
STATUTORY INSTRUMENTS

2024 No. 360

INFRASTRUCTURE PLANNING

**The A66 Northern Trans-Pennine
Development Consent Order 2024**

Made - - - - - *7th March 2024*

Coming into force *28th March 2024*

**THE A66 NORTHERN TRANS-PENNINE
DEVELOPMENT CONSENT ORDER 2024**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Disapplication of legislative provisions

PART 2

WORKS PROVISIONS

Principal powers

4. Development consent, etc. granted by the Order
5. Maintenance of the authorised development
6. Planning permission
7. Limits of deviation
8. Application of the 1991 Act
9. Construction and maintenance of new, altered or diverted streets and other structures
10. Permanent stopping up of streets and private means of access
11. Temporary prohibition, restriction or regulation of use or alteration or diversion of streets
12. Access to works
13. Discharge of water
14. Protective works to buildings
15. Authority to survey and investigate land

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16. Removal of human remains
17. Felling or lopping of trees and hedgerows
18. Maintenance of drainage works

PART 3

POWERS OF ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

19. Compulsory acquisition of land
20. Compulsory acquisition of land – incorporation of the minerals code
21. Time limit for exercise of powers to possess land temporarily or to acquire land compulsorily
22. Compulsory acquisition of rights and restrictive covenants
23. Private rights over land
24. Power to override easements and other rights
25. Modification of Part 1 of the 1965 Act
26. Application of the 1981 Act
27. Acquisition of subsoil, etc., only
28. Rights over or under streets

Temporary possession of land

29. Temporary use of land for constructing the authorised development
30. Temporary use of land for maintaining the authorised development

Supplementary

31. Statutory undertakers
32. Apparatus and rights of statutory undertakers in stopped up streets
33. Recovery of costs of new connection
34. Special category land
35. Crown rights
36. Relocation of Brough Hill Fair

Compensation

37. Disregard of certain interests and improvements
38. Set-off for enhancement in value of retained land
39. No double recovery

PART 4

OPERATIONAL PROVISIONS

40. Classification of roads, etc.
41. Clearways
42. Traffic regulation measures

PART 5

MISCELLANEOUS AND GENERAL

43. Benefit of the Order
 44. Consent to transfer benefit of Order
 45. Application of landlord and tenant law
 46. Operational land for the purposes of the 1990 Act
 47. Defence to proceedings in respect of statutory nuisance
 48. Protective provisions
 49. Certification of plans, etc.
 50. Service of notices
 51. Arbitration
 52. Consents, agreements and approvals
 53. Environmental Management Plans
 54. Detailed design
 55. Time limit for when development must begin
- Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED DEVELOPMENT

PART 1 — SCHEME 0102 – M6 J40 TO KEMPLAY BANK

In the administrative area of Westmorland and Furness Council

PART 2 — SCHEME 03 – PENRITH TO TEMPLE SOWERBY

In the administrative area of Westmorland and Furness Council

PART 3 — SCHEME 0405 – TEMPLE SOWERBY TO APPLEBY

In the administrative area of Westmorland and Furness Council

PART 4 — SCHEME 06 – APPLEBY TO BROUGH

In the administrative area of Westmorland and Furness Council

PART 5 — SCHEME 07 – BOWES BYPASS

In the administrative area of Durham County Council

PART 6 — SCHEME 08 – CROSS LANES TO ROKEBY

In the administrative area of Durham County Council

PART 7 — SCHEME 09 – STEPHEN BANK TO CARKIN MOOR

In the administrative area of the North Yorkshire Council

PART 8 — SCHEME 11 – A1(M) J53 SCOTCH CORNER

In the administrative area of the North Yorkshire Council

Ancillary Works

SCHEDULE 2 — PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS AND PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

PART 1 — HIGHWAYS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED

PART 2 — HIGHWAYS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH A SUBSTITUTE IS TO BE PROVIDED AND NEW PRIVATE MEANS OF ACCESS WHICH ARE OTHERWISE TO BE PROVIDED

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PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED

SCHEDULE 3 — TREES SUBJECT TO TREE PRESERVATION ORDERS

SCHEDULE 4 — LAND IN WHICH ONLY NEW RIGHTS ETC., MAY BE ACQUIRED

SCHEDULE 5 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR THE CREATION OF NEW RIGHTS AND RESTRICTIVE COVENANTS

1. Compensation enactments
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...
4. Application of Part 1 of the 1965 Act
5. (1) The modifications referred to in paragraph 4(a) are as...

SCHEDULE 6 — LAND OF WHICH ONLY TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 7 — CLASSIFICATION OF ROADS, ETC.

PART 1 — SCHEME 0102 – M6 J40 TO KEMPLAY BANK

THE NEW AND IMPROVED A66 TRUNK ROAD

In the administrative area of Westmorland and Furness Council

1. A 2.8 km length of new and improved A66 trunk road

M6 JUNCTION 40 AND SLIP ROADS

In the administrative area of Westmorland and Furness Council

2. M6 northbound diverge slip road
3. M6 northbound merge slip road
4. M6 southbound diverge slip road
5. M6 southbound merge slip road

THE IMPROVED A592

In the administrative area of Westmorland and Furness Council

6. A 205 metre length of improved A592

THE NEW KEMPLAY BANK JUNCTION SLIP ROADS

In the administrative area of Westmorland and Furness Council

7. A66 eastbound diverge slip road
8. A66 eastbound merge slip road
9. A66 westbound diverge slip road
10. A66 westbound merge slip road

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*THE IMPROVED A6, INCLUDING THE CIRCULATORY
CARRIAGEWAY OF THE NEW KEMPLAY BANK ROUNDABOUT*

In the administrative area of Westmorland and Furness Council

11. Kemplay Bank Roundabout
12. A 90 metre length of improved A6 (southbound approach to Kemplay Bank Roundabout)
13. A 155 metre length of improved A6 (northbound approach to Kemplay Bank Roundabout)

THE NEW AND IMPROVED A686

In the administrative area of Westmorland and Furness Council

14. A 242 metre length of improved A686

ROAD TO BE DE-TRUNKED

In the administrative area of Westmorland and Furness Council

15. A length of approximately 416 metres of the existing A66,...
PART 2 — SCHEME 03 – PENRITH TO TEMPLE SOWERBY

THE NEW AND IMPROVED A66 TRUNK ROAD

In the administrative area of Westmorland and Furness Council

16. A 2.9 kilometre length of improved A66 trunk road
17. A 2.4 kilometre length of new A66 trunk road

NEW JUNCTION AT CENTER PARCS

In the administrative area of Westmorland and Furness Council

18. A 116 metre length of new road (Northbound Approach)
19. A 493 metre length of new road (Connector Loop)

NEW B6262

In the administrative area of Westmorland and Furness Council

20. B6262 (Realigned)

NEW JUNCTION AND LINK ROAD OPPOSITE WHINFELL PARK

In the administrative area of Westmorland and Furness Council

21. A 144 metre length of new road (unclassified U3192)

NEW JUNCTION AND LINK ROAD TO DE-TRUNKED SECTION OF A66 (ROMAN ROAD)

In the administrative area of Westmorland and Furness Council

22. A 247 metre length of new road (unclassified westbound approach)
(unclassified U3193)

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ROAD TO BE DE-TRUNKED

In the administrative area of Westmorland and Furness Council

23. A length of approximately 451 metres of the existing A66,...
PART 3 — SCHEME 0405 – TEMPLE SOWERBY TO APPLEBY

THE NEW AND IMPROVED A66 TRUNK ROAD

In the administrative area of Westmorland and Furness Council

24. An 8.6 kilometre length of new road

THE NEW A66 COMPACT CONNECTOR ROADS

In the administrative area of Westmorland and Furness Council

25. Temple Sowerby connector road
26. Kirkby Thore Junction (access to British Gypsum) eastbound connector road
27. Kirkby Thore Junction (access to British Gypsum) westbound connector road
28. Long Marton Junction eastbound connector road
29. Long Marton Junction westbound connector road
30. Local road linking C3057 to A66

THE NEW B6542

In the administrative area of Westmorland and Furness Council

31. An 8.5 km length of new and existing road
32. Proposed Roundabout

THE NEW C3057

In the administrative area of Westmorland and Furness Council

33. C3057 South
34. C3057 North

THE NEW C3065

In the administrative area of Westmorland and Furness Council

35. C3065 Road – Fell Lane
36. C3065 Road – Realigned Main Street
37. An 87 metre length of existing road to be classified...

THE NEW C3063

In the administrative area of Westmorland and Furness Council

38. A 1.2 km length of new road

THE NEW UNCLASSIFIED ROADS

In the administrative area of Westmorland and Furness Council

39. Roman Road (unclassified U3199)
40. New Cross Street (unclassified C3030)
41. A 33 metre length of existing link road, commencing at...
42. A 32 metre length of existing link road, commencing at...
43. A 207 metre length of existing road, commencing at point...
44. Main Street (unclassified U3772)
45. New Sleastonhow Lane (unclassified U3202)
46. Improved Long Marton (unclassified U3773)
47. Existing Fell Lane (unclassified C3065)

UNCLASSIFIED ROAD WITH NEW QUIET LANE DESIGNATION

In the administrative area of Westmorland and Furness Council

48. Priest Lane (unclassified U3199)

ROADS TO BE DE-TRUNKED

In the administrative area of Westmorland and Furness Council

49. A 7.2 km length of the existing A66 trunk road...
PART 4 — SCHEME 06 – APPLEBY TO BROUGH

THE NEW AND IMPROVED A66 TRUNK ROAD

In the administrative area of Westmorland and Furness Council

50. An 8.2 kilometre length of new road

B6259 SANDFORD JUNCTION (A66 TRUNK ROAD)

In the administrative area of Westmorland and Furness Council

51. New B6259 Sandford Junction

NEW WARCOP EASTBOUND JUNCTION

In the administrative area of Westmorland and Furness Council

52. New Warcop Eastbound Junction

NEW WARCOP WESTBOUND JUNCTION

In the administrative area of Westmorland and Furness Council

53. New Warcop Westbound Junction

THE NEW B6259

In the administrative area of Westmorland and Furness Council

54. A 220m length of new road (new B6259)

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THE EXISTING A66 (NEW C3077)

In the administrative area of Westmorland and Furness Council

55. A 1.1 kilometre length of existing A66 trunk road

THE NEW C3077

In the administrative area of Westmorland and Furness Council

56. A 3.5 kilometre length of new road (realigned old A66)

THE NEW UNCLASSIFIED U3311

In the administrative area of Westmorland and Furness Council

57. A 126 metre length of new road (Flitholme Road)

THE NEW UNCLASSIFIED U3311

In the administrative area of Westmorland and Furness Council

58. A 666 metre length of new road (Flitholme to Langrigg Link)

THE NEW UNCLASSIFIED U3221

In the administrative area of Westmorland and Furness Council

59. A 890 metre length of the existing A66 at Warcop (Moorhouse Link)

ROADS TO BE DE-TRUNKED

In the administrative area of Westmorland and Furness Council

60. A 1.2 kilometre length of existing A66 Trunk Road
61. A 1.4 kilometre length of existing A66 Trunk Road
PART 5 — SCHEME 07 – BOWES BYPASS

THE NEW AND IMPROVED A66 TRUNK ROAD

In the administrative area of Durham County Council

62. A66 all-purpose dual carriageway

THE NEW AND IMPROVED BOWES JUNCTION

In the administrative area of Durham County Council

63. A66 eastbound diverge slip road
64. A66 eastbound merge slip road
65. A66 westbound diverge slip road
66. A66 westbound merge slip road
67. A67

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UNCLASSIFIED ROADS, THE STREET AND CLINT LANE OVERBRIDGE

In the administrative area of Durham County Council

- 68. The Street
- 69. The new Clint Lane Overbridge
- 70. Unnamed Side Road

ROADS TO BE DE-TRUNKED

In the administrative area of Durham County Council

- 71. A66 Junction with The Street
PART 6 — SCHEME 08 – CROSS LANES TO ROKEBY

THE NEW AND IMPROVED A66 TRUNK ROAD

In the administrative area of Durham County Council

- 72. A66 all-purpose dual carriageway

*THE NEW CROSS LANES JUNCTION AND UNCLASSIFIED SIDE
ROADS AT RUTHERFORD LANE AND MOORHOUSE LANE*

In the administrative area of Durham County Council

- 73. Eastbound A66 / B6277 compact connector road
- 74. Westbound A66 / B6277 compact connector road
- 75. New B6277 Moorhouse Lane link road
- 76. Realigned Moorhouse Lane (north)
- 77. Realigned Rutherford Lane
- 78. Realigned Moorhouse Lane (south)

THE NEW ROKEBY JUNCTION

In the administrative area of Durham County Council

- 79. A66 Eastbound Diverge connector road
- 80. Westbound A66 / C165 compact connector road
- 81. Rokeby Junction compact grade separated junction

RECLASSIFICATION OF THE EXISTING A66 AS THE C165

In the administrative area of Durham County Council

- 82. Existing A66

*A66 EASTBOUND MERGE SLIP ROAD FROM
RECLASSIFIED C165 BARNARD CASTLE ROUNDABOUT*

In the administrative area of Durham County Council

- 83. A66 Eastbound Merge Slip Road

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ROADS TO BE DE-TRUNKED

In the administrative area of Durham County Council

- 84. A66 Junction with Rutherford Lane
 - 85. A66 Trunk Road
 - 86. A66 Junction with Moorhouse Lane (South)
 - 87. A66 Trunk Road
- PART 7 — SCHEME 09 – STEPHEN BANK TO CARKIN MOOR

THE NEW AND IMPROVED A66 TRUNK ROAD

In the administrative area of the North Yorkshire Council

- 88. A66 all-purpose dual carriageway
- 89. A66 westbound merge slip road

THE EXISTING A66 AND WARRENER LANE LINK ROAD

In the administrative area of the North Yorkshire Council

- 90. C108 Warrener Lane
- 91. Realigned C12 Collier Lane

MAINS GILL JUNCTION

- 92. Eastbound A66 compact connector road
- 93. Westbound A66 compact connector road
- 94. Moor Lane link road

ROADS TO BE DE-TRUNKED

In the administrative area of the North Yorkshire Council

- 95. A66 Trunk Road (west)
- 96. A66 Trunk Road (east)

SCHEDULE 8 — TRAFFIC REGULATION MEASURES ETC.

- PART 1 — SCHEME 0102 – M6 J40 TO KEMPLAY BANK
- PART 2 — SCHEME 03 – PENRITH TO TEMPLE SOWERBY
- PART 3 — SCHEME 0405 – TEMPLE SOWERBY TO APPLEBY
- PART 4 — SCHEME 06 – APPLEBY TO BROUGH
- PART 5 — SCHEME 07 – BOWES BYPASS
- PART 6 — SCHEME 08 – CROSS LANES TO ROKEBY
- PART 7 — SCHEME 09 – STEPHEN BANK TO CARKIN MOOR

SCHEDULE 9 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWERAGE UNDERTAKERS

- 1. (1) The provisions of this Part of this Schedule have...
- 2. In this Part of this Schedule— “alternative apparatus” means alternative...
- 3. On street apparatus
- 4. Apparatus in closed streets
- 5. Protective works to buildings
- 6. Acquisition of land

7. Removal of apparatus
8. Facilities and rights for alternative apparatus
9. Retained apparatus
10. Expenses and costs
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...
12. Cooperation
13. Nothing in this Part of this Schedule affects the provisions...
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS
14. (1) For the protection of any operator, the following provisions...
15. The exercise of the powers of article 31 (statutory undertakers)...
16. (1) Subject to sub-paragraphs (2) to (4), if as the...
17. This Part of this Schedule does not apply to—
18. Nothing in this Part of this Schedule affects the provisions...
PART 3 — FOR THE PROTECTION OF NATIONAL GRID ELECTRICITY TRANSMISSION PLC AS ELECTRICITY UNDERTAKER
19. Application
20. Interpretation
21. Except for paragraphs 22 (apparatus of National Grid in stopped...
22. Apparatus of National Grid in closed streets
23. Protective works to buildings
24. Acquisition of land
25. Removal of apparatus
26. Facilities and rights for alternative apparatus
27. Retained apparatus: protection of electricity undertaker
28. Expenses
29. Indemnity
30. Enactments and agreements
31. Co-operation
32. Access
33. Arbitration
34. Notices
PART 4 — FOR THE PROTECTION OF NATIONAL GAS TRANSMISSION PLC AS GAS UNDERTAKER
35. Application
36. Interpretation
37. Except for paragraphs 38 (apparatus of National Grid in closed...
38. Apparatus of National Grid in closed streets
39. Protective works to buildings
40. Acquisition of land
41. Removal of apparatus
42. Facilities and rights for alternative apparatus
43. Retained apparatus: protection of gas undertaker
44. Expenses
45. Indemnity
46. Enactments and agreements
47. Co-operation
48. Access
49. Arbitration
50. Notices
PART 5 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY
51. (1) The following provisions of this Part of this Schedule...
52. Submission and approval of plans

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- 53. Construction of protective works
- 54. Timing of works and service of notices
- 55. Works not in accordance with this Schedule
- 56. Maintenance of works
- 57. Remediating impaired drainage work
- 58. Agency access
- 59. Free passage of fish
- 60. Indemnity
- 61. (1) The undertaker is responsible for and indemnifies the Agency...
- 62. Disputes

PART 6 — FOR THE PROTECTION OF NETWORK RAIL
INFRASTRUCTURE LIMITED

- 63. The following provisions of this Part of this Schedule have...
- 64. In this Part of this Schedule— “asset protection agreement” means...
- 65. (1) Where under this Part of this Schedule Network Rail...
- 66. (1) The undertaker must not exercise the powers conferred by—...
- 67. (1) The undertaker must before commencing construction of any specified...
- 68. (1) Any specified work and any protective works to be...
- 69. The undertaker must— (a) at all times afford reasonable facilities...
- 70. Network Rail must at all times afford reasonable facilities to...
- 71. (1) If any permanent or temporary alterations or additions to...
- 72. The undertaker must repay to Network Rail all reasonable fees,...
- 73. (1) In this paragraph— “EMI” means, subject to sub-paragraph (2),...
- 74. If at any time after the completion of a specified...
- 75. The undertaker must not provide any illumination or illuminated sign...
- 76. Any additional expenses which Network Rail may reasonably incur in...
- 77. (1) The undertaker must pay to Network Rail all reasonable...
- 78. Network Rail must, on receipt of a request from the...
- 79. In the assessment of any sums payable to Network Rail...
- 80. The undertaker and Network Rail may, subject in the case...
- 81. Nothing in this Order, or in any enactment incorporated with...
- 82. The undertaker must give written notice to Network Rail if...
- 83. The undertaker must no later than 28 days from the...

PART 7 — FOR THE PROTECTION OF DRAINAGE AUTHORITIES

- 84. The provisions of this Part of this Schedule apply for...
- 85. In this Part of this Schedule— “construction” includes execution, placing,...
- 86. (1) Before beginning to construct any specified work, the undertaker...
- 87. The requirements or conditions which the drainage authority may make...
- 88. (1) Any specified work in relation to an ordinary watercourse,...
- 89. (1) From the commencement of the construction of any specified...
- 90. Subject to paragraph 89(5)(b), if by reason of the construction...
- 91. (1) The undertaker must make reasonable compensation for costs, charges...
- 92. Any dispute arising between the undertaker and the drainage authority...

SCHEDULE 10 — DOCUMENTS TO BE CERTIFIED

Explanatory Note