

**East Midlands Gateway
Phase 2 (EMG2)**

Document DCO8.11/MCO8.11

DRAFT

**Statement of Common Ground between
the DCO Applicant and East Midlands
International Airport Limited/East
Midlands Airport Property Investments
(Industrial) Limited**

June 2026

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

[SEGRO.COM/SLPEMG2](https://www.segro.com/slpemg2)

SEGRO

1 Introduction

- 1.1 This SoCG has been requested by the Examining Panel and is entered into by (1) SEGRO Properties Limited who has submitted the DCO Application, and (2) East Midlands International Airport Limited ("EMA") and East Midlands Airport Property Investments (Industrial) Limited ("EMIAL") (together "the Airport").
- 1.2 This SoCG has been prepared in respect of development which is the subject of the DCO Application comprising:

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 (APP-012D). DCO Works Nos. 20 and 21 including relevant Further Works as described in the draft DCO (APP-012D).
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, Hyams Lane Works, works to Long Holden, 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 (APP-012D).

- 1.3 Capitalised terms refer to the Glossary at Appendix A to Chapter 1 of the Environmental Statement (**AS-020**) unless otherwise stated.
- 1.3 This SoCG relates only to the DCO Application and not the MCO Application and matters relating to East Midlands Airport only. A separate, tripartite SoCG between Prologis, the Airport and the DCO Applicant relating to the EMG2 Main Site only deals with matters in which Prologis are also involved.

2 Details of the Parties to this SoCG

- 2.1 Both EMA and EMIAL are part of the Manchester Airports Group (MAG). EMA is the owner and operator of East Midlands Airport and EMIAL is a subsidiary property investment company.

Both companies have land interests in and around the EMG2 Main Site. EMIAL is only party to this SoCG in relation to its interests in Plots 1/16 and 1/17 in the Book of Reference (**APP 2.1D**).

3 Content of this SoCG

- 3.1 The areas covered by this SoCG are as follows:
 - 3.1.1 Land Interests
 - 3.1.2 Airport and Aviation Safety Issues
 - 3.1.3 Emergency Access Issues
 - 3.1.4 Work No 14
 - 3.1.5 Surface Access
- 3.2 This SoCG records those matters which are agreed and, if appropriate, any matters that are not agreed and still under discussion between the DCO Applicant and the Airport.
- 3.3 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.
- 3.4 Within the following table a Red Amber Green (RAG) status has been applied as follows: green: agreed, amber – a matter under discussion and/or further work to be completed and red – not agreed.
- 3.5 EMA and EMIAL record at the outset that this SoCG has been prepared in circumstances where, as they have consistently submitted to the ExP, key components of SEGRO's evidence base were not submitted with the DCO Application. In particular and of most relevant to this SoCG is the highways assessment process, that has been subject to ongoing discussion, additional information release and document revision throughout the examination. EMA and EMIAL's position is accordingly expressly reserved on these aspects (see EMA's Deadline 5 Submission in respect of the current highways position relevant to the Airport).

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date Agreed
Land Interests						
1.	Land Interests of the Airport	Book of Reference (APP-021D) and Land Plans 1 and 2 (APP-027D and 028D)	<p>The land interests of EMA within the EMG2 Main Site are accurately set out in the Book of Reference (APP 021D)</p> <p>The interests within the EMG2 Main Site are set out in the tripartite SoCG</p> <p>The other interests around the EMG2 Main Site relate to Plots 1/8, 1/10, 1/11, 1/14, 1/15, 1/16, 1/17, 1/18, 1/19, 1/20, 2/1, 2/2, 2/3, 2/4, 2/5, 2/6, 2/25, 2/26, 2/27 and 2/38.</p>	Agreed	Agreed	D2 April 21 2026
2.	Active Travel Link	Book of Reference (APP-021D) and Land Plan 2 (APP-028D)	Plot 2/6 is required for the construction of the active travel link. (Works No. 14 in the draft DCO (REP2-008D)). The link has been the subject of recent discussions between the Applicant and EMA Airport as a result of which there have been some minor changes made to minimise land take and the impact on EMA assets at the end of the runway.	<p>The Airport is not satisfied that there is a need for the Active Travel Link works for the reasons more particularly set out in the Airport's responses to ExQ1, Q7.0.3 (REP1-218D).</p> <p>If the Secretary of State determines that the need for the Active Travel Link has been made out, the Airport does not consider that the Applicant has satisfactorily demonstrated the necessity for a permanent right</p>	Under discussion	D4 June 16 2026

			<p>The revised details of the route have been agreed and technical details will be submitted by the Applicant at D4 with the revised land plans and Book of Reference at D5</p>	<p>of acquisition over Plot 2/6. See Row 11 for the Airport's position on the compulsory acquisition.</p> <p>Notwithstanding the above, discussions between the Applicant and the Airport in relation to the proposed design of the Active Travel Link are ongoing and progress has been made to remove areas of operational land from the boundary.</p>		
Airport and Aviation Safety Issues						
3.	Protective Provisions		<p>The Applicants and EMA have been in discussions regarding the need for, and potential content of, any protective provisions. The Applicants have provided the Airport with revised draft Protective Provisions and is awaiting a response.</p>	<p>The Airport provided the Applicant with its protective provisions on 8 June 2026. No response has been received in respect of the detail of those provisions to date, but the Airport has reviewed the Applicant's position on the protective provisions as submitted at Deadline 4 (DCO Document 77.13 Applicants Response to Deadline 2 and 3 Submissions). This is set out as follows:</p> <p><i>The Applicants note the response and confirm that discussions regarding aerodrome safeguarding remain ongoing,</i></p>	Under discussion	

				<p><i>including in respect of draft protective provisions. EMA proposed draft Protective Provisions at Deadline 1; however, these are not acceptable to the Applicants. In particular, they represent a significant departure from what was agreed at EMG1 and from the approach adopted by EMA, as aerodrome operator and statutory consultee, in respect of both the Joint Application and the planning application for the Isley Woodhouse Development (see Annex D). EMA has provided no justification as to why the DCO Scheme should be subject to more stringent and onerous requirements than those imposed in connection with either of those two developments.</i></p> <p>Firstly, the CAA guidance and operational restrictions have evolved since EMG1 was consented, hence why there are differences between the draft protective provisions for EMG2 and those which were agreed on EMG1. EMG1 also didn't feature a proposal for a Community</p>	
--	--	--	--	---	--

DRAFT

				<p>Park, which will have a substantial wildlife management and drainage impact that requires a bespoke approach in protective provisions.</p> <p>Secondly, the joint application and the proposed Isley Woodhouse application are both outline planning applications. EMA would typically expect the level of detail agreed in terms of operational safety matters to be resolved at reserved matters stage for those proposals. EMG2 is a development consent order, meaning the level of detail to be secured in the terms of the consent must be negotiated and secured now, prior to determination of the application. It would be too late to secure such matters as part of detailed design submissions under requirements, as by that point, the power to commence work and the controls over those works would have already been secured in the statutory order.</p> <p>The detailed provisions which EMA are requesting are entirely proportionate with the degree of impacts associated with EMG2, for example:</p>	
--	--	--	--	---	--

DRAFT

DRAFT

				<ul style="list-style-type: none">• EMA is requesting that the Applicant submit an Aeronautical Safeguarding Assessment prior to submitting applications for detailed design approvals. This establishes the principle of what information under the various safeguarding topics should be submitted.• Where any approvals are required to be given under the Aeronautical Safeguarding Assessment, EMA must not unreasonably withhold or delay approvals.• EMA is requesting an ability to approve submitted details of scaled plans, building/crane/structure elevations and coordinates in addition to floor and roof levels. This is to ensure that EMG2 is not exposed to wind shear risk and that height tolerances within	
--	--	--	--	--	--

				<p>the airport operational safety area are appropriately controlled.</p> <ul style="list-style-type: none"> • EMA is requesting an ability to approve details relating to obstacle limitation surfaces and instrument flight procedures, which reflects the same controls imposed on EMG1. • EMA is requesting approval rights over a wildlife hazard management plan, including measures of landscaping, habitat management, drainage features, waste management, pest control, monitoring and corrective measures. This is broadly aligned with EMG1 however is suitably focused owing to the addition of the Country Park to the EMG2 development. • EMA is requesting approval rights to 	
--	--	--	--	---	--

DRAFT

DRAFT

				<p>control construction activity that poses a risk to airport operational safety, lighting, glint & glare impacts, structural wind shear, drainage and landscaping outside of the wildlife management plan, radio and communications interferences and drone/unmanned UAS usage.</p> <ul style="list-style-type: none">• EMA is seeking controls over crane operations (heights, locations, operational matters and lighting).• EMA is requesting that an aeronautical safeguarding liaison group is set up by the Applicant to coordinate the submission of approvals and to enable closer collaboration between the parties on operational safety matters. <p>All of these provisions are specifically drafted to deal with</p>	
--	--	--	--	--	--

				obvious concerns that could arise as a result of the EMG2 development (structural risk, crane height, glint & glare, lighting, bird hazard, drones, radio interference etc). None of them are disproportionate to the scale of the proposed development, which is a project of national significance large enough to justify promotion through the development consent order process.		
4.	Emergency Access		The Applicants are unaware of any emergency access issues.	Emergency access and egress is required at all times via two crash gates north of the airfield which connect with Diseworth Lane (ear to EMG1). These gates enable emergency vehicles based at the Airport to exit the runway at speed in the event of an incident occurring outside of the Airport's perimeter fence. See response to ExQ2, Q2.0.2 (REP4-069D) for further details.	Under discussion	
DCO Application						
5.	S.35 Direction	Environmental Statement Appendix B Section 35 Direction [APP-068]	The DCO Application has been brought into the Planning Act 2008 regime pursuant to a Section 35 Direction made on 21 February 2024. The Section 35 Direction identified the proposed	The DCO Application has been brought into the Planning Act 2008 regime pursuant to a Section 35 Direction made on 21 February 2024. The Section 35 Direction identified the		D4 16 June 2026

Commented [PM1]: This is all addressed in the Tripartite SOCG

			project as: "a logistics and manufacturing hub, including a substantial carbon neutral campus/headquarters including co-located head office functions."	proposed project as: "a logistics and manufacturing hub, including a substantial carbon neutral campus/headquarters including co-located head office functions."		
6.	CA Content	Book of Reference (APP-021D) and Land Plans (APP-027D and 028D)	The DCO Application seeks powers of compulsory acquisition and/or temporary possession over, among other land, the Prologis/EMIA Land pursuant to Part 5 of the draft DCO and section 122 PA 2008.	The DCO Application seeks powers of compulsory acquisition and/or temporary possession over, among other land, the Prologis/EMIA Land pursuant to Part 5 of the draft DCO and section 122 PA 2008.		D4 16 June 2026
7.	CA Powers		For the Secretary of State to include compulsory acquisition powers in a DCO, section 122(3) PA 2008 requires the Secretary of State to be satisfied that there is a compelling case in the public interest for those powers. This is a test that is distinct from, and not automatically satisfied by, any decision to grant development consent.	For the Secretary of State to include compulsory acquisition powers in a DCO, section 122(3) PA 2008 requires the Secretary of State to be satisfied that there is a compelling case in the public interest for those powers. This is a test that is distinct from, and not automatically satisfied by, any decision to grant development consent.		D4 16 June 2026
8.	CA Guidance		The Guidance related to procedures for the compulsory acquisition of land (September 2013) applies to the consideration of the compulsory	The Guidance related to procedures for the compulsory acquisition of land (September 2013) applies to the consideration of the compulsory		D4 16 June 2026

			acquisition powers sought in the DCO Application.	acquisition powers sought in the DCO Application.		
9.	Compelling Case	Statement of Reasons Section 5 (REP1-025D)	The DCO Applicant contends that there is a compelling case in the public interest for the acquisition of the EMIAL and Prologis land	The Airport contends that there is not a compelling case in the public interest for the acquisition of the EMIAL and Prologis land		
10.	Reasonable Alternatives	Statement of Reasons Section 5 (REP1-025D) Applicants Response to RR Appendix 5 paras 1.40 – 1.42 and Appendix 6 page 23 et seq (REP1-051D)	The DCO Applicant contends that all reasonable alternatives to the compulsory acquisition of the EMIAL/Prologis land as required by paragraph 8 of the CA Guidance have been explored	The Airport contends that all reasonable alternatives to the compulsory acquisition of the EMIAL/Prologis land as required by paragraph 8 of the CA Guidance have not been explored		
Work No 14 (Active Travel Link)						
11.	Justification for Active Travel Link	Sustainable Transport Strategy (APP-84) ref to para numbers – new STS being submitted??	The Applicant considers it to be important for the EMG2 scheme to provide a good quality active travel route between EMG1 and EMG2 which, together with the infrastructure provided by EMG1, other existing active travel infrastructure and the upgrade of L57, provides active travel connections from EMG2 to Castle Donington, Kegworth and beyond. The existing route east of the A453 is of a low standard with improvement to it	The Airport contends that the Applicant's proposed works to the Active Travel Link are not necessary and the proposed use of the Active Travel Link by members of the public or those employed at EMG2 would be so infrequent as to not justify the interference with private rights that would be necessary to deliver it. There is no compelling case in the public interest for the	Under discussion	

			<p>complicated by the lay-by and users between EMG1 and EMG2 would need to undertake three crossings of the A453 (with several 'hops' over the different carriageways).</p> <p>The provision of the Active Travel Link (ATL) aligns with wider stakeholder aspirations for providing a link between EMA and Nottingham via Clifton, Ratcliffe, Kegworth, EMG1 and EMG2 for which initial work was undertaken around 2020 and included for an off-road facility west. As set out in the EMG2 proposals the ATL would become part of National Cycle Route 15 which, together with Hyam's Lane, would fill part of the gap in this route that currently exists between Diseworth and Nottingham.</p> <p>Whilst para 9.5 of the STS (APP-84) sets a mode share target of 2% for active travel, the Applicant notes that this is a minimum. Page 22 of the STS (APP-84) which shows that the majority of EMG1 employees living within a cycling distance</p>	<p>acquisition of the Active Travel Link.</p> <p>If the Secretary of State determines that the Active Travel Link was necessary, then all of the benefits that the Applicant outlines in the adjacent column can be delivered under temporary possession powers with commensurate handover and maintenance provisions (either in the DCO or separately agreed) to EMA or adoption by the Local Highway Authority.</p> <p>None of the reasoning provided by the Applicant addresses why a specific power of compulsory acquisition to permanently deprive the Airport of the land is necessary and in the public interest.</p>		
--	--	--	---	---	--	--

			are based in Kegworth and Castle Donington. Para 9.4 states that 25% of the EMG2's workforce live within a 60min cycle of the Scheme and para 9.5 states that "There is the potential for [the 2%] to increase as more residential developments emerge within the vicinity of the site and as more off-road/segregated cycle infrastructure is introduced along the major roads, for example through the future East Midlands Combined Authority transport programme".		
Surface Access					
12.	Traffic impact on operation of the Airport	[CHK references with BWB for Missing Information]	The traffic impact of the proposed development on the operation of the surrounding road network, and therefore Airport surface access, has been modelled utilising PRTM 2019 (with the application submission) and PRTM 2023 (D1) along with Vissim. The Applicant has in [] submitted at D4 provided a response to the alleged missing	The Airport's response to this item is contained in its Deadline 5 submission. There are still substantial omissions in the Applicant's Transport Assessment	Under discussion

			information with regard to the assessment of highway impact.			
--	--	--	--	--	--	--

DRAFT

4 Areas of Agreement/Disagreement

Land Interests		RAG
1.	<p>The land interests of EMA within the EMG2 Main Site are accurately set out in the Book of Reference (APP 2.1D)</p> <p>The interests within the EMG2 Main Site are set out in the tripartite SoCG</p> <p>The other interests around the EMG2 Main Site relate to Plots 1/8, 1/10, 1/11, 1/14, 1/15, 1/16, 1/17, 1/18, 1/19, 1/20, 2/1, 2/2, 2/3, 2/4, 2/5, 2/6, 2/25, 2/26, 2/27 and 2/38.</p> <p>Of note is Plot 2/6 which is required for the construction of the active travel link, which currently is being investigated jointly by the Applicant and EMIA to ensure that there is no mapping discrepancy, and that airport operational land is <i>not</i> required or proposed for CA.</p> <p>-</p>	
Airport and Aviation Safety Issues		
2.	<p>The Applicant have been in discussions regarding the need for, and potential content of, any protective provisions. The Applicant has received the draft detailed provisions the Airport is seeking, provided at Deadline 1.</p> <p>The Applicant will review the need for the provisions and seek to discuss these with the Airport</p>	

<u>Emergency Access Issues</u>		
3.	The Applicant is unaware of any emergency access issues. The protective provisions included in the dDCO provide protection of all Airport access routes including emergency access (Para 4 Part 6 dDCO).	

<u>Work No 14</u>		
10.	The Applicant has set out in its Sustainable Transport Strategy and in the response to the EMA written representations the benefits of the provision of the Active Travel Link which provides a compelling case in the public interest for the compulsory acquisition of Plot 2/6 from EMA. EMA contends that it does not.	

<u>Surface Access</u>		
11.	EMA cannot analyse the highway impact of EMG2 on the operation of the Airport until the Applicant provides the traffic modelling information required at Deadline 1. The Applicant does not accept that EMA could not have analysed the impact based on the complete 2019 core scenario modelling submitted with the DCO application. In any event the 2023 sensitivity test was submitted at D1.	

5. Matters under discussion

~~1. The following matters are under active discussion between the parties and may be the subject of updated submissions before the close of the examination:-~~

~~a) Notwithstanding EMA's position on the claimed need for Work No 14, the potential for Work No 14 to proceed without the need for compulsory acquisition and the mechanism by which that could be achieved;-~~

~~b) The drafting of protective provisions (and any related drafting within the DCO related to airport and aviation safety) if it is clear they are needed to address operational airport and aviation safety issues relating to:~~

~~i. Obstacle Limitation Surfaces and Instrument Flight Procedures.-~~

~~ii. Bird Hazard and Wildlife Control.-~~

~~iii. Electromagnetic Interference.-~~

~~iv. Air Traffic and Aircraft Communication and Navigation Systems.-~~

~~v. Lighting.-~~

~~vi. Glint & Glare.-~~

~~vii. Major Accidents & Disasters~~

SIGNATURES:

On behalf of the DCO Applicant:

.....
Signature

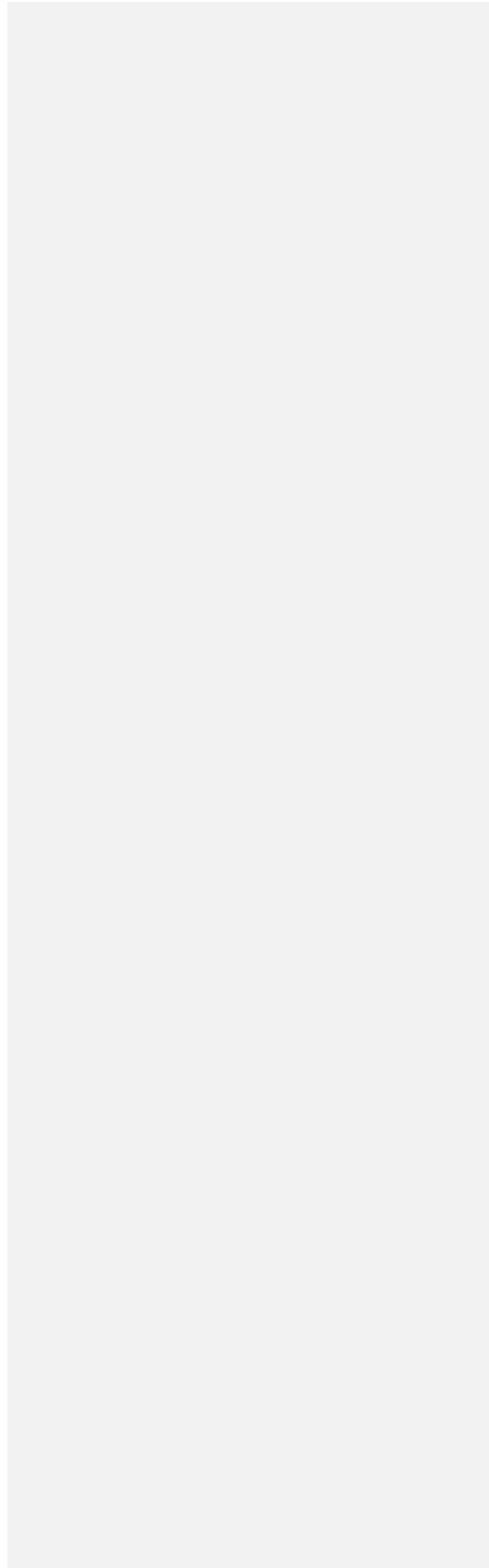
.....
Name

On behalf of the Airport:

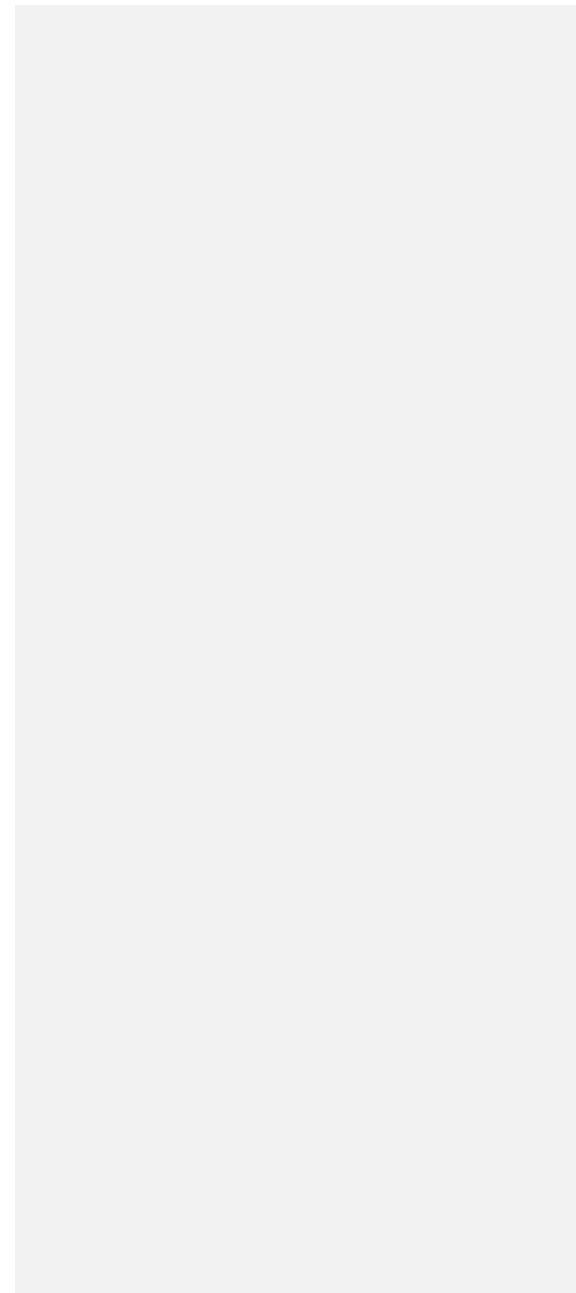
.....
Signature

.....
Name

DRAFT



DRAFT



DRAFT

