under discussion.
8.3C	Air Quality*	Under discussion	Agreed subject to confirmation from LCC that content with PRTM 2023 model run outcomes.
8.3D	Lighting*	Agreed	Nothing outstanding <u>and only awaiting signature</u>
8.3E	Noise*	Under discussion	Agreed subject to confirmation from LCC that content with PRTM 2023 model run outcomes.
8.3F	Landscape and Visual	Under discussion <u>Agreed</u>	Re-formatted SoCG provided to NWL on 2 June 2026. No response received at time of writing. Very minor comments (grammar only) received from NWL on 17 June. SoCG updated accordingly and is now agreed and only awaiting signature
8.3G	Heritage*	Agreed	Nothing outstanding <u>and only awaiting signature</u>
Leicestershire County Council			
LCC require the SoCG to be submitted to them as a set and do not deal with them individually. A re-formatted set of SoCG were sent to LCC on 1 June 2026. A response was received on 15 June 2026. The Applicant has submitted these as received from LCC but has not had the opportunity to review them or add hyperlinks. This will be done for Deadline 5.			

8.4A	Overarching SoCG*	Under discussion	Applicant to review <u>No progress made since Deadline 4 as awaiting progress on technical SoCGs.</u>
8.4B	Highways	Under discussion	Applicant to review <u>Latest version submitted with some matters outstanding</u>
8.4C	Archaeology	Agreed <u>Under discussion</u>	Applicant to review <u>Nothing outstanding and only awaiting signature</u>
8.4D	Ecology	Agreed <u>Under discussion</u>	Applicant to review <u>Nothing outstanding and only awaiting signature</u>
8.4E	Population & Health	Under discussion	Applicant to review <u>Latest version submitted with some matters outstanding</u>
8.4F	Materials and Waste	Under discussion	Applicant to review <u>Latest version submitted. One outstanding matter</u>
8.4G	Flood risk and Drainage	Under discussion	Applicant to review <u>Latest version submitted. One outstanding matter</u>
Others			
8.5	National Highways*	Under discussion	Agreed apart from ongoing discussion on protective provisions.
8.6	Nottinghamshire County Council	Agreed	Signed by NCC and Applicant <u>Awaiting signature only</u>
8.7	Natural England*	Under discussion	Mostly agreed, ongoing discussions to finalise few outstanding issues.
8.8	Historic England	Agreed	Signed by HE and Applicant <u>No outstanding issues</u>
8.9	Forestry Commission	Agreed	Agreed and signed by Forestry Commission <u>and Applicant</u>

8.10	Environment Agency*	Under discussion	Resolved tension between EA desired format of SoCG and R17 letter. Discussions now focussing on content.
8.11	East Midlands Airport	Under discussion	Reformatted SoCG sent to EMA on 1 June 2026. No response received <u>until 15.23 on 29 June 2026 without tracked changes identified as at 10.00 a.m. 16 June 2026 leaving the Applicant no time to review prior to Deadline 5. The version being submitted is that returned by EMA without the Applicant's response to text added by EMA.</u> <u>The Applicant will review the changes and respond to EMA</u>
8.12	EMA and Prologis	Under discussion	Re formatted SoCG sent to EMA and Prologis on 1 June 2026. <u>Response No response received evening of Friday 26 June. The Applicant has responded and the version being submitted is the version including the Applicant's response as at 10.00 a.m. 16 June 2026</u>

3 Commonality

- 3.1 Table 2 overleaf provides a summary of the principal issues covered in SoCG and identifies commonality in the topics which are dealt with in the individual SoCG.
- 3.2 The table identifies which topics are dealt with in each SoCG. The table also identifies the status of the topic within the SoCG using a RAG system as follows:

	SoCG agreed
	SoCG under discussion

- 3.3 Where it is not applicable to a party the table entry is blank. The orange “under discussion” category covers a wide range of positions from there being complete agreement subject only to the inclusion of an already agreed draft requirement being included in the next dDCO to there being outstanding discussions on issues of a more substantive nature.

Party	SoCG Ref. No.	Compulsory Acquisition	Planning Policy	Waste and materials	Lighting	Climate	Highways	Air quality	Noise	Ecology	Airport Safeguarding	Landscape and Trees	Archaeology and Built Heritage	Drainage	Geology, soils and groundwater	Contaminated land	Socio-economics	Population and Health
NWL	8.3																	
LCC	8.4																	
Nottinghamshire CC	8.6																	
National Highways	8.5																	
Environment Agency	8.10																	
Natural England	8.7																	
Historic England	8.8																	
Forestry Commission	8.9																	
Prologis/EMA	8.12																	
EMA	8.11																	