



Airports Act 1986

1986 CHAPTER 31

PART V **E+W+S**

STATUS OF CERTAIN AIRPORT OPERATORS AS STATUTORY UNDERTAKERS, ETC.

59 Acquisition of land and rights over land. **E+W+S**

- (1) The Secretary of State may authorise any relevant airport operator to acquire land in Great Britain compulsorily for any purpose connected with the performance of the operator's functions as such; and the following enactments, namely—
- (a) if the land is in England and Wales, the Acquisition of Land Act 1981, except Part VI, and
 - (b) if the land is in Scotland, the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, except section 3,

shall apply in relation to the compulsory purchase of land by a relevant airport operator under this section; and, in the case of the latter Act, shall so apply as if the operator were a local authority and as if this subsection were contained in an Act in force immediately before the commencement of that Act.

- (2) For the purpose of the acquisition by a relevant airport operator of land in Great Britain by agreement the following provisions shall apply, namely—
- (a) if the land is in England and Wales, the provisions of Part I of the Compulsory Purchase Act 1965 (so far as applicable) except sections 4 to 8, 27 and 31, and
 - (b) if the land is in Scotland, the provisions of the Lands Clauses Acts (so far as applicable) except sections 120 to 125, 127, 142 and 143 of the Lands Clauses Consolidation (Scotland) Act 1845.
- (3) The provisions of the 1982 Act which are specified in subsection (4) below shall apply in relation to any relevant airport operator as they apply in Great Britain to the CAA and, in the case of Schedule 10 to the 1982 Act, as if the references to an order made or proposed to be made under Part II of that Act or to the making of such an order included an order for the compulsory purchase of land by a relevant airport operator which the Secretary of State has confirmed or proposes to confirm or (as the case may be) the confirmation of such an order.

Changes to legislation: Airports Act 1986, Section 59 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) The provisions of the 1982 Act mentioned in subsection (3) are—
- section 44 (power to obtain rights over land);
 - section 45 (power to restrict use of land for purpose of securing safety at airports);
 - section 46 (power to exercise control over land in interests of civil aviation);
 - section 48 (power to stop up and divert highways), except subsection (9);
 - section 50 (power of entry for purposes of survey);
 - section 52 (displacements from land); and
 - Schedules 7 to 10 (supplemental provisions and provisions relating to statutory undertakers).
- (5) The power of a relevant airport operator to acquire land compulsorily under this section may be exercised for the purpose of providing or improving any highway which is to be provided or improved in pursuance of an order under section 48 of the 1982 Act, as applied by this section, or for any other purpose for which land is required in connection with such an order.
- (6) The following enactments (which refer to consecrated land and burial grounds), namely—
- (a) [^{F1}sections 238 to 240 of the Town and Country Planning Act 1990]; and
 - (b) [^{F2}section 197 of the Town and Country Planning (Scotland) Act 1997],
- shall have effect in relation to any land acquired by a relevant airport operator as they have effect in relation to land acquired by statutory undertakers under [^{F1}Part IX of that Act of 1990] or (as the case may be) under [^{F2}Part VIII of that Act of 1997].

Textual Amendments

- F1** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 73\(1\)](#)
- F2** Words in s. 59(6)(b) substituted (27.5.1997) by [1997 c. 11, ss. 4, 6\(2\), Sch. 2 para. 39\(1\)](#)

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Changes and effects yet to be applied to :

- s. 57-62 (Pt. 5) (defn. of "relevant airport operator") applied by [1997 c. 8 s. 214\(1\)\(2\)](#)
- s. 57-62 (Pt. 5) (defn. of "relevant airport operator") applied by [1997 c. 8 s. 217\(1\)\(a\)](#)
- s. 59(6)61(1)(a)(b)(2)61(3)(5)(6) amended (S) by [1997 c. 11 s. 4 Sch. 2 para. 39](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act saved (6.5.1999) by [1998 c. 46 s. 30 Sch. 5 Pt. 2 s. E4\(f\)](#)
- Act textual by [S.I. 2001/2237 art. 2](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12(1) (defn. of "principal council") para. (aa) added (prosp.) by [1994 c. 19 s. 66\(6\)Sch. 16 para. 77](#)
- s. 12(1) (defns. "local authority""principal council") para. (b) amended (S) by [1994 c. 39 Sch. 13 para. 147](#)
- s. 12(1) (defn. of "principal council") para. (a) repealed in part (prosp.) by [1994 c. 19 s. 66\(6\)\(8\)Sch. 16 para. 77Sch. 18](#)