

Title of Report	EAST MIDLANDS FREEPORT CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)	
Presented by	Tom James Interim Planning Policy Team Manager	
Background Papers	National Planning Policy Framework	Public Report: Yes
Financial Implications	The cost of taking forward the Freeport SPD is met from existing budgets	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The preparation of the Supplementary Planning Document (SPD) will need to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	Resource implications for planning policy officers for coordinating the consultation and reviewing representations.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To seek authority to undertake a consultation on the Draft East Midlands Freeport Contributions Supplementary Planning Document.	
Recommendations	<p>THAT THE LOCAL PLAN COMMITTEE:</p> <p>(I) AGREES TO UNDERTAKE A MINIMUM FOUR WEEK CONSULTATION ON THE DRAFT EAST MIDLANDS FREEPORT CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (APPENDIX A); AND</p> <p>(II) DELEGATES AUTHORITY TO THE STRATEGIC DIRECTOR OF PLACE TO AGREE ANY MINOR MODIFICATIONS TO THE FINAL CONSULTATION DRAFT SUPPLEMENTARY PLANNING DOCUMENT PRIOR TO CONSULTATION COMMENCING.</p>	

1.0 BACKGROUND

- 1.1 This report seeks agreement to undertake consultation on the East Midlands Freeport Contributions Supplementary Planning Document ('the SPD'). This is a document that has been prepared by Turley and Pinsent Masons on behalf of the Freeport and applies to the three East Midland Freeport sites in North West Leicestershire, Rushcliffe and South Derbyshire.

2.0 FREEPORT OVERVIEW

- 2.1 East Midlands Freeport (EMF) was approved by Government in 2023 and provides businesses located within its designated "tax sites" with financial incentives to enable economic growth, stimulate innovation, and to create regional investment and employment opportunities.
- 2.2 The EMF comprises three 'tax' sites, respectively falling within the three different local authority administrative boundaries:
- East Midlands Airport Gateway and Industrial Cluster (EMAGIC) situated within the District.
 - Ratcliffe-on-Soar Power Station (Ratcliffe) in Rushcliffe Borough, Nottinghamshire.
 - East Midlands Intermodal Park (EMIP) in South Derbyshire District, Derbyshire.
- 2.3 To support the delivery and operation of the Freeport Sites, certain strategic infrastructure is required. This has been informed through evidence commissioned by the EMF, notably several transport assessments, which are summarised below:
- The Strategic Transport Investment Plan (STIP) assesses transport interventions across the East Midlands Combined County Authority (EMCCA) and EMF areas. Using the National Highways/Derbyshire County Council strategic gateway model, it identifies junctions likely to be impacted by the Freeport development. Midlands Connect and EMF organised the STIP into three packages: Package 1 covers interventions directly tied to EMF sites (such as the M1 J24 improvements), Package 2 addresses those indirectly influenced (such as the Tram extension to Ratcliffe-on-Soar and East Midlands Parkway), and Package 3 focuses on broader regional activities (such as reinstated rail services between Coventry, Leicester and Nottingham).
 - The Detailed Transport Investment Plan (DTIP) expanded the Leicestershire County Council Pan Regional Transport Model to cover all three EMF Tax sites, mainly package 1 from the STIP, and evaluated mitigation impacts to strengthen the investment case.
 - EMIP DCO Application Evidence: In 2018, comprehensive highway impact and mitigation documentation was prepared in support of the DCO application for EMIP in South Derbyshire (yet to be submitted). These interventions remain valid and are incorporated within the DTIP work.
 - Ratcliffe on Soar Local Development Order: Identifies a series of highway and transport interventions to be tested through the detailed design process.

2.4 The Freeport considers that there is a sufficient evidence base to establish the principle of the need for pooled contributions to strategic infrastructure from multiple sites. Given the nature of the Freeport sites, which sit in distinct locations within different Local Planning Authorities (LPAs), alongside the wider growth within the surrounding area, a mechanism is required to assist with the collaborative and co-ordinated delivery of Strategic Infrastructure.

3.0 PURPOSE OF THE SPD

3.1 The purpose of the draft SPD (in Appendix A) is to ensure the coordinated and collaborative delivery and funding of the necessary strategic infrastructure (discussed further below) that is required to support development of the three EMF sites and to establish a mechanism that ensures that all schemes coming forward on the EMF sites contribute towards that strategic infrastructure on an equitable and proportionate basis.

3.2 In addition, the SPD will ensure that strategic allocations in the adopted and emerging Local Plans, which are not within the EMF sites but that will also benefit from the strategic infrastructure delivered to facilitate the EMF sites, make appropriate and proportionate contributions towards that strategic infrastructure.

3.3 The SPD provides a mechanism (a Framework Section 106 Agreement) to coordinate the funding and delivery of this strategic infrastructure from multiple sites through the planning process, as and when those sites come forward for development.

3.4 It is also relevant to acknowledge that further work is being undertaken by the Freeport to provide clarity on the scope of the strategic infrastructure and the apportionment of such contributions which will also help establish which sites outside of the Freeport should also contribute to such infrastructure. This will be set out in a Freeport specific Infrastructure Delivery Plan (IDP) (which is distinct from the Local Plan IDP currently being prepared). This will be finalised in due course to supplement and sit alongside the SPD. The SPD indicates that such Strategic Infrastructure is likely to cover the following:

- Major highway upgrades, especially the multi-package M1 Junction 24 Improvement Schemes
- Sustainable transport measures, including walking, cycling and public transport improvements
- Site-wide travel planning
- Green and blue infrastructure, including public access and landscape mitigation

3.5 Work is ongoing to prepare the IDP, informed by a number of relevant technical studies including further transport modelling. That IDP is not yet finalised and not having it available to accompany the consultation version of the SPD is not ideal because the SPD is reliant on it to inform future decision making. However, as set out above the Freeport consider that there is sufficient evidence to establish the principle

of the need for pooled contributions towards strategic infrastructure from multiple sites, despite the IDP not being ready to accompany the consultation version of the SPD. In due course the relevant Local Authorities may need to consider holding some form of consultation on the IDP when it is finalised to ensure stakeholders can input accordingly.

- 3.6 A further important factor is that the commencement regulations associated with the Levelling Up and Regeneration Act 2023 published in early March have confirmed that Supplementary Planning Documents (SPD's) must be adopted no later than 30 June. This is a further reason why the SPD needs to be progressed at pace at the current time. On balance, given the current evidence base and the need to have a formal mechanism in place before this deadline. On balance, despite the lack of an accompanying IDP officers consider it is appropriate that the SPD proceeds in its current draft form for consultation. The draft SPD is set out in full in Appendix A.
- 3.7 Once adopted by the three local planning authorities, the SPD would form a material planning consideration for the determination of any planning application(s) coming forward on the EMF sites, and/or on other allocated sites within those administrative areas which would also benefit from the infrastructure provided by the EMF sites or would have an impact on the infrastructure required by the EMF sites, in the future.

4.0 JOINT WORKING, CONSULTATION AND TIMESCALES

- 4.1 Production of the SPD has been coordinated by the Freeport and their appointed consultants. Officers have provided feedback to help shape the emerging draft SPD which has been considered in the production of the draft SPD set out in Appendix A.
- 4.2 The SPD is being reported to the Local Plan working groups of Rushcliffe Borough Council and South Derbyshire District Council on 16 March and 19 March respectively.
- 4.3 Given the cross-boundary nature of the SPD, it will require each authority to agree to proceed to consultation for consultation to take place. The aim will be for the SPD to be adopted by the respective LPAs within which the EMF sites are located and public consultation is being undertaken across all three authorities within the same time period.
- 4.4 The precise consultation dates have yet to be confirmed but consultation will run for a minimum of four weeks, which is in accordance with the Council's Statement of Community Involvement for Supplementary Planning Documents. Each authority will undertake their own consultation.
- 4.5 As referred to earlier, the 30 June deadline for adopting the SPD is an important factor as to why the SPD needs to be progressed at the current time and shapes the timetable for consultation and reporting, as set out in Table 1 below. The timescales are ambitious and there will be resource implications for officers for coordinating the consultation and reviewing representations, even though the Freeport will also be assisting with this process.

Table 1: SPD Programme

Date/Month	Stage
18 March 2026 – Local Plan Committee	Seek approval to undertake consultation
April 2026 (Dates TBC)	Consultation for minimum of four weeks
May 2026	Processing and assessing representations
23 June Cabinet	Reporting SPD for Adoption
25 June Local Plan Committee (date TBC)	Reporting SPD for Adoption

5.0 NEXT STEPS

- 5.1 The Committee is being asked to agree that the SPD be subject to consultation for a minimum of four weeks. Councillors will have the opportunity to make representations to the SPD consultation should they feel it necessary to do so.

- 5.2 Following the consultation, EMF and the Council will review the representations received. These will then be taken into account and if Officers are satisfied that the SPD should proceed towards adoption, the final draft SPD and the representations will be reported to Cabinet and Local Plan Committee for agreement of Members to adopt the SPD.

Policies and other considerations, as appropriate	
Council Priorities:	- Planning and regeneration
Policy Considerations:	Adopted North West Leicestershire Local Plan (2017) particularly policies EC1, EC4, IF4 and EC9. National Planning Policy Framework National Planning Policy Guidance
Safeguarding:	None discernible.
Equalities/Diversity:	None discernible.
Customer Impact:	No issues identified.
Economic and Social Impact:	The purpose of the SPD is to secure investment in new infrastructure, including upgrades to the highway network in North West Leicestershire, by means of developer contributions. These infrastructure improvements will help support economic growth and also benefit existing local residents.
Environment, Climate Change and zero carbon:	The SPD has been subject to Strategic Environmental Assessment and Habitats Assessment which confirms that the SPD will not have specific impacts, either positive or negative, on these factors.
Consultation/Community/Tenant Engagement:	The draft SPD will be subject to public consultation. The consultation arrangements will be governed by the Town and Country Planning (Local Planning) (England) Regulations 2012 and in turn by the Council's own Statement of Community Involvement (as amended).
Risks:	There is the potential for a legal challenge in the event that the SPD is found to go above and beyond existing policy requirements; however, this will be considered further through an assessment of the representations received.
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