

Requirements Register

Register of Requirements within schedule 2 of the A1 Birtley to Coal House Development Consent Order

Notes:

1. The Secretary of State for Transport granted development consent for the A1 Birtley to Coal House Development Consent Order (DCO) on 19 January 2021. The following are links to useful decision documentation:
 - o Secretary of State for Transport's [decision letter and statement of reasons](#).
 - o [DCO](#) as made by the Secretary of State for Transport. The requirements in the register in this document can be found on pages 34 to 38 of the DCO and the process for discharging the requirements can be found on pages 38 to 39 of the DCO.
 - o Examining Authority's [report](#) and recommendations to the Secretary of State for Transport.
2. The made DCO is Statutory Instrument 2020/000 and can be found on the Legislation.Gov.UK website.
3. Requirements are conditions that have been included in the DCO, which control how the project it consents must be implemented (constructed and maintained). Implementing the DCO in accordance with these conditions involves completing consultation and approval processes that have been defined in the DCO. These processes are referred to here and in the DCO as "discharging" the requirements.
4. This Requirements Register is a live document and will be updated as the process to discharge the requirements progresses. The latest version will always be published [here](#). This register will be maintained for three years following completion of the project
5. To capture all changes made to the Requirements Register, a log is located on Page 2. This will be filled in each time a change is made to the register.
6. How the requirements fall within the responsibility of different tiers of local authority was determined during early meetings with those authorities.
7. The Department for Transport's National Transport Casework Team will act on behalf of the Secretary of State in determining the discharge of requirements.
8. The comments column may, for example, give further information on the meaning of the requirement, links to documents referred to in the requirement and identifies if the requirement is fulfilled or does not require discharge.
9. Where the Requirement Description refers to a document submitted as part of the DCO application and examination process, a link is provided to the document held on the Planning Inspectorate website. Where the Requirement Description refers to a document produced after the DCO has been consented, a link is provided to the document stored by [National Highways](#)
10. Any questions or observations regarding the content can be directed by email to the A1 Birtley to Coal House project team at A1BirtleytoCoalhouse@nationalhighways.co.uk.

Below is a table of updates which have been made to the Requirements Register

Date	Requirement Register Version Number	Detail of update
09/03/2021	1.0	First draft following Stakeholder consultation and receipt of approvals prior to Discharge of Requirements to SofS.
20/04/2021	1.1	Discharge of Requirement applications submitted and approved by SofS – DoR1 (R4(1), R5(1), R9(1) and R10(1)).
18/11/2022	1.2	Discharge of Requirement applications submitted and approved by SofS – DoR3 R3(1) R3(7) R3(10)

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
<i>Reference from Development Consent Order</i>	<i>Direct quote from Schedule 2 of the Development Consent Order</i>	<i>All documents produced that are necessary to fulfil/discharge the requirement</i>	<i>Statutory duty holder(s) to be consulted to fulfil/discharge the requirement (e.g. the Local Planning Authority, Local Highway Authority, Natural England, etc.)</i>	<i>Details of when these documents were issued to statutory duty holder(s).</i>	<i>Details of when these documents were returned by the Statutory Duty holder(s)</i>	<i>Details of when these documents were issued to the Secretary of State</i>	<i>Details of when these documents were approved by the Secretary of State, including details of prior consultation of 3rd parties by the Secretary of State</i>	<i>Any comments related to the requirements</i>
Time Limits								
2	The authorised development must commence no later than the expiration of 5 years beginning with the date that this Order comes into force.							No approvals required. The authorised development must commence by 9 February 2026.
Detailed design								

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
3(1)	The authorised development must be designed in detail and carried out in accordance with the preliminary scheme design shown on the engineering drawings and sections unless otherwise agreed in writing by the Secretary of State following consultation with the relevant planning authority on matters related to its functions, provided that the Secretary of State is satisfied that any amendments to the engineering drawings and sections showing departures from the preliminary scheme design would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.		Gateshead Council	Email sent to Gateshead Council 27/05/2021	Email Approval from Gateshead Council 27/05/2021	Email sent 10/11/2022	Secretary of State approved the Discharge of Requirements 3 18.11.2022 – see email here	Discharge of Requirements 3 – Detailed Design submitted to the Department for Transport for approval 10/11/2022 and approval received from the Secretary of State 18/11/2022.
3(2)	Where amended details are approved by the Secretary of State under sub-paragraph (1), those details are deemed to be substituted for the corresponding engineering drawings and sections and the undertaker must make those amended details available in electronic form for inspection by members of the public.		Gateshead Council	Email sent to Gateshead Council 27/05/2021	Email Approval from Gateshead Council 27/05/2021	Email sent 10/11/2022	Secretary of State approved the Discharge of Requirements 3 18.11.2022 – see email here	Discharge of Requirements 3 – Detailed Design submitted to the Department for Transport for approval 10/11/2022 and approval received from the Secretary of State 18/11/2022.

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
3(3)	Design of gas transfer buildings. Except where carried out in accordance with the approved details submitted to comply with a condition issued by Gateshead Council on 4 March 2020 under reference DC/20/00059/Nl no part of Work No. 10 or 12 may commence until the details of the layout, scale and external appearance (including materials which are proposed to be used and proposed finishes) of the above ground structures comprised in Work Nos. 10 and 12 have been submitted to and approved by the Secretary of State in consultation with the relevant planning authority. The approved details must not give rise to any materially new or materially different environmental effects in comparison to the approved details submitted to comply with a condition issued by Gateshead Council on 4 March 2020 under reference DC/20/00059/Nl.							<p>There was no requirement for National Highways to discharge Requirement 3 paragraphs (3) to (6) as these were met through the planning application between Gateshead Council and Northern Gas Networks</p> <p>All appendices can be found in the CEMP</p>
3(4)	Work Nos. 10 and 12 shall be constructed in accordance with the approved details submitted to comply with a condition issued by Gateshead Council on 4 March 2020 under reference DC/20/00059/Nl or otherwise in accordance with the details approved under sub-paragraph (3).							<p>There was no requirement for National Highways to discharge Requirement 3 paragraphs (3) to (6) as these were met through the planning application between Gateshead Council and Northern Gas Networks</p> <p>All appendices can be found in the CEMP</p>

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
3(5)	No part of Work No. 12 may be commenced by the undertaker until a scheme for the demolition of the existing gas transfer building (including the timescale for such demolition) has been submitted to and approved by the Secretary of State in consultation with the relevant planning authority. The demolition of the existing gas transfer building shall be carried out in accordance with the approved scheme.							There was no requirement for National Highways to discharge Requirement 3 paragraphs (3) to (6) as these were met through the planning application between Gateshead Council and Northern Gas Networks All appendices can be found in the CEMP
3(6)	Without prejudice to article 6 (planning permission), nothing in sub-paragraphs (3) to (5) shall restrict Northern Gas Networks Limited from undertaking works authorised by a separate grant of planning permission or authorised in terms of the Town and Country Planning (General Permitted Development) (England) Order 2015(a).							There was no requirement for National Highways to discharge Requirement 3 paragraphs (3) to (6) as these were met through the planning application between Gateshead Council and Northern Gas Networks All appendices can be found in the CEMP

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
3(7)	Design of gantries. No gantries shall be erected within the areas identified on the works plans as proposed new gantry areas until a signage strategy for the provision of signage in those areas (including the design and height of supporting gantries) has been submitted to and approved by the Secretary of State, in consultation with the relevant planning authority. The signage strategy shall consider or take account of— (a) any replacement of the Design Manual for Roads and Bridges Interim Advice Note 144/16 Directional Signs on Motorway and All-Purpose Trunk Roads: Grade Separated Junctions and the need to relocate signs in the verge in place of super span gantries; (b) the use of single span gantries or cantilever gantries in substitution for super span gantries. (c) the potential impact of the gantries on the setting of the Angel of the North; and (d) the safety of road users, public safety in general, the need for directional signage and the safety of maintenance operatives.		Gateshead Council	Email sent to Gateshead Council 27/05/2021	Email Approval from Gateshead Council 27/05/2021	Email sent 10/11/2022	Secretary of State approved the Discharge of Requirements 3 18.11.2022 – see email here	Discharge of Requirements 3 – Detailed Design submitted to the Department for Transport for approval 10/11/2022 and approval received from the Secretary of State 18/11/2022.
3(8)	The authorised development shall be constructed in accordance with the approved signage strategy.							The authorised development will be constructed in accordance with the approved signage strategy.

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3(9)	Notwithstanding the terms of subparagraph (7), once the gantries have been erected in accordance with the approved signage strategy, the maintenance and, if necessary, replacement of the gantries shall be undertaken by the undertaker in accordance with the powers and duties of the 1980 Act. The carrying out of such maintenance and replacement in accordance with the 1980 Act shall not constitute a breach of this Order provided that such maintenance or replacement does not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.							The maintenance and replacement will be in accordance with the approved signage strategy and 1980 Act, see combined signs and gantry strategy here
3(10)	Design of structures. No part of Work No. 5a other than ground treatment, piling, abutments and supporting piers is to be constructed until a scheme for the following elements of the design of the bridge deck forming part of that work have been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority, in relation to— (a) the colour scheme for the bridge beams; (b) the use of sustainable materials; (c) the parapet systems compliant with operational highway and railway requirements; and (d) soffits other than the design as shown on the engineering drawings and sections or which mirrors the existing Allerdene Bridge.		Gateshead Council	Email sent to Gateshead Council 27/05/2021	Email Approval from Gateshead Council 27/05/2021	Email sent 10/11/2022	Secretary of State approved the Discharge of Requirements 3 18.11.2022 – see email here	Discharge of Requirements 3 – Detailed Design submitted to the Department for Transport for approval 10/11/2022 and approval received from the Secretary of State 18/11/2022.

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
3(11)	Work No. 5a shall be constructed in accordance with the approved details.							5a will be constructed in accordance with the approved details and no requirement to discharge.
3(12)	In this requirement— "cantilever gantry" means a gantry which spans a single carriageway with the support located in the verge of the carriageway only; "single span gantry" means a portal gantry which spans a single carriageway of a dual carriageway with one support located in the central reserve and the other support in the verge of the carriageway which it crosses; and "super span gantry" means a portal gantry which spans both carriageways of a dual carriageway with the supports located in the verges of each respective carriageway.							Requirement 3(12) confirms the definitions used within the Development Consent Order and relevant documents and does not require to be discharged.
Construction environmental management plan								

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Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
				Initial Email sent: 23/11/2020 Update Email sent: 24/02/2021 Final Email sent: 16/03/2021				

4(2)	<p>The CEMP must be written in accordance with ISO14001 and must— (a) be substantially in accordance with the mitigation measures set out in the REAC; (b) contain a record of all sensitive environmental features that have the potential to be affected by the construction of the proposed development; (c) require adherence to working hours of 07:00–19:00 Mondays to Fridays and 07:30–13:00 on Saturday except for— (i) night-time closures for bridge demolition and installation; (ii) any oversize deliveries or deliveries where daytime working would be excessively disruptive to normal traffic operation; (iii) junction tie-in works; (iv) works required in relation to the East Coast Main Line; (v) overnight traffic management measures; (vi) cases of emergency; and Certified copy from legislation.gov.uk Publishing 41 (vii) as otherwise agreed by the local authority in advance; (d) include the following management plans— (i) Communications Plan; (ii) Construction Traffic Management Plan; (iii) Landscape Management Plan; (iv) Ecological Management Plan including the Invasive Non-Native Species Management Plan, Riparian Protection Management Plan; (v) Soil Handling Strategy; (vi) Materials Management Plan; (vii) Site Waste Management Plan; Water Management Plan including the Temporary Surface Water Drainage Strategy; and (viii) Any other specific management plans identified during subsequent stages of the authorised development.</p>							<p>See above.</p> <p>All plans listed in (d) (i-xii) can be found in the appendices section of the CEMP</p>
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Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
4(3)	The construction of the authorised development must be carried out in accordance with the approved CEMP or such amendments to that CEMP as may be approved in writing by the Secretary of State following consultation with the relevant planning authority, the Environment Agency and Historic England to the extent that it relates to matters relevant to its function.							No approvals required. The construction of the authorised development will be carried out in accordance with the approved CEMP. See above.
4(4)	A HEMP must be developed and completed by the end of the construction, commissioning and handover stage of the authorised development, in accordance with the process set out in the approved CEMP.							No approvals required. The HEMP will be produced following completion of the scheme in 2025. A link to the HEMP will be provided here here .

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4(5)	The HEMP must address the matters set out in the approved CEMP that are relevant to the operation and maintenance of the authorised development, and must contain— (a) the environmental information needed for the future maintenance and operation of the authorised development; (b) the long-term commitments to aftercare, monitoring and maintenance activities relating to the environmental features and mitigation measures that will be required to ensure the continued long-term effectiveness of the environmental mitigation measures and the prevention of unexpected environmental impacts during the operation of the authorised development; and (c) a record of the consents, commitments and permissions resulting from liaison with statutory bodies.							No approvals required. National Highways will keep Gateshead Council, the Environment Agency and Historic England informed on progress / revisions on the Register of Environmental Actions and Commitments before, during and after construction.
4(6)	The authorised development must be operated and maintained in accordance with the HEMP.							No approvals required. As above.
Landscaping								

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
5(1)	Other than site clearance works carried out in terms of paragraph 16, no part of the authorised development is to commence until a landscaping scheme for that part has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function.	Early Landscaping Scheme Management (DoR 1)	Gateshead Council	Initial Email sent: 05/02/2021 Update Email sent: 01/03/2021 Final Email sent: N/A	First Amend Email : 18/02/2021 Second Amend Email: N/A Confirmation Email received from Gateshead Council 14/07/2021.	Application to discharge this Requirement to the Secretary of State. Email sent 22/07/2021	Approval from the Secretary of State. Email 20/04/2021	Requirement 5 (1) was discharged 20/04/2021
5(2)	The landscaping scheme must be substantially in accordance with the mitigation measures set out in the REAC and must be based on either— (a) the illustrative environmental masterplan and landscape mitigation design annexed to the environmental statement; and (b) to the extent not consistent with sub-paragraph (a)— (i) subject to sub-paragraph (3), Option 1 as set out on page 27 of the Southern Green Options Report; (ii) subject to sub-paragraph (4), Option 2 as set out on page 29 of the Southern Green Options Report; or Certified copy from legislation.gov.uk Publishing 42 (iii) subject to sub-paragraph (4), Option 3 as set out on page 31 of the Southern Green Options Report.							No approvals required. The landscaping scheme will be substantially in accordance with the mitigation measures set out in the Register of Environmental Actions and Commitments.

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
5(3)	Nothing shall require the landscaping scheme to be based on Option 1 of the Southern Green Options Report unless the relevant planning authority has entered into an agreement providing for any cost associated with Option 1 that is above the cost of the illustrative environmental masterplan and landscape mitigation design annexed to the environmental statement is to be paid or otherwise secured by the relevant planning authority.							No approvals required. National Highways have agreed an approach with Gateshead Council 14 July 2021. As a result, Secretary of State approval is not required.
5(4)	Nothing shall require the landscaping scheme to be based on Option 2 or Option 3 of the Southern Green Options Report unless the relevant planning authority has— (a) made provision for sufficient land for the installation and maintenance of replacement woodland planting to mitigate the effects of the implementation of Option 2 or Option 3; and (b) entered into an agreement providing for any cost of Option 2 or Option 3 that is above the cost of the illustrative masterplan and landscape design annexed to the environmental statement is to be paid or otherwise secured by the relevant planning authority.	Early Landscaping Scheme Management (DoR 1)	Gateshead Council	Initial Email sent: 05/02/2021 Update Email sent: 01/03/2021 Final Email sent: N/A	First Amend Email: 18/02/2021 Second Amend Email: N/A Confirmation Email received from Gateshead Council 14/07/2021.	Application to discharge this Requirement to the Secretary of State. Email sent 22/07/2021	Approval from the Secretary of State. Email 20/04/2021	

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
5(5)	The landscaping scheme prepared under sub-paragraph (1) must include details of— (a) location, number, species mix, size and planting density of any proposed planting; (b) cultivation, importing of materials and other operations to ensure plant establishment; (c) existing trees to be retained, with measures for their protection during the construction period; (d) proposed finished ground levels; (e) implementation timetables for all landscaping works; and (f) how the landscaping scheme addresses the guidance in paragraph 4.29 of the National Policy Statement for National Networks for the appearance of national network projects to demonstrate good aesthetics as far as possible.	Early Landscaping Scheme Management (DoR 1)	Gateshead Council	Initial Email sent: 05/02/2021 Update Email sent: 01/03/2021 Final Email sent: N/A	First Amend Email: 18/02/2021 Second Amend Email: N/A Confirmation Email received from Gateshead Council 14/07/2021.	Application to discharge this Requirement to the Secretary of State. Email sent 22/07/2021	Approval from the Secretary of State. Email 20/04/2021	
5(6)	All landscaping works must be carried out in accordance with the scheme referred to in subparagraph (1) to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.							No approvals required. All landscaping works will be carried out in accordance with the scheme referred to in subparagraph (1).

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5(7)	Any tree or shrub planted as part of the landscaping scheme that, within a period of 5 years after planting, is removed, dies or becomes in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless the Secretary of State, following consultation with the relevant planning authority on matters related to its function, gives consent to a variation.							Approval from Secretary of State will be sought should variation to planting be required.
5(8)	Planting will be undertaken at Longacre Wood to replace any trees that were intended to be retained which are felled or die as a result of construction works. The size, species and location of replacement trees will be included in the landscaping scheme required by sub-paragraph (1).							No approvals required. There is currently no intention to fell or affect any trees which are shown to be retained. Should this situation change during the construction of the works we will review the landscaping scheme in consultation with Gateshead Council.
Contaminated land and groundwater								
6(1)	In the event that contaminated land, including groundwater, is found at any time when carrying out the authorised development which was not previously identified in the environmental statement, it must be reported as soon as reasonably practicable to the Secretary of State, the relevant planning authority and the Environment Agency, and the undertaker must complete a risk assessment of the contamination in consultation with the relevant planning authority and the Environment Agency.							No approvals required. National Highways will seek to discharge this requirement should the scheme encounter contaminated land (including groundwater) not previously identified in the Environmental Statement.

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
6(2)	Where the undertaker determines that remediation of the contaminated land is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function and the Environment Agency.							No approvals required. National Highways will seek to discharge this requirement should the scheme encounter contaminated land (including groundwater) not previously identified in the Environmental Statement.
6(3)	A suitable capping layer, comprising either 400mm layer of "clean" soil or a shallow thickness with a geotextile marker layer, will be constructed in any areas of soft landscape planting located over areas of made ground contaminated with asbestos. The details of any such capping layers shall be included within any remedial measures required in terms of sub-paragraph (2).							No approvals required. National Highways will seek to discharge this requirement should the scheme encounter contaminated land (including groundwater) not previously identified in the Environmental Statement.
6(4)	Remediation must be carried out in accordance with the approved scheme.							No approvals required. National Highways will seek to discharge this requirement should the scheme encounter contaminated land (including groundwater) not previously identified in the Environmental Statement.
Protected Species								

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
7(1)	Other than site clearance works carried out in terms of paragraph 16, no part of the authorised development is to commence until for that part final pre-construction survey work has been carried out to confirm whether European or nationally protected species are present on any of the land affected or likely to be affected by any part of the relevant works, or in any of the trees and shrubs to be lopped or felled as part of the relevant works.							Pre-construction ecology checking surveys commenced in April 2021 and continued in a phased approach until November 2021. No European Protected Species Licenses were identified.
7(2)	Following pre-construction survey work or at any time when carrying out the authorised development, where— (a) a protected species is shown to be present, or where there is a reasonable likelihood of it being present; (b) application of the relevant assessment methods used in the environmental statement show that a significant effect is likely to occur which was not previously identified in the environmental statement; and (c) that effect is not addressed by any prior approved scheme of protection and mitigation established in accordance with this paragraph, the relevant parts of the relevant works must cease until a scheme of protection and mitigation measures has been submitted to and approved in writing by the Secretary of State.							No approvals required. National Highways will seek to discharge this requirement should the scheme encounter any previously unidentified protected species. Should any protected species be discovered during construction, protection measures will be put in place, and that the necessary licenses will be obtained prior to works continuing should this be required.

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
7(3)	The undertaker must consult with Natural England on the scheme referred to in subparagraph (2) prior to submission to the Secretary of State for approval, except where a suitably qualified and experienced ecologist, holding where relevant and appropriate a licence relating to the species in question, determines that the relevant works do not require a protected species licence.							No approvals required. In the event that previously unidentified protected species are encountered National Highways will consult with Natural England prior to seeking to discharge this requirement.
7(4)	The relevant works under subparagraph (2) must be carried out in accordance with the approved scheme, unless otherwise agreed by the Secretary of State after consultation with Natural England, and under any necessary licences.							No approvals required.
Surface and foul water drainage								
8(1)	Other than site clearance works carried out in terms of paragraph 16, no part of the authorised development is to commence until for that part written details of the surface and foul water drainage system, in substantial accordance with the mitigation measures set out in the REAC including means of pollution control, have been submitted and approved in writing by the Secretary of State following consultation with the relevant planning authority on matters related to its function.						Discharge of requirement 8 (1) full: Surface and Foul Water Drainage was discharged 29/07/2021 See letter here	

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8(2)	The written details required by sub-paragraph (1) shall include culvert design. Where possible, culverts will be designed to include natural beds (between 100mm and 200mm) to maintain and assist fish passage. To mitigate for potential downstream impacts and maintain passage along watercourses, baffles or similar structures shall be included within existing culverts.						Discharge of requirement 8 (1) full: Surface and Foul Water Drainage was discharged 29/07/2021, this requirement fulfills Requirement 8(2) See letter here	No approvals required. Requirement 8 (1) fulfills requirement 8(2)
8(3)	The surface and foul water drainage system must be constructed in accordance with the approved details, unless otherwise agreed in writing by the Secretary of State following consultation with the relevant planning authority on matters related to its function, provided that the Secretary of State is satisfied that any amendments to the approved details would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.							No approvals required. National Highways will seek to discharge this requirement should a variation to 8(1), set out above, be required.
Archaeological remains								

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9(5)	No construction operations are to take place within 10 metres of the remains referred to in sub-paragraph (4) for a period of 14 days from the date of any notice served under sub-paragraph (4) unless otherwise agreed in writing by the relevant planning authority or, in the case of the scheduled monument area, Historic England.							No approvals required. National Highways will ensure that no construction operations will take place within 10 metres of the remains referred to in sub-paragraph 9(4), set out above, unless otherwise agreed.
9(6)	If the relevant planning authority or, in the case of a scheduled monument, Historic England determines in writing that the archaeological remains referred to in sub-paragraph (4) require further investigation or mitigation, no construction operations are to take place within 10 metres of the remains until provision has been made for such mitigation or the further investigation and recording of the remains in accordance with details to be submitted in writing to, and approved in writing by, the relevant planning authority or, in the case of a scheduled monument, Historic England.							No approvals required. National Highways will consult with the relevant local planning authority (and Historic England should they be in the area of the scheduled monument) should any archaeological remains not previously identified be found and require further investigation.
Traffic Management								

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Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
Design of North Dene Footbridge								
12(1)	The North Dene Footbridge shall be replaced in terms of Work No.18 in its current location with a new footbridge which will have a single drawstring truss.		Gateshead Council	Email from Jacobs Development Consent Order Lead to Gateshead Council 16.09.2021	Approval Email from -Gateshead Council 27.05.2021	Email from NH to Secretary of State discharging Requirements 12 - 08.07.2022	Secretary of State approval 23.07.2021	Requirement 12(1) discharged following approval by the Secretary of State. The North Dene Footbridge will be replaced in its current location with a single drawstring truss
12(2)	The existing North Dene Footbridge shall not be demolished and no part of the replacement bridge to be constructed in terms of Work No. 18 may commence until the details of the demolition of the existing bridge, design of the replacement bridge (including how the design addresses the guidance in paragraph 4.29 of the National Policy Statement for National Networks for the appearance of national network projects to demonstrate good aesthetics as far as possible), together with details of the timings for the demolition and construction works have been submitted to and approved by the Secretary of State in consultation with the relevant planning authority.		Gateshead Council	Email from Jacobs Development Consent Order Lead to Gateshead Council 16.09.2021	Approval Email from Gateshead Council 27.05.2021	Email from NH to Secretary of State discharging Requirements 12 - 08.07.2022	Secretary of State approval 23.07.2021	The demolition method statement forms part of the requirement.
12(3)	Work No. 18 shall be constructed in accordance with the details approved under subparagraph (2).							No approvals required. Works No.18 will be constructed in accordance with the details approved in sub-paragraph (2), set out above.
Fencing								

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
13	Any permanent and temporary fencing and other means of enclosure for the authorised development must be constructed and installed in accordance with Volume 1, Series 0300 of the Manual of Contract Documents for Highway Works except— (a) where any departures from that manual are agreed in writing by the Secretary of State in connection with the authorised development; or (b) where the fencing or enclosure is an acoustic barrier which is required by an entry in the REAC.							<p>No approvals required.</p> <p>National Highways will seek to discharge this requirement should any departures from Volume 1, Series 0300 of the Manual of Contract Documents for Highway Works be identified.</p>
Allerdene bridge replacement								

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
14	The undertaker is restricted to carrying out Work No.5a as one of the works specified in paragraph (i), (ii), (iii) or (iv) of Work No. 5a as follows— (a) in the event that the Work No. 5a is to comprise a single span bridge structure in terms of paragraph (i) of Work No. 5a then it shall be carried out substantially in accordance with Sheet 3 of the structures engineering drawings and sections; (b) in the event that the Work No. 5a is to comprise a three span bridge structure in terms of paragraph (ii) of Work No. 5a then it shall be carried out substantially in accordance with Sheet 16 of the structures engineering drawings and sections; (c) in the event that the Work No. 5a is to comprise a six span bridge structure in terms of paragraph (iii) of Work No. 5a then it shall be carried out substantially in accordance with Sheet 4 of the structures engineering drawings and sections; or (d) in the event that the Work No. 5a is to comprise a seven span bridge structure in terms of paragraph (iv) of Work No. 5a then it shall be carried out substantially in accordance with Sheet 5 of the structures engineering drawings and sections.							<p>National Highways are constructing a three-span viaduct – R14(b) or Work 5a para (ii). This was confirmed in the Allerdene Bridge Technical Note.</p> <p>See link to the Allerdene Bridge Technical note here</p>
Primary Design Mitigation								

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
15	The Scheme shall include the following primary mitigation measures— (a) a retaining wall will be included to retain the access road located adjacent to junction 65 (Birtley) southbound exit slip to ensure access is maintained to properties which use Northside to the north east of the A1 serving the Bowes Incline hotel and Angel of the North fishing lakes; and Certified copy from legislation.gov.uk Publishing 46 (b) the earthworks design for the highway widening at Longacre Wood shall use a 1:2 slope at Longacre Wood so as to minimise land take at this location as illustrated on the General Arrangement Drawings.							<p>The Scheme has included the primary mitigation measures as set out in Requirement 15 and in relation to 15(b) as set out on the General Arrangement Drawings.</p> <p>No approvals required.</p>
Advance site clearance works								
16(1)	No vegetation clearance shall take place until a construction management plan for vegetation clearance to be undertaken as part of the authorised works has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority, the Environment Agency and Historic England to the extent that it relates to matters relevant to the function of the relevant consulted party.							<p>No approvals required.</p> <p>National Highways included vegetation clearance within the CEMP (Requirement 4(1)) which was discharged in April 2021.</p> <p>Therefore, the need for a separate construction management plan was not required.</p>
16(2)	The construction management plan required by sub-paragraph (1) shall include measures to address items G4, A1, A2, L1, L3, B5, B6, B7, B8, B12, B13, B15, B18, B22, B24, B25, M6 and N5 of the REAC insofar as they relate to vegetation clearance.							<p>No approvals required.</p> <p>This was included in the CEMP</p>

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
16(3)	The vegetation clearance comprised in the authorised works shall be carried out in accordance with the construction management plan approved in terms of sub-paragraph (1).							No approvals required. This was included in the CEMP
Details of construction compound								
17(1)	Subject to sub-paragraph (3), in the event that the undertaker proposes to undertake Work No. 5a as provided in paragraph (iii) or (iv) of Work No. 5a comprising a six span or seven span viaduct respectively then the undertaker may only exercise powers of temporary possession over plot 3/13a of the land plans where a plan based upon those in Appendix A to the CEMP showing the extent and layout of the construction compound to be established at Junction 67 within the land delineated by a broken blue line on the Northern Gas Networks Land Ownership Plan has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority.							No approvals required. National Highways confirms that Works No. 5a does not form either a six span or a seven span viaduct.
17(2)	In considering the details to be submitted in terms of sub-paragraph (1), the undertaker and the Secretary of State shall have regard to— (a) the construction requirements of the chosen engineering design for Work No. 5a; and (b) the need to minimise the temporary possession of land within plot 3/13a of the land plans so far as reasonably practical.							No approvals required. National Highways confirms that Works No. 5a does not form either a six span or a seven span viaduct.

Requirement No.	Requirement Description	Discharge Document Produced	Statutory Duty Holder to be consulted	Date of Issue to Statutory Duty Holder	Statutory Duty Holder response	Date of Issue to Secretary of State	Secretary of State Approval	Comments
17(3)	In the event that the undertaker proposes to undertake Work No. 5a as provided in paragraph (iii) or (iv) of Work No.5a then the undertaker shall be restricted to exercising the power of temporary possession over plot 3/13a to that part of the land identified in the details approved in terms of sub-paragraph (1).							No approvals required. National Highways confirms that Works No. 5a does not form either a six span or a seven span viaduct.
Schedule 2 Part 2 - PROCEDURE FOR DISCHARGE OF REQUIREMENTS								This register will be published on the scheme webpage and updated as required.