

Document DCO 8.4F / MCO 8.4F

# Statement of Common Ground between SEGRO and Leicestershire County Council (relating to Materials and Waste)

APRIL 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>	<p>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.</p> <p>Together with an upgrade to the EMG1 substation and provision of a Community Park.</p>	<p>DCO Works Nos. 1 to 5 including Further Works as described in the draft DCO (<b>Document DCO 3.1</b>).</p> <p>DCO Works Nos. 20 and 21 including relevant Further Works as described in the draft DCO (<b>Document DCO 3.1</b>).</p>
<b>Highway Works</b>	<p>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.</p>	<p>DCO Works Nos. 6 to 19 including relevant Further Works as described in the draft DCO (<b>Document DCO 3.1</b>).</p>

<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 minerals and waste planning authority and statutory consultee.

2.3 A record of the engagement between the Applicant and LCC in relation to materials and waste 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 Zone of Influence for the assessment.

3.2.2 The appropriate interpretation / application of publicly available information data to inform the assessment.

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 materials and waste.

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.

## 4 DCO

Matters agreed		
Ref	Matter	RAG status and any additional comments
4.1	The Environmental Statement (ES) identifies and applies the appropriate Zone of Influence (Zol) for assessing the capacity of regional and local waste infrastructure.	The Applicant confirms that the Zol applied within the ES has been defined in accordance with established guidance and reflects the likely catchment areas of suitably permitted waste management facilities. This approach has been further clarified in Technical Note [March 2025], which confirms the methodology and rationale. The Zol is considered proportionate and appropriate to the scale and nature of the Scheme.
4.2	The design has incorporated the waste hierarchy (prevention, re-use, recycling, recovery, disposal) in accordance with the National Planning Policy for Waste (NPPW) and local waste strategies.	The Applicant confirms that the Scheme design has embedded the principles of the waste hierarchy throughout both construction and operational phases. This is set out in the ES and reinforced in Technical Note [March 2025], including measures to minimise waste generation, maximise on-site re-use, and prioritise recycling and recovery in line with policy requirements.
4.3	Construction and operational waste arisings assessment within the ES, and anticipated volumes and types of waste are considered realistic, however there are inconsistencies and data issues.	The Applicant acknowledges LCC's previous comments and has provided further clarification within Technical Note [March 2025] and the latest / amended ES Chapter 18 [May 2026] submitted under Deadline 1, including explanation of data sources, assumptions and any limitations. The assessment has been reviewed and is considered robust and proportionate. Any identified discrepancies are not material and do not affect the overall conclusions of the ES.
4.4	Provision of adequate capacity at waste facilities in the determined Zone of Influence to manage forecast arisings from the Scheme.	The Applicant confirms that the assessment of available waste management capacity demonstrates that sufficient capacity exists within the defined Zol to accommodate the Scheme's

		forecast arisings. This position is supported by Technical Notes [March 2025 and February 2026], which provides additional justification and, where available, supplementary data. The conclusions of the ES therefore remain valid.
4.5	The preparation of a Site Waste Management Plan (SWMP) prior to commencement of construction, in line with relevant legislation and best practice (e.g. CL:AIRE Code of Practice).	The Applicant agrees that a SWMP will be prepared prior to commencement of construction in accordance with best practice and relevant guidance, as set out in Technical Note [TN-XX: CEMP and SWMP Commitments]. The requirement will be secured through the Outline CEMP and/or an appropriately worded Requirement within the dDCO. The Applicant is willing to agree drafting with LCC to ensure this commitment is clearly secured.
4.6	Monitoring of waste types and quantities will be undertaken and reported as part of the Environmental Management System during construction.	The Applicant confirms that monitoring will be undertaken as part of the Environmental Management System, with details secured through the CEMP/SWMP. Further detail is provided in Technical Note [March 2025 and February 2026] [May 2026] submitted under Deadline 1, including monitoring processes, reporting frequency, and governance arrangements. Final details will be agreed with the relevant planning authority prior to commencement.
4.7	Note changes to paragraph 18.12 of tracked Environmental Statement (ES) Chapter 18 Materials and Waste	No response required.
4.8	There still remains some confusion as the data for WDI for example is referred to in paragraph 18.2.12 as 'Environment Agency ('EA') (2025): Waste Data Interrogator; and EA 'Remaining Landfill Capacity, England' (2025)' and later in the chapter (e.g.18.5.12) is referred to as '2024 WDI'. Not sure if this is simply as the result of the 2025 release interrogator being 2024 data known	The Environment Agency Waste Data Interrogator referenced in the Chapter as "EA (2025)" reflects the publication year of the dataset, while the data contained within that release relates to the 2024 reporting year. The Waste Data Interrogator is typically published with a time lag, meaning the 2025 release contains

	as 2024 WDI? It is also referred to in the TN as 'Environment Agency Waste Data Interrogator (2024 dataset)' and 'Environment Agency Remaining Landfill Capacity – England (2024 dataset)'	<p>the most recent available data for the 2024 reporting period.</p> <p>Accordingly, references within the Chapter to “EA (2025): Waste Data Interrogator” relate to the publication year, while references to “2024 WDI” or the “2024 dataset” refer to the reporting year of the underlying waste data. All references therefore relate to the same dataset, and no different or additional data sources have been used within the assessment.</p>
4.9	Note table of waste sites (18.14) updated to January 2026	No response required.
4.10	Note name change to ISEP guidance	No response required.
4.11	Note clarification that metrics are 'per week' at paragraph 18.2.33	No response required.
4.12	We note that there have been changes to table 18.7 Materials Magnitude Criteria to clarify that data may be regional and/or national baseline	No response required.
4.13	Note that paragraph 18.2.52 now states that the Chapter includes 2024 data unless otherwise stated. Without tying ourselves in knots, is this sufficient with the caveat? As some is 2025 (and WDI confusingly is 2024 data published 2025)	<p>The wording in paragraph 18.2.52 stating that the Chapter includes data up to and including 2024, unless otherwise stated, is intended to provide a clear and proportionate description of the baseline data used in the assessment. The majority of datasets applied within Chapter 18 relate to the 2024 reporting year, and therefore this statement accurately reflects the overall baseline.</p> <p>It is recognised that some datasets are published in 2025 but report data for the 2024 reporting year. This is the case for the Environment Agency Waste Data Interrogator and the Environment Agency “Remaining Landfill Capacity – England” dataset. In these instances, the year referenced in</p>

		<p>the text reflects the publication date, while the data itself relates to the 2024 reporting period. These datasets are clearly referenced in the Chapter and Technical Note.</p> <p>On this basis, the wording in paragraph 18.2.52 is considered sufficient as a general statement of data currency, with individual datasets identified where necessary. This approach avoids unnecessary complexity while maintaining transparency regarding the reporting year and publication date of the underlying data.</p>
4.14	<p>We note the 5<sup>th</sup> bullet of paragraph 18.2.52 now has been edited to remove reference to consumption of resources and to be in line with paragraph 18.5.79. Could you clarify, please?</p>	<p>The amendment to the fifth bullet point of paragraph 18.2.52 was made to ensure consistency with the scope of the assessment presented later in the Chapter, specifically paragraph 18.5.79.</p> <p>In the earlier drafting, the wording referenced broader consumption of resources, which could imply a wider lifecycle assessment of material extraction, production and depletion. However, Chapter 18 does not assess upstream resource extraction or full lifecycle resource depletion impacts. Instead, the assessment focuses on materials use during construction and the management of waste arisings, in accordance with the methodology set out in the ISEP Guidance for Materials and Waste in EIA.</p> <p>The revised wording therefore removes the reference to broader resource consumption to avoid implying that a full lifecycle resource assessment has been undertaken. This aligns the limitations section with the actual scope of the Chapter and ensures consistency with paragraph 18.5.79, which explains</p>

		the boundaries of the materials assessment.
4.15	We note that paragraph 18.5.6 has been amended to explain the use of national data to address Point 2 of our Relevant Representations	No response required.
4.16	We note that changes have been made to table 18.13 to account for data published after the chapter was submitted	No response required.
4.17	We note that changes have been made to table 18.14 to account for data published after the chapter was submitted. This may require explanation or clarification, as it seems to suggest changes in capacity, contrary to later statements around capacity.	<p>We are unsure as to which statements in capacity are being referred to.</p> <p>Table 18.14 has been updated to reflect the most recent facility inventory available at the time of the review, which identifies 265 waste management facilities within the Refined Study Area.</p> <p>This update reflects updated facility listings within the Waste Data Interrogator database rather than changes to landfill capacity. The table therefore describes the types and number of operational facilities, whereas landfill capacity is assessed separately using the Environment Agency Remaining Landfill Capacity dataset presented in Table 18.18.</p> <p>Consequently, the update to Table 18.14 does not indicate any reduction in capacity and does not contradict the later analysis of landfill capacity.</p> <p><b>Action:</b> matters to be discussed in meeting 19.03.2026.</p> <p>This matter was discussed in the meeting on 19 March 2026. The</p>

		<p>purpose of Table 18.14 is to provide an overarching snapshot of the number and type of all waste management facilities (e.g. landfill, incineration, transfer, treatment etc.) within the Refined Study Area that could potentially accept construction and/or operational waste from EMG2 Project. It does not reflect the waste capacity of any of these facilities.</p> <p>As part of updating Chapter 18 based on the most current WDI data, a more refined filtering of waste management facilities was undertaken which led to a reduction in the total number of waste management facilities within the Refined Study Area that could potentially accept construction and/or operational waste. Although the total number of facilities in Table 18.14 has decreased (from 356 to 265) compared to the Chapter submitted with the application, this has not affected the total remaining <b>Landfill</b> capacity assessment (Table 18.18), which is what the significance assessment is based on.</p>
4.18	Noted that table 18.16 has been updated to account for data published after the chapter was submitted	No response required.
4.19	It is noted that paragraphs 18.5.17 and 18.5.18 have been consequently re-written	No response required.
4.20	Noted that table 18.17 and 18.18 have been updated to account for data published after the chapter was submitted and subsequent commentary re-written	No response required.
4.21	A comment both on the TN and these tables, the recalculated landfill capacities I don't get as they are different from the EA data. I've just gone in and turned off Rutland, so not sure if mine are too simplistic (I get 36,426,969 m <sup>3</sup> across Leicestershire,	The difference between the landfill capacity figures referenced in the Technical Note (26.02.26 / Enclosure 1) and those derived directly from the Environment Agency dataset arises from the

	<p>Derbyshire and Nottinghamshire in 2024). Paragraph 1.17 of the TN states that for the 3 counties <b>Total remaining capacity in 2024:</b> 30,533,384 m<sup>3</sup>. Also noted that this is then contradicted somewhat by paragraph 18.5.38 of the tracked Chapter 18 which also says 36,747,144 m<sup>3</sup>. Maybe this is a point of clarification?</p>	<p>refinement of the dataset used for the assessment.</p> <p>The Environment Agency “<i>Remaining Landfill Capacity – England</i>” dataset provides a national inventory of all permitted landfill sites, including sites that are technically permitted but which, in practice, would not receive waste from the EMG2 Project. When extracting data directly from the dataset for Leicestershire, Derbyshire and Nottinghamshire, a total capacity of approximately 36.4 million m<sup>3</sup> may be obtained depending on the filters applied (for example, excluding Rutland).</p> <p>However, for the purposes of the assessment presented in Chapter 18 and the Technical Note, the dataset was further refined to reflect the capacity realistically available to receive waste from the EMG2 Project. This refinement was undertaken following consultation with Nottinghamshire County Council and involved excluding certain landfill facilities identified within the Environment Agency dataset where it was confirmed that waste generated by the EMG2 Project would not be accepted at those facilities.</p> <p>Once these sites were removed from the dataset, the remaining landfill capacity across Leicestershire, Derbyshire and Nottinghamshire was calculated as 30,533,384 m<sup>3</sup> for 2024, as presented in Table 18.18 and referenced within the Technical Note.</p>
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		<p>The figure referenced in paragraph 18.5.38 of the tracked Chapter 18 reflects an earlier extraction of the Environment Agency dataset prior to the refinement described above.</p> <p>To avoid confusion, the wording in the Chapter has been reviewed and the Chapter has now been further refined and updated to ensure that the distinction between the total theoretical capacity reported by the Environment Agency dataset and the refined capacity used in the assessment is clearly explained. This includes the exclusion of any landfill capacity within Rutland as it is recognised that it is an independent unitary authority.</p>
4.22	<p>Noted that paragraph 18.5.23 has been simplified for clarity and to account for new data, but it has arguably taken out explanations of the data</p>	<p>Paragraph 18.5.23 was simplified following the inclusion of updated baseline tables and datasets in the revised Chapter. The intention of this amendment was to reduce duplication between the narrative text and the tabulated data presented elsewhere in the section, and to improve the overall readability of the chapter. The underlying datasets, sources and calculations remain unchanged and are now presented more clearly within the updated tables and accompanying text.</p> <p>The Applicant recognises that the previous wording provided additional explanatory context for the data. However, this information is now captured within the updated baseline tables and supporting paragraphs within Section 18.5. As such, the simplification was intended to streamline the narrative rather than remove substantive explanation. If helpful, the Applicant would be content to reintroduce a short explanatory sentence to further clarify the data interpretation while maintaining a concise</p>

		presentation of the baseline information.
4.23	Noted that table 18.19 and 18.20 have been updated to account for data published after the chapter was submitted	<p>Paragraph 18.5.23 was simplified following the inclusion of updated baseline tables and datasets in the revised Chapter. The intention of this amendment was to reduce duplication between the narrative text and the tabulated data presented elsewhere in the section, and to improve the overall readability of the chapter. The underlying datasets, sources and calculations remain unchanged and are now presented more clearly within the updated tables and accompanying text.</p> <p>The Applicant recognises that the previous wording provided additional explanatory context for the data. However, this information is now captured within the updated baseline tables and supporting paragraphs within Section 18.5. As such, the simplification was intended to streamline the narrative rather than remove substantive explanation. If helpful, the Applicant would be content to reintroduce a short explanatory sentence to further clarify the data interpretation while maintaining a concise presentation of the baseline information.</p> <p>Following the meeting on 19 March, the additional explanatory context for the data has now been reinstated into Paragraph 18.5.23 of the Chapter at the request of LCC.</p>
4.24	Materials impact recalculation is confusing – the Leicestershire figure for crushed rock production is 'Leicestershire: 9.56 Mt', which would indicate it is from the 2024 (2023 data) LAA which I would think would	The figure quoted in the Chapter submitted with the application for crushed rock production in Leicestershire (9.52 Mt) is derived

	<p>be the same data as the document should have had previously (as it was published Nov 2024). Does this mean it simply wasn't in the original Chapter 18?</p>	<p>from page 25 of LCC's Authority Monitoring Report</p> <p>2023-2024 (produced in May 2025).</p> <p>The figure of 9.56 Mt for crushed rock production in Leicestershire is derived from Table 1 of the Leicestershire Local Aggregate Assessment (LAA) 2024, which reports production data for the year 2023. However, it is noted that this LAA also quotes a figure of 9.52 Mt (e.g. on page 3) for crushed rock production in Leicestershire in 2023.</p> <p>The figure quoted in the Chapter submitted with the application for crushed rock production in Leicestershire (9.52 Mt in 2023) is derived from page 25 of LCC's Authority Monitoring Report 2023-2024 (produced in May 2025).</p> <p>The inclusion of the 9.56 Mt figure therefore represents a refinement and clarification of the baseline data, rather than a change in the underlying assessment approach. Importantly, incorporating this dataset does not materially alter the conclusions of the materials assessment. The recalculation confirms that the proportion of crushed rock potentially required for the EMG2 Project remains well below the thresholds set out within the ISEP magnitude criteria, and the significance of the effect remains unchanged.</p> <p>It was discussed at the meeting on 19 March 2026 that an updated Local Aggregate Assessment (LAA) was published by LCC in February 2026, subsequent to the most</p>
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		<p>recent updates to Chapter 18. This latest LAA reports that crushed rock production in Leicestershire increased to <b>10.71 Mt in 2024</b>. This updated dataset further reinforces the conclusions of the materials assessment as presented in the updated ES Chapter. It was agreed during the meeting that no further update to the assessment is required in light of the latest LAA.</p>
4.25	<p>Is there a contradiction between the TN and the tracked Chapter 18 regarding paragraph 1.57 of the TN? It states <i>'The quantified review confirms that no recalculated effect crosses a significance threshold and no previously non-significant effect becomes significant.'</i> It may be just semantics, but it is noted that the tracked Chapter 18 shows a change in significance now at various points (e.g. sensitivity change in tables 18.21, 18.29, 18.31)? Please could you explain? Also at paragraph 18.6.19 the magnitude for material resources consumption is considered Minor from negligible. It is noted that this is still not significant in the following paragraph.</p>	<p>The statement in paragraph 1.57 of the Technical Note refers specifically to the EIA significance test, rather than intermediate changes in sensitivity or magnitude within the assessment tables.</p> <p>Following the application of the updated datasets, some baseline sensitivity classifications have been refined within the tracked Chapter 18 (for example within Tables 18.21, 18.29 and 18.31). These changes reflect updated baseline information, such as revised landfill capacity figures or updated materials production data. However, these refinements occur at the receptor sensitivity stage of the assessment and do not alter the overall outcome of the significance matrix.</p> <p>Under the ISEP methodology applied in Chapter 18, the overall significance of effect is determined through the combination of receptor sensitivity and magnitude of impact. While sensitivity or magnitude may change between categories (for example from negligible to minor), the resulting significance may still remain below the "moderate" threshold that would constitute a significant effect in EIA terms.</p>

		<p>This is illustrated in paragraph 18.6.19, where the magnitude for material resource consumption changes from negligible to minor following the updated calculations. When this revised magnitude is combined with the relevant receptor sensitivity within the ISEP significance matrix, the resulting effect remains not significant.</p> <p>Accordingly, there is no contradiction between the Technical Note and the tracked Chapter. The Technical Note confirms that no recalculated effect crosses the significance threshold, meaning that no effect previously assessed as non-significant becomes significant as a result of the updated data. The changes identified in the tracked Chapter reflect refinements to intermediate assessment parameters rather than changes to the final significance conclusions.</p>
4.26	Note table 18.25 and 18.33 addition for clarification regarding soil density rather than weight	No response required.
4.27	It is noted table 18.36 has been changed from very high to medium due to data released since the chapter was submitted	No response required.
4.28	Table 18.38 has also changed, is this for the same reason?	<p>Yes, the change in Table 18.38 arises for the same reason. The table has been updated to reflect the application of the most recently available baseline datasets, including the updated landfill capacity figures and other supporting data incorporated into the tracked review of Chapter 18.</p> <p>As with the updates to other tables in the Chapter, the recalculation results in some refinement to the sensitivity and/or magnitude inputs used within the assessment matrix. However, when these revised inputs are applied through the ISEP</p>

		<p>significance matrix, the overall significance of effect remains unchanged.</p> <p>Accordingly, the update to Table 18.38 reflects a refinement of the baseline inputs rather than a change to the assessment conclusions, and the resulting effects remain not significant in EIA terms.</p>
4.29	<p>In relation to our final point in the RRs regarding the Site Waste Management Plan (SWMP), as mentioned in the meeting it was felt that the TN missed the point we were making but that a change of wording in the dDCO could address this. I understand that there is a February 2026 version of the dDCO which may address this?</p>	<p>The Applicant acknowledges the point raised in the Relevant Representations regarding the Site Waste Management Plan (SWMP) and the comments made during the meeting that the Technical Note did not fully address the concern raised.</p> <p>Following that discussion, the Applicant has reviewed the drafting within the draft Development Consent Order (dDCO). The February 2026 version of the dDCO includes revised wording intended to clarify the requirement for the preparation and implementation of a Site Waste Management Plan during the construction phase. The revised wording is intended to ensure that the SWMP is secured through the DCO and prepared prior to the commencement of the relevant construction works.</p> <p>The Applicant considers that this amendment addresses the concern raised in the Relevant Representations by ensuring that waste management arrangements are appropriately secured within the consenting framework, while allowing the detailed measures to be developed and implemented through the contractor's environmental management procedures at the construction stage. The Applicant remains open</p>

		<p>to further discussion with LCC should any additional clarification of the drafting be considered helpful.</p>
<p>4.30</p>	<p>Also on a related point, we would ask that there needs to be clarity as to when, how and where monitoring of waste types and quantities will be undertaken and reported as part of the Environmental Management System during construction. Also, of who it will be reported to and so on. Is this something you could clarify, please?</p>	<p>The monitoring of waste types and quantities during construction will be undertaken through the Site Waste Management Plan (SWMP) and the Construction Environmental Management Plan (CEMP), which will form part of the contractor's Environmental Management System.</p> <p>The SWMP set's out procedures for the recording, management and monitoring of construction waste, including the types and quantities of waste generated, the routes taken for reuse, recycling, recovery or disposal, and the licensed facilities receiving the waste, and who is responsible. Waste movements will be tracked through the use of waste transfer notes and duty of care documentation, in accordance with the Environmental Protection Act 1990 and the Waste Duty of Care Code of Practice.</p> <p>Monitoring will be undertaken throughout the construction phase, with waste data recorded on an ongoing basis as materials are removed from site. This information will be maintained within the contractor's environmental management records and used to demonstrate compliance with the SWMP and the waste hierarchy.</p> <p>Reporting of waste management performance will take place through the construction environmental management reporting framework, which will include regular monitoring and review of waste generation and recovery performance. These records will be made available to</p>

		<p>the relevant planning authority and other regulators where required, in accordance with the requirements of the approved management plans secured through the Development Consent Order.</p> <p>This approach is consistent with standard construction environmental management practice and ensures that waste generation, management routes and recovery performance would be monitored, recorded and auditable throughout the construction period. The arrangements described above reflect the information available at the time of writing, with further detail to be developed and agreed through the relevant management plans secured under the Development Consent Order prior to construction commencing.</p>
<b>Matters not agreed</b>		
4.31	There are no matters of disagreement between the Applicant and LCC	
<b>Matters still under discussion</b>		
4.32	There are no matters of disagreement between the Applicant and LCC	

## 5 MCO

<b>Matters agreed</b>		
<b>Ref</b>	<b>Matter</b>	<b>RAG status and any additional comments</b>
5.1	The Environmental Statement (ES) identifies and applies the appropriate Zone of Influence (Zol) for assessing the capacity of regional and local waste infrastructure.	
5.2	The design has incorporated the waste hierarchy (prevention, re-use, recycling,	

	recovery, disposal) in accordance with the National Planning Policy for Waste (NPPW) and local waste strategies.	
<b>Matters not agreed</b>		
5.3	There are no matters of disagreement between the Applicant and LCC	
<b>Matters still under discussion</b>		
5.4	Construction and operational waste arisings have been appropriately assessed within the ES, and anticipated volumes and types of waste are considered realistic.	Notwithstanding our earlier comment as part of the RRs on the need for up-to-date waste data.
5.5	Provision of adequate capacity at waste facilities in the determined Zone of Influence to manage forecast arisings from the Scheme.	Again, this is notwithstanding our comments in relation to the need for the use of up-to-date waste data and data issues.
5.6	Monitoring of waste types and quantities will be undertaken and reported as part of the Environmental Management System during construction.	There needs to be clarity as to when, how and where this will be undertaken. Also, of who it will be reported to and so on.

## 6 Conclusions

- 6.1 There remain issues to be finalised between the Applicant and LCC in relation to several materials and waste matters under discussion in relation to the Scheme. These are 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**

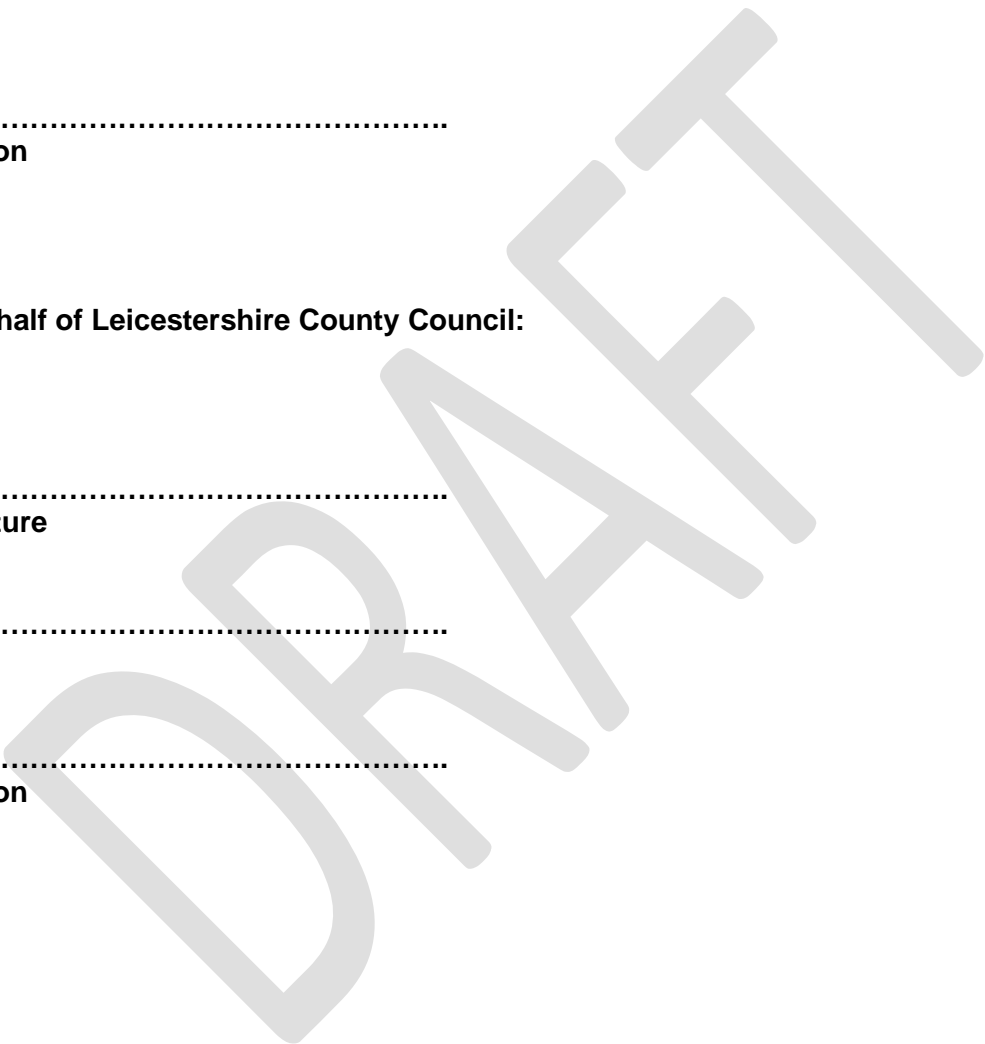
.....  
**Position**

**On behalf of Leicestershire County Council:**

.....  
**Signature**

.....  
**Name**

.....  
**Position**



## APPENDIX

### RECORD OF ENGAGEMENT

Date	Form of engagement	Summary of matters dealt with
09/12/2024	Online meeting	<p>BWB made LCC aware that there is no definitive methodology for determining the 'expansive study area', with each scenario having distinct limitations. BWB proposed an expansive study 30-mile geographical radius extending from the central study location based upon guidance from WRAP, CIRIA and DEFRA.</p> <p>LCC confirmed that the approach proposed for the assessment was acceptable in principle and requested a justification for this approach. It was also noted that this approach would introduce a transboundary element, necessitating additional consultation with neighbouring councils to ensure a comprehensive assessment.</p>
13/03/2025	Email	<p>LCC provided the following comments to the Statutory Consultation based on the first draft version of the Waste and Materials Chapter:</p> <ul style="list-style-type: none"> <li>• LCC did not agree a 30-mile expansive study area radius of study and requested further justification;</li> <li>• The radius must be clear whether it is based on vehicle miles distance travelled or an isochrone;</li> </ul>

		<ul style="list-style-type: none"> <li>• The latest Environment Agency (EA) Waste Data Interrogator has not been used;</li> <li>• Baseline data on the production of materials is set out inconsistently;</li> <li>• LCC raised the conflation of non-hazardous Construction and Demolition (C&amp;D) wastes and non-hazardous waste;</li> <li>• Waste data should include any relevant facilities within the expansive study area; and</li> <li>• Only a partial representation of recycling facilities within Leicestershire has been included.</li> </ul> <p>BWB addressed these comments in the subsequent draft version of the Chapter.</p>
28/03/2025	Email	BWB issued a Technical Note, which was subsequently submitted with the Application as Appendix 18B. This Technical Note provided a justification for the choice of expansive study area (i.e. a 30-mile isochrone).
02/04/2025	Online meeting	<p>BWB provided more context to justify the proposed expansive 30-mile study area and raised the difficulty in establishing the existing and future capacity for waste facilities within the expansive study area due to EA Waste Data Interrogators not setting out this data.</p> <p>LCC confirmed that:</p>

		<ul style="list-style-type: none"> <li>• they were satisfied with the justification for the proposed expansive 30-mile study area with respect to waste but requested further justification for the 30 mile study area with respect to minerals.</li> <li>• they are aware of the dearth of available data on existing and future waste capacity and suggested using whatever information is set out within local and county level waste plans and annual monitoring reports.</li> </ul> <p>BWB took the advice on existing and future waste capacity on board in progression of the Chapter.</p>
02/04/2025	Email	<p>BWB issued an updated Technical Note, which was subsequently submitted with the Application as Appendix 18C. This Technical Note expanded on the justification for the proposed expansive 30-mile study area for the minerals assessment.</p> <p>LCC confirmed that the justification provided for the minerals assessment was acceptable.</p>
30/04/2025	Email	<p>LCC issued data on existing and future waste facility capacity for Leicestershire which BWB utilised to progress the Chapter.</p>
24/07/2025	Statutory Consultation	<p>LCC provided the following comments to the Statutory Consultation based on the second draft version of the Waste and Materials Chapter:</p>

		<ul style="list-style-type: none"><li>• LCC acknowledged and accepted that many of the comments they made on the first draft version of the Chapter were addressed in the second draft version;</li><li>• LCC commented that data in the latest Annual Monitoring Report (AMR) was not used;</li><li>• LCC requested clarification on whether a cut and fill balance would be achieved for both the DCO and MCO Applications;</li><li>• LCC requested that a Development Sequencing Plan be included within the Site Waste and Materials Management Plan, which was subsequently submitted as Appendix 18E of the DCO Application;</li><li>• LCC noted a remaining inconsistency with reporting on incineration and energy from waste facilities;</li><li>• LCC queried why Inert and Non- Hazardous Waste streams were not split out as distinct waste streams in some instances;</li><li>• LCC queried whether the capacity of one particular non-hazardous facility within Leicestershire had been included in the reporting;</li><li>• LCC requested that a list of construction and demolition recycling facilities included in reporting are provided;</li></ul>
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		<ul style="list-style-type: none"> <li>• LCC commented that some facilities within the AMR would not accept waste produced by the Scheme;</li> <li>• LCC acknowledged receipt of the updated Technical Note (Appendix 18.3) and accepted the justification for the expansive study area; and</li> <li>• LCC queried the figure provided in the Chapter for the total remaining non- hazardous landfill capacity in Leicestershire.</li> </ul> <p>BWB addressed these comments in the version of the Chapter submitted with the Application and provided clarifications on LCC's queries in Appendix 18A of the Chapter.</p>
		<p>[To be updated]</p>