



# Local Government Act 1985

## 1985 CHAPTER 51

### PART IV

#### POLICE, FIRE SERVICES, CIVIL DEFENCE AND TRANSPORT

##### *Functions*

#### **40 Airports.**

- (1) If, in the case of any airport in respect of which a metropolitan county council has property, rights or liabilities, the Secretary of State is satisfied that the councils of the districts comprised in the county have agreed on—
  - (a) the operation of the airport from the abolition date by a committee consisting of or including members appointed by all or any of those councils; and
  - (b) the transfer or division of the property, rights and liabilities of the metropolitan county council to or among all or any of those councils,he may, by an order coming into force on that date, provide for the transfer or division of that property and those rights and liabilities in accordance with the agreement.
- (2) If, in the case of any such airport, the Secretary of State is not satisfied as aforesaid he may by an order coming into force on the abolition date provide for the transfer of the property, rights and liabilities of the metropolitan county council in respect of the airport to the metropolitan county passenger transport authority.
- (3) In sections 30 [<sup>F1</sup>, 31, 35] and 88(10) of the <sup>M1</sup>Civil Aviation Act 1982 (airport functions of local authorities) references to a local authority shall include references to [<sup>F2</sup>an Integrated Transport Authority for an integrated transport area in England] ; and before making any order under subsection (1) or (2) above the Secretary of State shall satisfy himself that any necessary consent under section 30 of that Act has been or will be obtained.

---

*Status: Point in time view as at 09/02/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Section 40. (See end of Document for details)*

---

---

#### **Textual Amendments**

- F1** Words substituted by [Airports Act 1986 \(c.31, SIF 9\)](#), s. 83(1), **Sch. 4 para. 10**: by S.I. 1986/1228 this substitution came into force 1.8.1986 save as regards the words “60(3)(o)” as to which the substitution came into force by S.I. 1986/1487, **art. 5** on 1.4.1987
- F2** Words in s. 40(3) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 53(5)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- 

#### **Marginal Citations**

- M1** 1982 c. 16.

**Status:**

Point in time view as at 09/02/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government Act 1985, Section 40.