



# Airports Act 1986

## 1986 CHAPTER 31

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Other provisions relating to airports*

#### **65 Control of road traffic at designated airports**

- (1) Subject to the provisions of this section, the road traffic enactments shall apply in relation to roads which are within a designated airport but to which the public does not have access as they apply in relation to roads to which the public has access.
- (2) The Secretary of State may by order direct that in their application to roads within such an airport the road traffic enactments shall have effect subject to such modifications as appear to him necessary or expedient for the purpose of, or in consequence of, conferring—
  - (a) on the airport operator functions exercisable under those enactments by a highway authority or local authority ; or
  - (b) on the chief officer of any airport constabulary functions so exercisable by a chief officer of police.
- (3) An order under subsection (2) may exempt from the application of the road traffic enactments particular roads or lengths of road to which the public does not have access and may require the airport operator to indicate the roads or lengths of roads so exempted in such manner as may be specified in the order.
- (4) Before making an order under this section in relation to any airport (other than one managed by the Secretary of State) the Secretary of State shall consult the airport operator.
- (5) Any road or place within an airport in the metropolitan police district shall be deemed to be a street or place within the meaning of section 35 of the London Hackney Carriage Act 1831.

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*Status: This is the original version (as it was originally enacted).*

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(6) In this section—

" airport constabulary" means, in relation to an airport owned or managed by the Secretary of State, the special constables appointed under section 57 of the 1982 Act and, in relation to any airport owned or managed by a local authority, any body of constables which the authority have power to maintain at that airport;

" designated airport" means an airport which is designated for the purposes of this section by an order made by the Secretary of State ; and

" the road traffic enactments " has the meaning given by section 63(3).

(7) In the application of subsection (2) to Scotland, for " highway authority or local authority" there shall be substituted " roads authority as defined in section 151(1) of the Roads (Scotland) Act 1984 ".

## **66 Functions of operators of designated airports as respects abandoned vehicles**

(1) The Secretary of State may by order direct that, in their application to land within any designated airport, the provisions of—

(a) sections 3, 4 and 5 of the Refuse Disposal (Amenity) Act 1978 (powers and duties of local authorities to remove and dispose of vehicles abandoned on land in their area) and section 8 of that Act (powers of entry etc.) so far as relating to section 3 of that Act, and

(b) any regulations for the time being in force under any of those sections, shall have effect subject to such modifications as appear to him necessary or expedient for the purpose of, or in consequence of, conferring on the airport operator the functions exercisable under those provisions by local authorities or local authorities of any description.

(2) In relation to the provisions of—

(a) sections 99 to 102 of the Road Traffic Regulation Act 1984 (removal of vehicles from roads if illegally, obstructively or dangerously parked or broken down, and from roads or open land if abandoned), and

(b) any regulations for the time being in force under any of those sections, the powers of the Secretary of State under section 65(2) shall be exercisable not only as respects the application of those provisions to roads within an airport but also as respects their application to other land within the airport.

(3) Where the provisions of—

(a) section 3 of the Refuse Disposal (Amenity) Act 1978,

(b) section 99, 100 or 102 of the Road Traffic Regulation Act 1984, or

(c) any regulations for the time being in force under any of those sections, apply to any land within any airport in accordance with an order made under or by virtue of this section, those provisions shall have effect in relation to vehicles in a building on that land which is used for providing facilities for the parking of vehicles as they have effect in relation to vehicles on land in the open air.

(4) Before making an order under subsection (1) in relation to an airport (other than one managed by the Secretary of State) the Secretary of State shall consult the airport operator.

(5) In this section—

" designated airport " means an airport which is designated for the purposes of this section by an order made by the Secretary of State ; and

" the road traffic enactments " has the meaning given by section 63(3).

## **67 Provision of special accommodation at airports**

- (1) The Secretary of State may, in the case of any airport—
  - (a) give the airport operator a direction requiring him to make available for the exclusive use of designated persons using the airport such special accommodation and any associated facilities as may be specified in the direction;
  - (b) give the airport operator a direction requiring him to take such steps as may be specified in the direction for the purposes of, or in connection with, the use of such accommodation and facilities by such persons;
  - (c) where it appears to the Secretary of State that the airport lacks special accommodation and associated facilities suitable for being made available as mentioned in paragraph (a), give the airport operator a direction requiring him to take such steps as may be specified in the direction for the purpose of, or in connection with, securing the provision at the airport of such accommodation and facilities.
- (2) In subsection (1) "designated persons", in relation to an airport, means such persons, or classes of persons, as may from time to time be notified to the airport operator by the Secretary of State for the purposes of this section.
- (3) Without prejudice to the generality of subsection (1)(c), a direction given by virtue of that provision may require an airport operator to carry out works of construction or alteration, and may specify the manner in which the accommodation in question is to be equipped in any respect.
- (4) The Secretary of State may, with the consent of the Treasury, make grants to airport operators for the purpose of defraying or contributing towards expenses incurred by them in complying with directions given to them under this section.
- (5) Before giving a direction under this section the Secretary of State shall consult the airport operator concerned.

## **68 Monitoring of aircraft movements**

- (1) Where an airport is designated for the purposes of section 78 of the 1982 Act (regulation of noise and vibration from aircraft), the Secretary of State may, after consultation with the airport operator, by order require him—
  - (a) to provide, maintain and operate such equipment as is specified in the order (in accordance with any instructions so specified) for the purpose of monitoring the movements, within an area so specified, of aircraft on flights to and from the airport, and
  - (b) to make to the Secretary of State such reports as are so specified with respect to the movements monitored by the equipment in pursuance of paragraph (a), and to permit any person authorised by the Secretary of State for the purpose to inspect the equipment on demand at any time ;and it shall be the duty of the airport operator to comply with the requirements of the order.

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- (2) Any reference in subsection (1) to the movements of aircraft shall be read as a reference to the routes taken by them measured by reference to both direction and height.
- (3) Subsections (9) and (10) of the said section 78 (enforcement) shall apply for the purposes of this section as if, in subsection (9) of that section, any reference to subsection (8) of that section were a reference to subsection (1) of this section.

**69 Duty of CAA with respect to implementation of recommendations concerning airport capacity**

- (1) If, after considering any recommendations made to him by the CAA in pursuance of section 16(2) of the 1982 Act (recommendations concerning airport capacity), the Secretary of State so directs, the CAA shall take such steps as it considers appropriate for the purpose of encouraging or facilitating the provision (whether by an airport operator or any other person) of any facilities or services that are necessary for the implementation of those recommendations.
- (2) The steps taken by the CAA in pursuance of subsection (1)—
  - (a) may, without prejudice to the generality of that subsection, include the furnishing of information, the provision of assistance to persons requesting it and the provision of advice (whether or not requested); but
  - (b) shall not include the carrying out of any works of construction or alteration or the defraying of, or the making of any contribution towards, expenses incurred by any other person in carrying out any such works.
- (3) Before embarking on the performance of its duty under subsection (1) with respect to any recommendations the CAA shall consult the airport operator in the case of any relevant airport as to the manner in which that duty is to be performed by the CAA.
- (4) Without prejudice to the generality of section 11 of the 1982 Act, a scheme or regulations under that section may make provision for charges to be paid in respect of the performance by the CAA of its duty under subsection (1) above with respect to any recommendations, and for such charges to be paid by—
  - (a) the airport operator in the case of any relevant airport, and
  - (b) any person for whom assistance or advice has, at his request, been provided by the CAA in pursuance of that duty;
 but if such provision is not made by any such scheme or regulations the CAA shall be entitled to recover an amount or amounts in respect of any expenses reasonably incurred by it in performing that duty from such one or more persons falling within paragraphs (a) and (b) above as the CAA considers appropriate.
- (5) An airport is a relevant airport for the purposes of subsection (3) or (4) if—
  - (a) the recommendations referred to in that subsection relate to the airport, or
  - (b) the airport is subject to economic regulation under Part IV, and it and any new airport to which those recommendations relate would be airports serving the same area in the United Kingdom ;
 and the reference in paragraph (b) above to airports serving the same area in the United Kingdom shall be construed in accordance with section 31(6).
- (6) Section 4 of the 1982 Act applies in relation to the performance by the CAA of its functions under this section.

## **70 Extension of Shops (Airports) Act 1962**

Section 1 of the Shops (Airports) Act 1962 (exemption of traders at certain airports from restrictions under Part I of the Shops Act 1950 on hours of closing) shall have effect in relation to the provisions of Part IV of the Shops Act 1950 (Sunday trading) as well as in relation to the provisions of Part I of that Act; and accordingly, in subsection (1) of that section, after " hours of closing)" there shall be inserted " and of Part IV of that Act (which relates to Sunday trading) ".

## **71 Capital controls in relation to local authority airport undertakings other than public airport companies**

- (1) Where an authority to whom Part VIII of the Local Government, Planning and Land Act 1980 applies own any airport (which is accordingly not an airport operated by a public airport company within the meaning of Part II of this Act), then, for the purposes of that Part of that Act—
  - (a) the amount of any grant or advance of a capital nature made by any person for the purposes of the authority's airport undertaking shall be treated as prescribed expenditure of the authority, but
  - (b) no expenditure by the authority for the purposes of that undertaking other than any amount expended on the making of any such grant or advance shall be treated as prescribed expenditure of the authority ;and any amount repaid in respect of any such grant or advance as is mentioned in paragraph (a) shall be treated for the purposes of section 72 of that Act as a receipt of the authority which, by virtue of section 75(1) of that Act, is a capital receipt of the authority for the purposes of Part VIII of that Act.
- (2) The profits to which any such authority are entitled from their airport undertaking shall not be taken into account for the purposes of subsection (3)(e) of section 72 of that Act; and accordingly—
  - (a) in subsection (3)(e) " trading undertaking " shall not include an airport undertaking ; and
  - (b) subsection (4)(iii) of that section shall cease to have effect.
- (3) Any amount received by any such authority in respect of the disposal of any assets held by the authority for the purposes of their airport undertaking shall not be taken into account for the purposes of section 75(1) (b) of that Act.
- (4) This section shall apply in relation to an airport owned jointly by two or more authorities to whom Part VIII of that Act applies as it applies in relation to an airport owned by one such authority alone (references to the airport undertaking of a particular authority being read as references to the airport undertaking of the authorities in question), but the provisions of subsection (1) requiring any amount to be treated as prescribed expenditure of any authority, or (as the case may be) as such a receipt of an authority as is there mentioned, shall have effect only in relation to such one of the authorities in question as may be determined by agreement between those authorities.
- (5) This section applies to England and Wales only.