

Document DCO 8.2 / MCO 8.2

Statement of Commonality

JulyJune 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
3	June 2026 (2)	Deadline 5 Submission
<u>4</u>	<u>July 2026</u>	<u>Deadline 6 Submission</u>

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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 ~~werehave 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 ~~65~~ and a final version is expected to be submitted at Deadline ~~76~~. This document is up to date as at ~~120noon.00 a.m. on 28 July30 June 2026~~ (Deadline ~~65~~).
- 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. ~~Some statements of common ground are not being submitted since they have either not moved on since they were last submitted or have been signed and submitted at a previous deadline. 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 ~~65~~ with an asterix.

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. NWL have advised that they will review the latest version of the SoCG upon the return from leave of the relevant officer on 4 August 2026
8.3B	Planning Policy	Under discussion	NWL responded to the re-formatted SoCG on Friday 12 June 2026. Matters still under discussion. NWL have advised that they will review the latest version of the SoCG upon the return from leave of the relevant officer on 4 August 2026
8.3C	Air Quality*	Under discussion	Agreed subject to confirmation from LCC that content with PRTM 2023 model run outcomes.
8.3D	Lighting	Agreed	Signed and submitted at Deadline 6-Nothing outstanding and only awaiting signature
8.3E	Noise*	Under discussion	Agreed subject to confirmation from LCC that content with PRTM 2023 model run outcomes.
8.3F	Landscape and Visual	Agreed	Signed and submitted at Deadline 6- Very minor comments (grammar only) received from NWL on 17 June. SoCG updated accordingly and is now agreed and only awaiting signature
8.3G	<u>Built</u> Heritage	Agreed	Signed and submitted at Deadline 6-Nothing outstanding and only awaiting signature
Leicestershire County Council			

LCC require the SoCG to be submitted to them as a set and do not deal with them individually.			
8.4A	Overarching SoCG*	Under discussion	No progress made since Deadline 4 as awaiting progress on technical SoCGs.
8.4B	Highways	Under discussion	Latest version submitted with some matters outstanding
8.4C	Archaeology	Agreed	<u>Signed and submitted at Deadline 6</u> Nothing outstanding and only awaiting signature
8.4D	Ecology	Agreed	<u>Signed and submitted at Deadline 6</u> Nothing outstanding and only awaiting signature
8.4E	Population & Health	Under discussion	Latest version submitted with some matters outstanding. <u>A response is awaited from LCC.</u>
8.4F	Materials and Waste	Agreed Under discussion	Agreed Latest version submitted. <u>All matters agreed subject to outstanding SWMMP (which LCC have now agreed) being submitted at D6. One outstanding matter</u>
8.4G	Flood r Risk and Drainage	Agreed Under discussion	<u>Agreed and awaiting LCC signature</u> Latest version submitted. One outstanding matter
Others			
8.5	National Highways	Under discussion	Agreed apart from ongoing discussion on protective provisions.
8.6	Nottinghamshire County Council*	Agreed	Signed <u>and submitted at Deadline 5</u> by NCC and Applicant
8.7	Natural England	Under discussion	Mostly agreed, ongoing discussions to finalise few outstanding issues.
8.8	Historic England*	Agreed	Signed <u>and submitted at Deadline 5</u> by HE and Applicant

8.9	Forestry Commission*	Agreed	ASigned and submitted at Deadline 5 <u>Agreed and signed by Forestry Commission 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 <u>which is now mostly resolved with only a few outstanding points.</u>
8.11	East Midlands Airport	Under discussion	Reformatted SoCG sent to EMA on 1 June 2026. No response received until 15.23 on 29 June 2026 without tracked changes identified 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>The SoCG being submitted is the Applicant's response to the version submitted at Deadline 5 which was sent to EMA on 21 July 2026. No response has yet been received. 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. Response received evening of Friday 26 June. The Applicant has responded and the version being submitted is the version including the Applicant's response. The latest version of the SoCG was sent by the Applicant to EMA and Prologis on 30 June 2026 and was submitted at Deadline 5. No response has yet been received.

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																	