

Document DCO 8.10

Statement of Common Ground between SEGRO and the Environment Agency

September 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) the Environment Agency ("EA").

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.
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 (Document DCO 3.1). DCO Works Nos. 20 and 21 including relevant Further Works as described in the draft DCO (Document DCO 3.1).
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, Hyam's Lane Works, 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 (Document DCO 3.1).
MCO Application made by the MCO Applicant for the MCO Scheme		
EMG1 Works	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 (Document MCO 3.1).

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 The EA enters into this SoCG in its capacity as statutory consultee.

2.3 A record of the engagement between the Applicant and LCC in relation to flood risk and drainage 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.

3.1 The areas covered by this SoCG are as follows:

3.1.1 Groundwater & Contaminated Land

3.1.2 Biodiversity.

3.1.3 Water Quality.

3.1.4 Flood Risk.

3.1.5 Waste.

3.1.6 The draft DCO and MCO.

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 Applicant and LCC in relation to flood risk and drainage.

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 tables a Red Amber Green (RAG) status has been applied as follows: **green**: agreed, **amber** - a matter that is under discussion and/or further work is being completed and **red** - not agreed.

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
Groundwater & Contaminated Land						
4.1	Suitability of the EIA methodology	DCO 6.14 ES Chapter 14: Ground Conditions (Reference REP6-035)	The methodology and approach used to assess soil, geology, groundwater and land contamination risks across the EMG2 Project are considered appropriate and acceptable, and robust evidence is provided for each conclusion.	Agreed and the EA has no further comments	Agreed	01/09/26
4.2	Outcomes and conclusions assessment	DCO 6.14 ES Chapter 14: Ground Conditions (Reference REP6-035)	The outcomes and conclusions of Chapter 14 (DCO/MCO 6.14) are appropriate and acceptable. There are no likely significant effects on ground conditions from the DCO and MCO applications individually, collectively or with surrounding (inter-project) developments.	Agreed and the EA has no further comments	Agreed	01/09/26
Biodiversity						
4.3	Outcomes and conclusions of the assessment	DCO 6.9 ES Chapter 9: Ecology and Biodiversity (Reference REP3-014)	The EIA methodology and approach taken for the assessment of biodiversity is appropriate and acceptable. The outcomes of ES Chapter 9 are appropriate and acceptable. Specifically, there are no likely significant effects on water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	01/09/26
4.4	Biosecurity	DCO 6.3A ES Appendix 3A: CEMP (Reference TBC at Deadline 7)	The principles outlined in the framework Construction Environmental Management Plan (CEMP) for the DCO in relation to biosecurity and invasive species are considered appropriate to address the construction phase of the EMG2.	Agreed and the EA has no further comments	Agreed	01/09/26
4.5	Riparian Buffer	DCO 6.3A ES Appendix 3A: CEMP (Reference TBC at Deadline 7)	The principles outlined in the framework Construction Environmental Management Plan (CEMP) for the DCO in relation to an appropriate riparian buffer (a minimum of 10m from top of bank) are considered appropriate to address the construction phase of the EMG2.	Agreed and the EA has no further comments	Agreed	01/09/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
Water Quality						
4.6	Suitability of the EIA methodology	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13H and DCO 6.13I, Sustainable Drainage Statements (References APP-149 , APP-150) DCO 6.13F ES Appendix 13F: WFD Screening (Reference TBC at Deadline 7)	The EIA methodology and approach taken for the assessment of ground and surface water quality is appropriate and acceptable. The information detailed within Chapter 13 (DCO/MCO 6.13) and within the supporting appendices (WFD Screening, and Sustainable Drainage Statements) is appropriate and acceptable.	Agreed and the EA has no further comments	Agreed	01/09/26
4.7	Suitability of the framework CEMP on managing water quality.	DCO 6.3A ES Appendix 3A: CEMP (Reference TBC at Deadline 7)	The principles outlined in the framework Construction Environmental Management Plan (CEMP) for the DCO in relation to water quality are considered appropriate to address the construction phase of the EMG2.	Agreed and the EA has no further comments	Agreed	01/09/26
4.8	The status of the local WFD waterbodies.	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13F ES Appendix 13F: WFD Screening (Reference TBC at Deadline 7)	The scheme will not cause deterioration of the water environment, the status of the surrounding water bodies, or compromise the ability of the water bodies to achieve their WFD status objectives.	Agreed and the EA has no further comments	Agreed	01/09/26
4.9	Outcomes and conclusions of the assessment	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033)	The outcomes of ES Chapter 13 are appropriate and acceptable. Specifically, there are no likely significant effects on water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	01/09/26
Flood Risk						
4.10	NPSNN and NPPF	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13G ES Appendix 13G: Flood Risk Assessment (Reference AS-058)	The Flood Risk Assessment and ES Chapter 13 (DCO/MCO 6.13) have been prepared in accordance with the National Policy Statement for National Networks (NPSNN) and the National Planning Policy Framework (NPPF).	Agreed and the EA has no further comments	Agreed	16/06/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
4.11	Assessment Methodology, including climate change	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13G ES Appendix 13G: Flood Risk Assessment (Reference AS-058) DCO 6.13H and DCO 6.13I, Sustainable Drainage Statements (References APP-149 , APP-150)	The methodology and approach taken for the assessment of flood risk is appropriate and acceptable, including consideration of the effects of climate change. The information detailed within the Chapter 13 (DCO/MCO 6.13) and within the supporting appendices (Flood Risk Assessments, and Sustainable Drainage Statements) is appropriate and acceptable.	Agreed and the EA has no further comments	Agreed	16/06/26
4.12	Flood risk to the development and the impact of the development in to the surrounding area	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13G ES Appendix 13G: Flood Risk Assessment (Reference AS-058) DCO 6.13H and DCO 6.13I, Sustainable Drainage Statements (References APP-149 , APP-150)	The Scheme is at an acceptable level of flood risk and, subject to the implementation of the flood risk management principles outlined in the Flood Risk Assessment, and the surface water drainage principles outlined in the Sustainable Drainage Statements, the proposed scheme will appropriately mitigate flood risk in line with best practice guidance. There are no likely significant effects on flood risk from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	16/06/26
4.13	Management of flood risk at the construction phase.	DCO 6.3A ES Appendix 3A: CEMP (Reference TBC at Deadline 7)	The principles outlined in the framework Construction Environmental Management Plan (CEMP) for the DCO in relation to flood risk are considered appropriate to address the construction phase of the EMG2.	Agreed and the EA has no further comments	Agreed	16/06/26
Waste						
4.14	Outcomes and conclusions of the assessment	DCO 6.18 ES Chapter 18: Materials and Waste (Reference REP1-029)	The EIA methodology and approach taken for the assessment of Waste is appropriate and acceptable. The outcomes of ES Chapter 18 are appropriate and acceptable. Specifically, there are no likely significant effects on water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	16/06/26
Draft DCO						
4.15	The Draft DCO	DCO 3.1 dDCO (Reference REP5-008D)	The EA are comfortable with the content of the draft DCO relating to flood risk, water quality, ground conditions and waste.	Agreed and the EA has no further comments	Agreed	01/09/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
Groundwater and Contaminated Land						
5.1	Suitability of the EIA methodology	DCO 6.14 ES Chapter 14: Ground Conditions (Reference REP6-035)	The methodology and approach used to assess soil, geology, groundwater and land contamination risks across the EMG2 Project are considered appropriate and acceptable, and robust evidence is provided for each conclusion.	Agreed and the EA has no further comments	Agreed	01/09/26
5.2	Outcomes and conclusions assessment	DCO 6.14 ES Chapter 14: Ground Conditions (Reference REP6-035)	The outcomes and conclusions of Chapter 14 (DCO/MCO 6.14) are appropriate and acceptable. There are no likely significant effects on ground conditions from the DCO and MCO applications individually, collectively or with surrounding (inter-project) developments.	Agreed and the EA has no further comments	Agreed	01/09/26
Biodiversity						
5.3	Outcomes and conclusions of the assessment	DCO 6.9 ES Chapter 9: Ecology and Biodiversity (Reference REP3-014)	The EIA methodology and approach taken for the assessment of biodiversity is appropriate and acceptable. The outcomes of ES Chapter 9 are appropriate and acceptable. Specifically, there are no likely significant effects on water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	16/06/26
Water Quality						
5.4	Suitability of the EIA methodology	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13J ES Appendix 13J: Sustainable Drainage Statement (Reference APP-151) DCO 6.13F ES Appendix 13F: WFD Screening (Reference TBC at Deadline 7)	The EIA methodology and approach taken for the assessment of ground and surface water quality is appropriate and acceptable. The information detailed within Chapter 13 (DCO/MCO 6.13) and within the supporting appendices (WFD Screening, and Sustainable Drainage Statements) is appropriate and acceptable.	Agreed and the EA has no further comments	Agreed	01/09/26
5.5	Suitability of the CEMP on managing water quality.	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033)	The EMG1 DCO contains provisions pursuant to Requirement 11 as set out in Schedule 2 of the EMG1 DCO requiring a further P-CEMP to be submitted for each phase and this will apply to the EMG1 Works. The P-CEMP will need to adhere to the approved construction management framework plan that was approved for EMG1. Matters contained in the Construction Environmental Management Plan (CEMP) in relation to water quality are	Agreed and the EA has no further comments	Agreed	01/09/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
			considered appropriate to address the construction phase of the MCO.			
5.6	The status of the local WFD waterbodies.	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13F ES Appendix 13F: WFD Screening (Reference TBC at Deadline 7)	The scheme will not cause deterioration of the water environment, the status of the surrounding water bodies, or compromise the ability of the water bodies to achieve their WFD status objectives.	Agreed and the EA has no further comments	Agreed	01/09/26
5.7	Outcomes and conclusions of the assessment	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033)	The outcomes of ES Chapter 13 are appropriate and acceptable. Specifically, there are no likely significant effects on water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	01/09/26
Flood Risk						
5.8	NPSNN and NPPF	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13G ES Appendix 13G: Flood Risk Assessment (Reference AS-058)	The Flood Risk Assessment and ES Chapter 13 (DCO/MCO 6.13) have been prepared in accordance with the National Policy Statement for National Networks (NPSNN) and the National Planning Policy Framework (NPPF).	Agreed and the EA has no further comments	Agreed	16/06/26
5.9	Assessment Methodology, including climate change	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13G ES Appendix 13G: Flood Risk Assessment (Reference AS-058) DCO 6.13J ES Appendix 13J: Sustainable Drainage Statement (Reference APP-151)	The methodology and approach taken for the assessment of flood risk is appropriate and acceptable, including consideration of the effects of climate change. The information detailed within the Chapter 13 (DCO/MCO 6.13) and within the supporting appendices (Flood Risk Assessment, and Sustainable Drainage Statements) is appropriate and acceptable.	Agreed and the EA has no further comments	Agreed	16/06/26
5.10	Flood risk to the development and the impact of the development in to the surrounding area	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033) DCO 6.13G ES Appendix 13G: Flood Risk Assessment (Reference AS-058) DCO 6.13J ES Appendix 13J: Sustainable Drainage	The Scheme is at an acceptable level of flood risk and, subject to the implementation of the flood risk management principles outlined in the Flood Risk Assessment, and the surface water drainage principles outlined in the Sustainable Drainage Statements, the proposed scheme will appropriately mitigate flood risk in line with best practice guidance. There are no likely significant effects on flood risk from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	16/06/26

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
		Statement (Reference APP-151)				
5.11	Management of flood risk in the construction phase.	DCO 6.13 ES Chapter 13: Flood Risk and Drainage (Reference REP6-033)	The EMG1 DCO contains provisions pursuant to Requirement 11 as set out in Schedule 2 of the EMG1 DCO requiring a further P-CEMP to be submitted for each phase and this will apply to the EMG1 Works. The P-CEMP will need to adhere to the approved construction management framework plan that was approved for EMG1. Matters contained in the Construction Environmental Management Plan (CEMP) in relation to flood risk are considered appropriate to address the construction phase of the MCO.	Agreed and the EA has no further comments	Agreed	16/06/26
Waste						
5.12	Outcomes and conclusions of the assessment	DCO 6.18 ES Chapter 18: Materials and Waste (Reference REP1-029)	The EIA methodology and approach taken for the assessment of Waste is appropriate and acceptable. The outcomes of ES Chapter 18 are appropriate and acceptable. Specifically, there are no likely significant effects on water quality from the DCO and MCO applications individually, collectively or cumulatively with other development.	Agreed and the EA has no further comments	Agreed	16/06/26
The draft MCO						
5.13	The Draft MCO	MCO 3.1 Draft MCO (Reference REP5-006M)	The EA are comfortable with the content of the draft MCO relating to flood risk, water environment, and ground conditions subject to the additional requirement referred in 5.1. The Applicant is considering this change to the requirements will be included in the next version of the dMCO.	Agreed and the EA has no further comments	Agreed	01/09/26

6 Conclusions

- 6.1 The Applicant and the EA confirm that all matters under discussion in relation to the Scheme have been agreed as recorded in the tables in sections 4 and 5 above.

SIGNATURES:

On behalf of the Applicant:



Signature



.....
Name

Technical Manager (BWB)

.....
Position

On behalf of Environment Agency:

.....
Signature

.....
Name

.....
Position

APPENDIX
RECORD OF ENGAGEMENT

Date	Form of engagement	Summary of matters dealt with
25/07/2024	Meeting	An initial introductory meeting was held with the LLFA to discuss the project and the best communication routes for engagement.
03/09/2024	Email	Email to the LLFA making them aware that a scoping request had been submitted, and offering another meeting to discuss the scheme should they have any questions.
24/09/2024	Scoping Opinion	The LLFA identified that they were supportive of the proposed approach to draining surface water from the scheme. They raised a number of items relating to flood risk and water quality that the development should consider including: the need for robust surface water management measures at the construction phase, that the extent of watercourse disruption should be kept to a minimum, and that any hydraulic modelling should be independently reviewed by a third party.
21/11/2024	Email	A summary note was returned to the LLFA providing additional information related to matters raised by them and the EA in the scoping opinion.
13/02/25	Email	Two preliminary culvert capacity assessments were shared with the LLFA. One associated with the footpath crossing of the Hemington Brook (the L57 footpath), and the other associated with the Active Travel Route's proximity to a minor tributary of the River Soar outfalling from the East Midlands Airport. While these were to address comments raised by the EA, the LLFA were included to keep them informed.

03/03/25	Email	At the request of the LLFA, the summary note previously shared on the 13.02.25 was reissued.
17/03/25	Statutory Consultation	The LLFA raised no issues, but requested that agreement of the following are secured as a requirement in the DCO: the construction phase drainage strategy; the operational phase drainage strategy; the long-term maintenance strategy for the drainage.
30/04/25	Email	At the request of the EA, the LLFA were approached in relation to the footpath improvements (L57) and the increased length of culvert that would be required.
08/05/25	Email	The LLFA replied to confirm that they did not foresee any issues with the footpath improvements (L57) and the increased length of culvert.
21/05/25	Email	The LLFA were made aware of the change in programme and the intention to undertake a second round of consultations.
02/07/25	Email	The LLFA were made aware that the second consultation had begun, and also that the hydraulic modelling had been independently reviewed. The model review proforma was shared.
11/08/25	Email	The LLFA were asked if they had any outstanding concerns on the EMG2 or EMG1 schemes.
28/07/25	Statutory Consultation	The LLFA comments remained unchanged from those submitted in response to first statutory consultation, but it was stated that the associated EMG1 and off-site highways works raise a cause for concern and that details are required to demonstrate that the suggested surface water requirement(s) have been met

15/08/25	Email	The LLFA were approached with suggested amendments to the wording of the draft DCO Requirements.
28/08/25	Email	The LLFA were asked what their outstanding concerns were on the EMG2 or EMG1 schemes, and if they had chance to consider the suggested rewording of the DCO requirements.
08/09/25	Email	The LLFA were asked what their outstanding concerns were on the EMG2 or EMG1 schemes, and if they had chance to consider the suggested rewording of the DCO requirements.
15/09/25	Email	The LLFA were approached in relation to comments attributed to the LLFA in the second consultation, which stated that the drainage works in EMG1 and on the highways are “of concern”. It was asked what the concerns were, and what information were could be provided to them to address them
17/09/25	Email	The LLFA confirmed that they did not raise any comments in relation to the drainage in the second consultation, and that they have no outstanding concerns in relation to EMG2 and the associated Highway Works, or the proposed works to EMG1 proposed as part of the MCO.
09/01/26	Relevant Representations	The Environment Agency submitted their relevant representation to the application, raising comments and asking for further information on groundwater and contaminated land, biodiversity and water quality topics. No issues were raised with the flood risk and waste topics.
07/04/26	Response to Relevant Representations	The applicant submitted a response to the comments raised by the Environment Agency in their relevant representations.

21/05/26	EA meeting	Meeting held to meet the new EA project lead. Discussions over progressing the SoCG held. Confirmed that there are no outstanding issues on Flood Risk and Waste topics.
26/05/26	Receipt of EA draft SoCG	Itemised issues that the EA would like to be covered in the SoCG were received and added in to the new SoCG format in the Interested Party's column. RAG status of issues raised in the Relevant Representations provided. No information provided on why some items remain under discussion.
11/06/26	Email	Email issued to the EA requesting further information to be provided on the Relevant Representation items that they still consider under discussion.
12/06/26	Email	Email received from the EA updating their position on agreed and under discussion items. This included further information on what is required to address their outstanding concerns
19/06/26	EA Meeting	Meeting held with the EA and applicant to discuss the outstanding issues and the potential approach to move towards resolution. It was agreed that the approved amendments to the EMG2 CEMP would also be captured in a supplement to the EMG1 CEMP to secure the necessary pollution and water quality safeguards.
20/07/26	Email	An email exchange took place with the EA to discuss the final outstanding issue (item 21 from EA relevant representation [RR-016D]) related to the management of fire water from the EMG1 switchgear. It was agreed that retrofitting automated penstocks to the existing EMG1 SuDS basins would provide appropriate pollution prevention safeguards in the event of a fire at the switchgear.

18/08/26	Email	Following an email exchange a further consistency update to the WFD screening report and CEMP was provided to the EA which addressed their final concerns related to item 24.
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