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Date: 28th July 2026
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Dear Sirs

Application by SEGRO Properties Limited for an order granting consent for the East Midlands Gateway Phase 2 (BC0410001) and East Midlands Rail Freight Interchange Material Change (TR0510002)

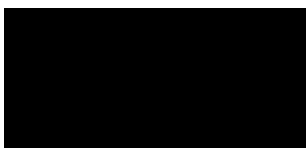
Deadline 6 submission

Please find attached the following Deadline 6 submission on behalf of Leicestershire County Council (LCC):

- LCC responses to Examining Panel third questions, and table of comments on Deadline 5 submissions

We hope that this information is helpful to the Examining Panel.

Yours faithfully



Head of the Growth Service

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Director, [REDACTED]

East Midlands Gateway Phase 2 – East Midlands Gateway Rail Freight Interchange Material Change - LCC responses to Examining Panel (ExP) third questions – Deadline 6 – 7th July 2026

ExP reference	Question	Response
Q2.0.1	Mezzanines/ internal floorspace <u>Note:</u> Please also see the relevant ExP’s proposed change to these requirements. The ExP notes the response to AP 66 in the applicants’ ‘Applicants’ Response to Deadline 4 Submissions’ [REP5-033] in relation to NWLDC that “following further engagement with [NH], is it anticipated that the requirement may not be required.” a) Should this be the situation, then the applicants’, NH and LCC should set out clearly and fully why this would be the case. b) In any event, should the ExP’s proposed change to this requirement be imposed to ensure that no additional internal floorspace is provided, as the provision of internal floorspace would not represent ‘development’ and without this, it is possible that the effects which have not been assessed could occur?	LCC understands that Requirement 27 was proposed by the Applicant team to provide comfort that the additional 100,000sqm of mezzanine added to the application proposals after strategic transport modelling work had been completed wouldn’t lead to any additional impacts on either the Strategic Road Network (SRN) or Local Road Network (LRN) that required mitigation. LCC have concerns about the enforceability of the requirement, and these have been echoed by both NWLDC in their capacity as the Local Planning Authority, and by the ExP through hearings. LCC advised the Applicant that assessing the impacts of the additional floorspace on both the SRN and LRN and identifying any associated mitigation requirements could negate the need for the requirement. LCC understands that the Applicant has produced a note assessing the impacts of the full quantum of mezzanine applied for (200,000sqm) on the Strategic Road Network and that this note has been issued to National Highways for their consideration in advance of submission into the Examination at deadline 6. Subject to National Highways confirmation that this is acceptable, a requirement would not be necessary. However, it remains the case that assessment of the impacts of the full quantum of mezzanine applied for [REP1-058] identifies the need for mitigation on the Local Road Network (LRN) through the villages of Kegworth and Castle Donington. Despite LCC submitting various responses to the Applicant team at their request, the Applicant team remains adamant that the only mitigation proposed is the amendment to wording on one direction sign on the approach to the village of Castle Donington. LCC do not consider that this proposed mitigation is satisfactory and have suggested a number of ways forward including scheme proposals, and the inclusion of a requirement within the DCO for a “monitor and manage strategy” i.e. schemes of mitigation will only be implemented if predicted flows through villages materialise. The Applicant team has to date dismissed these suggestions and this unfortunately remains a matter of disagreement. If the ExP’s proposed amendment to requirement 27 is made, this would not address LCC concerns in their entirety. The unmitigated impacts on the LRN as a result of development impact and re-routeing of traffic as a direct consequence of the proposed SRN mitigation would remain, albeit to a lesser extent.

Q4.0.1	PRTM 2023 The Statement of Commonality [REP5-036] sets out that there are a number of areas where NWLDC have SoCGs agreed subject to confirmation from LCC about PRTM 2023 modelling. Can LCC and the applicants provide detailed up to date positions on the PRTM 2023 modelling insofar as it is preventing the air quality SoCG (and any other SoCGs) with NWLDC from being agreed. Particularly, the ExP would like LCC to set out why the technical notes submitted with the SoCGs do not resolve the issues, and what steps the applicants could take to bring about a resolution.	LCC await information from the Applicant team in the form of a Technical Note that identifies whether the transport modelling of the full quantum of development applied for (as outlined above) has any implications for the conclusions reached within the Population and Human Health chapter of the Environmental Statement [REP4-030]. LCC has met with the Applicant team on this matter and is hopeful this information will be forthcoming at Deadline 6. It is anticipated that this information will also address concerns raised by other Interested Parties.
Q7.0.6	Plots 2/18, 2/20, 2/23 and 2/25 Could the applicants please explain why it needs to compulsorily acquire all interests in these plots and why Work 19 could not be delivered by the temporary possession of land and permanent acquisition of rights? As NWLDC, LCC, Castle Donington Parish Council, EMA and National Grid Electricity Distribution (East Midlands) plc all have interests in these plots they are also invited to comment.	LCC awaits the Applicant’s response to this question before commenting further.
Q14.0.1	Waste monitoring The SoCG between LCC and the applicants submitted at D5 records that the only remaining matter under discussion relates to monitoring of waste types and quantities during construction (matter 4.8 and 5.7). Please clarify whether agreement has now been reached on the proposed monitoring arrangements. If not, please identify precisely what remains outstanding, including when and how monitoring will be undertaken, to whom the information will be reported, and whether any amendment to the CEMP, Site Waste Management and Materials Plan or draft DCO is required to secure those arrangements.	The Applicant has submitted a revised Site Waste Management and Materials Plan to LCC. Amendments to the Plan include the addition of a “monitoring of construction waste” section, as well as providing clarity in a number of areas. Should this document be submitted into the Examination as drafted, LCC will be in a position to confirm agreement.
Q17.0.1	Updated modelling and SoCG matters The Population and Human Health SoCG between the applicant and LCC states that several matters remain under discussion following the applicant’s Population and Human Health Technical Note. • Please can the applicants confirm whether they intend to provide any further update to ES chapter 17 and/ or appendix 17C before the close of the examination to address LCC’s outstanding concerns; • if not, identify precisely where in the examination documents the applicant says the integrated re-evaluation requested by LCC is already provided, including signposting to the relevant parts of ES chapter 17, appendix 17C, the technical note and related noise / air quality / transport material; and • provide a short schedule showing, for each transport modelling dependent determinant (transport/access, air quality, noise/vibration and diet/nutrition), how the updated modelling has been considered, whether any mitigation conclusions change, and how vulnerable groups including Gypsy and Traveller receptors have been considered.	The information as described by the ExP is exactly the information also requested by LCC. It is understood that the Applicant team is preparing this information for submission at Deadline 6 and it is hoped this will address LCC outstanding concerns.

	LCC is invited to confirm whether the information provided would be sufficient to resolve the matters currently identified as under discussion in the SoCG, or to identify the minimum further information still required. Please also clarify whether section 6.1 of the SoCG [REP5-042] should be corrected, given the matters marked as “under discussion” in sections 4 and 5.	
Q17.0.2	PRTM2023 modelling The ExP notes that the some of the SoCGs state that several matters remain under discussion pending LCC’s consideration of the PRTM2023 modelling updates and associated technical note. Please can LCC confirm its current position on the updated modelling insofar as it relates to Population and Human Health and other areas if relevant, including whether the applicant's technical note satisfactorily demonstrates the implications of the updated modelling for the ES chapter assessment. If not, please identify the specific remaining concerns and the minimum further information required to resolve them.	As above, LCC awaits submission of a Technical Note that identifies whether the transport modelling of the full quantum of development applied for (as outlined above) has any implications for the conclusions reached within the Population and Human Health chapter of the Environmental Statement [REP4-030]. LCC has met with the Applicant team on this matter and is hopeful this information will be forthcoming at Deadline 6.
Q19.0.1	Co-located office functions The applicants are asked to explain demonstrate how a “co-located office function”, which could be, within an eventual individual planning unit (please refer back to earlier discussion on “substantial completion”) part of a mixed use also incorporating storage and distribution uses or advanced manufacturing uses or a combination of all three, has been considered in relation to the traffic generation assessment of the proposed development. NH and LCC are also requested to comment on this.	LCC fully understands the position of the ExP on this matter. LCC await the Applicant’s explanation before commenting further. However, it is important to note that the assessment of transport impacts on the LRN undertaken to date does not account for co-located office use nor advanced manufacturing use, and further assessment by the Applicant will be required for LCC to understand the impacts and any associated mitigation. LCC would like to understand if the Applicant is willing to carry out this assessment during the Examination.
Q19.0.2	Advanced manufacturing It its proposed changes to the DCO the ExP as set out that 20% of the total gross floorspace provided as part of the authorised development shall be for advanced manufacturing use. Should, for example, it be possible to let more than 20% of the gross floorspace as advanced manufacturing the ExP is also concerned to ensure that the total of advanced manufacturing does not result in additional effects that have not been assessed. The applicants, NH, LCC and NWLDC are asked to consider mechanism(s) to ensure that no additional effects not assessed occur.	LCC fully understands the position of the ExP on this matter. LCC await the Applicant’s explanation before commenting further. However, it is important to note that the assessment of transport impacts on the LRN undertaken to date does not account for advanced manufacturing use, and further assessment by the Applicant will be required for LCC to understand the impacts and any associated mitigation. LCC would like to understand if the Applicant is willing to carry out this assessment during the Examination.

East Midlands Gateway Phase 2 – East Midlands Gateway Rail Freight Interchange Material Change - LCC responses to Deadline 5 submissions
Deadline 6 – 28th July 2026

ExP reference	Document	LCC Comments
REP5-026	DCO 6.13 Chapter 13 - Flood Risk and Drainage (Tracked) (Revision 3)	Other than track changes to page numbers, LCC cannot identify any other changes within this document.
REP5-032M	MCO 7.10 MCO Note - Transport Technical Note with further assessment of Plot 16 impact (Tracked) (Revision 1)	LCC accepts the conclusion that the mitigation proposals at the existing EMG1 access are required as a consequence of the DCO application.
REP5-009D	DCO 3.1 Draft Development Consent Order (dDCO) (Revision 4)	Requirements LCC consider to be missing from the DCO: • Public Rights of Way – LCC raised concerns with the Applicant about the absence of a requirement for the implementation of works to Public Rights of Way. The Applicant is reliant on Schedule 5 of the DCO. LCC in its capacity as Local Highway Authority consider the commitment should be explicit in the Order and not implicit. This remains a matter of disagreement between LCC and the Applicant • Construction Traffic Management Plan (CTMP) - LCC raised concerns with the Applicant about the absence of a requirement to implement the CTMP. The Applicant had previously advised that they were considering amendments to Requirement 11 to address this matter. However, this is yet to be addressed. • HGV Route Management - LCC raised concerns with the Applicant about the absence of a requirement to control HGV routing to and from the site. The Applicant had previously advised that they were considering inclusion of such a requirement. However, this is yet to be addressed.
		Requirement 4 - Sustainable transport – LCC raised concerns with the Applicant that this requirement as drafted is overly complicated and would cause issues for monitoring and enforcement. LCC have requested that the Applicant separates out this requirement and includes separate requirements that cover sustainable transport/public transport provision and Travel Plans. However, this is yet to be addressed. LCC has also requested an explanation from the Applicant team in respect of the necessary financial obligations (travel plan fund, bus fund, LCC staff costs for attendance at sustainable transport working group meetings), the method of securing, and compliance with legislation. LCC awaits a response.
		Requirement 27 – Mezzanine Please refer to response to Q2.0.1 above.
		Requirement 31 - Safeguarded land – Whilst LCC welcomes the inclusion of Requirement no. 31 to safeguard land along the EMG2 main site frontage with the A453 for future dualling. However, as raised by LCC at Deadline 2 [REP2-046] and Deadline 4 [REP4-060D] the submitted plan [REP1-024D] does not go far enough in securing land across the entire site frontage.
		Article 13 – Accesses - LCC understands that the Applicant is considering whether temporary construction access will be required to the LRN. LCC are yet to receive confirmation from the Applicant and therefore reserves the right to respond to this matter in detail once this information has been received.
		Article 19 – Discharge of water -LCC is not aware of any proposed surface water discharge to combined systems. LCC awaits confirmation from the Applicant.
		Consultee in requirements - LCC in its statutory capacity as Local Highway Authority would expect to be named as a consultee in all requirements relating to highways and transport. LCC have requested that the Applicant revisit the wording of requirements on this basis. However, this does not appear to have been addressed.
		Schedule 13 Part 2 Protective Provisions

		LCC has agreed revised wording with the Applicant team and is hopeful this agreed wording will be submitted into the Examination by the Applicant at Deadline 6. If this is the case LCC will be able to confirm agreement.
		Miscellaneous controls - Schedule 14 – Paragraph 2 LCC does not agree with the disapplication of Section 141 of the Highways Act 1980. LCC may require this power to implement works for the dualling of the A453. Schedule 14 – Paragraph 3 LCC does not agree with the disapplication of Section 56(1) and 1(A) of the New Roads and Street Works Act 1991 to remove requirements for road space booking approvals. LCC has a role to co-ordinate access to the Local Road Network. Removal of this power would result in a loss of co-ordination, and potential for clashes where other developers/statutory undertakers/LCC have legitimately and in good faith followed an established legal process to secure road space booking. In addition, this process is in place to ensure that road works on this sensitive part of the highway network do not clash with significant events at the Donington Park Race Circuit, and peak operational times for passenger and freight movements associated with East Midlands Airport. Furthermore, the road space booking process also takes account of scenarios where the A453 may act as a diversion route for works on other parts of both the Local and Strategic Road Networks. Loss of control of co-ordination could lead to significant network co-ordination issues with fundamental highway safety concerns. Schedule 14 – Paragraph 3 LCC does not agree with the disapplication of Section 58(1) of the New Roads and Street Works Act 1991 to restrict works in 12 months following substantial completion of works. This could fetter delivery of works brought forward by LCC or third parties (including statutory undertakers) including works necessary for the safe operation of the public highway. This is also the case for Section 73A(1). Schedule 14 – Paragraph 3 LCC does not agree with the disapplication of section 74 and 74A of the New Roads and Street Works Act 1991. Charges will be made for LCC Officer time to cover the cost of road space booking process and procedures in line with those charges incurred by all developers/statutory undertakers/LCC for the same service.
	Rule 6 letter - R6D19	Signage – LCC awaits confirmation from the Applicant of what existing signage on the Local Road Network is proposed to be amended.
REP5-011M	MCO 3.1 Draft Material Change Order (Revision 3)	LCC has no further comments to make.