

East Midlands Gateway  
Phase 2 (EMG2)

**Document MCO3.2**

# Draft Material Change Order

[January] 2025

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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**SEGRO**

202[ ] No.

**INFRASTRUCTURE PLANNING**

**The East Midlands Gateway Rail Freight Interchange and  
Highway (Amendment) Order 20[ ]**

*Made* - - - - - \*\*\*

*Coming into force* \*\*\*

An application has been made to the Secretary of State under paragraph 3 of Schedule 6 to the Planning Act 2008(a) in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) for a material change to the East Midlands Gateway Rail Freight Interchange and Highway Order 2016(c).

The Secretary of State, having considered the application and the responses to the publicity and consultation carried out in accordance with regulations 10 and 14 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make this Order amending the East Midlands Gateway Rail Freight Interchange and Highway Order 2016.

The Secretary of State, in exercise of the powers conferred by paragraph 3 of Schedule 6 to the Planning Act 2008, makes the following Order—

**Citation and commencement**

1. This Order may be cited as the East Midlands Gateway Rail Freight Interchange and Highway (Amendment) Order 20[ ] and comes into force on [ ].

**Amendment of the East Midlands Gateway Rail Freight Interchange and Highway Order 2016**

2.—(1) The East Midlands Gateway Rail Freight Interchange and Highway Order 2016 is amended as follows.

(2) In article 2 (interpretation), in the definition of “main site”, replace “Works Nos. 2 to 5” with “Works Nos. 2 to 5C”.

(3) In article 2 (interpretation), insert—

““additional works plan” means the plans certified as the additional works plan by the Secretary of State for the purposes of this Order;

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(a) 2008 c. 29. Paragraph 3 of Schedule 6 was amended by paragraph 72 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011 (c. 20), section 28 of the Infrastructure Act 2015 (c. 7) (there are other amendments to paragraph 3 that are not relevant to this Order), and by S.I. 2018/1232.  
(b) S.I. 2011/2055 as amended by S.I. 2012/635, S.I. 2013/522, S.I. 2015/760, S.I. 2017/314, S.I. 2017/524, 2018/378, S.I. 2019/734 and S.I. 2020/1534.  
(c) S.I. 2016/17

“additional parameters plans” means the plan certified as the additional parameters plans by the Secretary of State for the purposes of this Order;

“additional access and rights of way plan” means the plans certified as the additional access and rights of way plan by the Secretary of State for the purposes of this Order;

“additional environmental statement” means the document certified as the environmental statement plans by the Secretary of State for the purposes of this Order;”

(4) In article 5(1) (authorisation of use), replace “Works Nos. 1 to 6 inclusive” with “Works Nos. 1 to 6A inclusive”.

(5) In article 12(1) (public rights of way – creation, diversion and stopping up), insert (e)– “divert each of the public rights of way specified in columns (1) and (2) of Part 4 of Schedule 5 (public rights of way to be created) to the extent specified in columns (3) and (4) of that Part of that Schedule.”

(6) After article 12(5) (public rights of way – creation, diversion and stopping up), insert—

“(6) The undertaker must in connection with carrying out of the authorised development provide the new diverted public rights of way specified in columns (3) and (4) of Part 4 of Schedule 5 (new public rights of way to be created) in place of the public rights of way specified in columns (1) and (2) of that Part of that Schedule by the events in column (5) of that Part of that Schedule.”

(7) After article 39 (certification of plans etc.), insert —

**“Certification of additional plans etc.**

39A. (1) The undertaker must, as soon as practicable after the making of the East Midlands Gateway Rail Freight Interchange and Highway (Amendment) Order 20[ ], submit for certification copies of —

- (a) the additional works plan (Document MCO2.2);
- (b) the additional parameters plans (Document MCO2.5);
- (c) the additional access and rights of plan (Document MCO2.4); and
- (b) the additional environmental statement (Document [ ]).

(2) A plan or document so certified by the Secretary of State is admissible in any proceedings as evidence of the contents of the document of which it is a copy.”.

(8) In Schedule 1 (authorised development), Part 1, after Works No. 3, insert—

**Works No. 3A**

Within the area shown on the additional works plan for Works No. 3A, the construction of rail served warehousing including—

- (a) construction of a development plateau;
- (b) rail served warehouses and ancillary buildings in accordance with the parameters specified on the additional parameters plans;
- (c) vehicle, cycle and pedestrian access routes and signage;
- (d) roof mounted photovoltaics;
- (e) external plant;
- (f) vehicle maintenance, service yards, washing and refuelling facilities, weighbridges and electric vehicle charging units;
- (g) hardstandings and container storage;

- (h) parking for HGVs and other vehicles (including cycles), driver welfare facilities and HGV fuelling areas;
- (i) [energy centre]; and
- (j) the stopping up of the lengths of existing public rights of way as shown on the additional access and rights of way plans.

**Works No. 3B**

Within the area shown on the additional works plan for Works No. 3B, the extension to the primary substation.

**Works No. 3C**

Within the area shown on the additional works plan for Works No. 3C, the extension of the management offices including—

- a. buildings in accordance with the parameters specified on the additional parameters plans;
- b. vehicle, cycle and pedestrian access routes and signage;
- c. roof mounted photovoltaics;
- d. external plant; and
- e. parking for vehicles (including cycles).

(9) In Schedule 1 (authorised development), Part 1, after Works No. 5, insert—

**“Works No. 5A**

Within the area shown on the additional works plan for Works No. 5A the construction of road infrastructure including—

- a. access to and egress from the rail served warehousing (Works No. 3A);
- b. alterations to the existing road constructed as part of Works No. 5 to accommodate the access and egress;
- c. footways and shared use footways/cycleways; and
- d. [bus stop lay-bys, shelters and signage].

**Works No. 5B**

Within the area shown on the additional works plan for Works No. 5B the construction of road infrastructure including—

- a. a pedestrian drop-off lay-by;
- b. alterations to the existing road constructed as part of Works No. 5 to accommodate the lay-by;
- c. earthworks retaining structures; and
- d. a footway from the lay-by connecting to the crossing constructed as part of the EMG1 access junction works [EMG2 Works No. 13].

**Works No. 5C**

Within the area shown on the additional works plan for Works No. 5C the construction of infrastructure including—

- a. a secure parking area for buses;
- b. access to and egress from the parking area; and
- c. alterations to the existing road constructed as part of Works No. 5 to accommodate the access and egress.”

(10) In Schedule 1 (authorised development), Part 1, after Works No. 6, insert—

**“Works No. 6A**

Within the area shown on the additional works plan for Works No. 6A the provision of hard and soft landscape works including—

- a. earthworks to create screening bunds;
- b. soft landscaping within and surrounding the development, integrating and enhancing green infrastructure and incorporating biodiversity enhancements;
- c. basins for surface water attenuation;
- d. wildlife habitat creation and appropriate improvements to connectivity between areas of ecological interest;
- e. [noise attenuation including acoustic fencing and/or landscape screening;]
- f. the stopping up of existing and creation of new public rights of way as shown on the access and rights of way plans; and
- g. [signage and totems located within the areas indicated on the additional parameters plans].”

(11) In Schedule 1 (authorised development), Part 4 (associated development), in paragraph (1), replace “Works Nos. 1 to 5” with “Works Nos. 1 to 5C”.

(12) In Schedule 1 (authorised development), Part 4 (associated development), in paragraph (2), replace “Works Nos. 1 to 6” with “Works Nos. 1 to 6A”.

(13) In Schedule 4 (streets to be permanently stopped up), Part 1 (streets for which a substitute is to be provided), in column (4), replace “(i) Proposed new highway A50 within the area marked vii on the access and rights of way plans (Document 2.3A) shown by blue hatching;” with “(i) Proposed new highway A50 within the area marked ii on the access and rights of way plans (Document 2.3A) shown by blue hatching;”.

(14) In Schedule 5 (public rights of way to be stopped up), insert a new Part 4—

PART 4

PUBLIC RIGHTS OF WAY TO BE DIVERTED

(1) Area	(2) Public right of way to be diverted	(3) Extent of public right of way to be diverted	(4) Extent of new diversion route	(5) When to be provided
Parishes of Lockington cum Hemington and Kegworth	Public footpath L112 (part)	The existing footpath between the points marked 54-55 on the additional access and rights of way plan shown with a dashed red line	Proposed public footpath between the points marked 54-55 on the additional access and rights of way plan shown indicatively with a dashed and dotted brown line on an alignment to be agreed with the local highway authority and constructed as part of Works No. 3A	By completion of Works No. 3A

Signed by authority of the Secretary of State for Transport

[ ]  
Department for Transport

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the East Midlands Gateway Rail Freight Interchange and Highway Order 2016 (“the 2016 Order”), a development consent order under the Planning Act 2008 (“the Act”).

This Order follows an application under paragraph 3 of Schedule 6 to the Act for a material change to the 2016 Order to allow —

- (a) the construction of rail served warehousing;
- (b) the construction of a new primary substation;
- (c) the construction of road infrastructure; and
- (d) the provision of hard and soft landscaping works.

This Order, through the insertion of article 39A (certification of additional plans etc.) in the 2016 Order, provides for the certification of revised or substituted plans and documents and any certified plan or document is admissible in any proceedings as evidence of the contents of the plan or document of which it is a copy.