

## Notes:

1. The 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](#).
2. The Statutory Duty Holder consultees identified in the Requirements Register is not yet definitive and will be subject to revision as the process to discharge the requirements progresses.
3. The Department for Transport's National Transport Casework Team in Newcastle upon Tyne will act on behalf of the Secretary of State in determining the discharge of requirements.
4. The comments column gives 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.
5. For brevity in the Requirements Register the following abbreviations are used:

Authorities	Environmental Bodies	Statutory Undertakers	Other
LCC – Lancashire County Council Fylde – Fylde Council Wyre – Wyre Council	EA – Environment Agency HiE – Historic England NE – Natural England PHE – Public Health England	UU – United Utilities	DCO – Development Consent Order DfT – Department for Transport HE – Highways England SoS – Secretary of State for Transport PINS – the Planning Inspectorate

6. Where the Requirement Description refers to documents submitted as part of the DCO, links are provided to the document on the [PINS website](#).
7. The Secretary of State for Transport granted development consent for the A585 Windy Harbour to Skippool Improvement DCO on 09 April 2020. The following are links to useful decision documentation:
  - [Secretary of State for Transport's decision letter](#)
  - [Development Consent Order as made by the Secretary of State for Transport](#)
  - [Examining Authority's Report of Findings and Conclusions and Recommendation to the Secretary of State for Transport](#)
8. The made Order is a Statutory Instrument (2020 no 402) and can be found on the [Legislation.Gov.UK](#) website.
9. 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.
10. How the requirements fall within the responsibility of different tiers of local authority was determined during early meetings with those authorities.
11. Any questions or observations regarding the content can be directed to the A585 Windy Harbour to Skippool project team at: [A585WindyHarbourToSkippool@highwaysengland.co.uk](mailto:A585WindyHarbourToSkippool@highwaysengland.co.uk)

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

Date	Requirement Register Version Number	Detail of update
16/09/20	1	Updated to reflect letters issued to, and received from DfT on requirements 9 - Archaeological remains and 8 - Foul water connection at Garstang Rd, which will be discharged in parts.
13/02/21	2	Updates include; 4 Construction Environment Management Plan; 8 surface and foul water drainage; 10 Traffic Management Plan
08/06/21	3	Conditions discharged include: 14 Temporary compensatory flood storage and 15 Soil survey and mitigation plan
20/09/21	4	Conditions discharged include: 8 (in parts) Surface water drainage, 5 Landscaping
02/02/2022	5	Updated to rectify broken links to supporting documentation.

## Register of Requirements within Schedule 2 of the A585 Windy Harbour to Skippool Scheme Development Consent Order -

Requirement No.	Description	Discharge document produced	Date of issue to Statutory Duty holder	Statutory Duty holder approval	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>	All documents produced that are necessary to fulfil/discharge the requirement to be noted here	To contain details of when these documents were issued to statutory duty holder/s.	To contain details of when these documents were returned by the Statutory Duty holder/s (e.g. the Local Planning Authority, Local Highway Authority, Natural England etc)	To contain details of when these documents were issued to the Secretary of State	To contain 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>Any comments related to the requirement</i>
<b>Construction Environmental Management Plan</b>							
4 –(1)	No part of the authorised development is to commence until a CEMP, substantially in accordance with the outline CEMP, for that part has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority and Natural England to the extent that it relates to matters relevant to their function.	<a href="#">CEMP discharge document</a>	<a href="#">Fylde 28/9/20</a> <a href="#">Wyre 28/9/20</a> <a href="#">LCC 28/9/20</a> <a href="#">Natural England 17/8/20</a>	<a href="#">Fylde 23/10/20</a> <a href="#">Wyre 27/10/20</a> LCC No response received <a href="#">Natural England 26/10/20</a>	2/11/20	9/11/20 <a href="#">DCO Discharge Application - Requirement 4-(1) - CEMP - SoS Response</a>	
<b>Landscaping</b>							
5 (1)	The authorised development must be landscaped in accordance with a landscaping scheme which sets out details of all proposed hard and soft landscaping works and which 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.	<a href="#">Landscape discharge documents</a>	<a href="#">See Download log on page 6</a> <a href="#">Fylde 27/11/20</a>  <a href="#">Fylde 12/3/21</a>  <a href="#">See Download log on page 7</a> <a href="#">Wyre 27/11/20</a>	No response received Wyre <a href="#">9/12/20</a>	14/5/21	14/05/21 <a href="#">Response to the discharge requirement 5</a>	Fylde 27/11/20 - due to file size it was not possible to share the Landscape drawings via email, as such the files were issued via a file transfer system, evidence of this is provided on Page 6 of the Application to Discharge.  Wyre 27/11/20 - due to file size it was not possible to share the Landscape drawings via email, as such the files were issued via a file transfer system, evidence of this is provided on Page 7 of the Application to Discharge.

Surface and foul water drainage							
8 (1)	No part of the authorised development is to commence until for that part written details of the surface and foul water drainage system, reflecting 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 lead local flood authority on matters related to its function.						
8 (2)	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 lead local flood 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.	<a href="#">Main Compound UU Sewer Pipe Connection Drawings</a>  <a href="#">Main Compound - Foul Drainage Drawing</a>	LCC – 10/9/20 <a href="#">LCC Acting as Lead Local Flood Authority</a>  United Utilities- 24/9/20 <a href="#">NC5061 - S106 Part 1 Application to Connect to a Public Sewer Approval Notice - Main Compound</a>	LCC – 10/9/20 <a href="#">Main Compound - Lead Local Flood Authority Initial Response</a>  United Utilities – 25/10/19 <a href="#">NC5061 New Part 1 Approval Notice Letter</a>	14/9/20 <a href="#">A585 Windy Harbour to Skippool Improvements Scheme, DCO TR010035 - Discharge Application - Requirement 8-(1)</a>	17/9/20 <a href="#">Secretary of State Signed Discharge Application - Requirement 8-(1) - Foul Water Drainage System</a>	Application to discharge the requirement in parts for the part relating to the construction of the main site compound on Garstang Road.

8 (2)	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 lead local flood 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.	<a href="#">Discharge Document</a>	LCC <a href="#">20/10/20</a>	No response received	16/11/20	20/11/20 <a href="#">Secretary of State Signed Discharge Application - Requirement 8-(2) - Foul Water Drainage System</a>	Discharge in parts for catchment 4 Skippool Bridge to Poulton Junction
8 (2)	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 lead local flood 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.	<a href="#">A585 Windy Harbour to Skippool Improvements Requirement 8-1 Culverts 6 &amp; 7</a>	LCC <a href="#">05/05/21</a>	LCC <a href="#">18/05/21</a>	08/07/21	<a href="#">Requirement 8 Discharge Document</a>	
Archaeological remains							

9 (1)	No part of the authorised development is to commence until for that part a written scheme for the investigation of areas of archaeological interest, reflecting the relevant mitigation measures set out in the Archaeology Mitigation Strategy and draft Written Scheme of Investigation, 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.	17/12/19 <a href="#">A585 Windy Harbour to Skippool Written Scheme of Investigation - Archaeological Excavation</a>	17/12/19 <a href="#">Final Draft of Written Scheme of Investigation Issued</a>	17/12/19 <a href="#">Agreement of Written Scheme of Investigation by Historic England</a>  18/12/19 <a href="#">Agreement of Written Scheme of Investigation by LCC</a>	14/09/2020 <a href="#">A585 Windy Harbour to Skippool Improvements Scheme, DCO TR010035 - Discharge Application - Requirement 9-(1)</a>	17/09/20 <a href="#">Response to Discharge Requirement 9</a>	
9 (2)	The authorised development must be carried out in accordance with the scheme referred to in sub-paragraph (1).	N/A					The authorised development will be carried out in accordance with the scheme referred to in sub-paragraph (1).
9 (3)	A copy of any analysis, reporting, publication, or archiving required as part of the written scheme referred to in sub-paragraph (1) must be deposited with the Historic Environment Record of the relevant planning authority within one year of the date of completion of the authorised development or such other period as may be agreed in writing by the relevant planning authority or specified in the written scheme.	<i>Referred to within the WSI document</i>	<i>LCC – not shared with them until one year after completion</i>  <i>Historic England</i>	N/A	As 9 (1)	As 9 (1)	Reference appendix I.1.2 in the relevant WSI.
9 (4)	Any archaeological remains not previously identified which are revealed when carrying out the authorised development must be retained in situ and reported to the relevant planning authority as soon as reasonably practicable from the date they are identified.	<i>Referred to within the WSI document</i>	<i>LCC</i> <i>Historic England</i>				
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.	N/A					No construction operations will 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

9 (6)	If the relevant planning authority determines in writing that the archaeological remains require further investigation, no construction operations are to take place within 10 metres of the remains until provision has been made for 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.						This has not occurred.
<b>Traffic Management</b>							
10 (1)	No part of the authorised development is to commence until a traffic management plan for that part has been submitted to and approved in writing by the Secretary of State, following consultation with the local highway authority on matters related to its function	<a href="#">Traffic management plan</a>	LCC <a href="#">26/10/20</a>	No comments from Statutory duty holder	16/11/20	<a href="#">24/11/20</a>  <a href="#">Response to Discharge Requirement 10</a>	
<b>Temporary compensatory flood storage system</b>							
14 (1)	Development must not be commenced within the 1% plus 30% for climate change flood extent of the Main Dyke, illustrated in Figure D8 of the Flood Risk Assessment (document reference TR010035/APP/5.2–v1) until details of a temporary compensatory flood storage scheme is submitted to and approved in writing by the Secretary of State. The scheme must include details of the design, function, construction and, as appropriate, decommissioning of the temporary compensatory flood storage area, to ensure that a suitably engineered solution is provided that will not impede access to Main Dyke (Skipton Creek) for maintenance purposes and will allow for the storage and subsequent drain down of flood waters that would be displaced by the development.	<a href="#">14-1 Discharge Documents</a>	Environment Agency <a href="#">05/07/21</a> <a href="#">FRAP Flood compensation ponds</a>		23/03/21	06/04/21  <a href="#">Response to the discharge requirement 14</a>	



Soil survey and mitigation plan							
15 (1)	No part of the authorised development is to commence until an agricultural land classification and soil survey has been undertaken and a soil mitigation plan has been prepared and has been submitted and approved in writing by the Secretary of State following consultation with Natural England	<a href="#">Soil Management plan Discharge documents</a>	Natural England <a href="#">17/08/20</a>	Natural England <a href="#">17/09/20</a>	09/11/20	19/11/20 <a href="#">Response to the discharge requirement 15</a>	