



Civil Aviation Act 1949

1949 CHAPTER 67 12 13 and 14 Geo 6

PART III

AERODROMES AND OTHER LAND

Local authorities' aerodromes

19 Power of local authorities to provide aerodromes

- (1) Any local authority may, with the consent of the Minister and subject to such conditions as he may impose, establish and maintain aerodromes, and provide and maintain in connection therewith roads, approaches, apparatus, equipment and buildings and other accommodation:

Provided that nothing in this section shall authorise the execution of any works on, over or under tidal lands below high-water mark of ordinary spring tides, except in accordance with plans and sections previously approved in writing by the Minister of Transport and subject to such conditions as he may impose.

- (2) A local authority may, for the purpose of exercising any of the powers conferred on the authority by the foregoing subsection, acquire land by agreement or be authorised by the Minister to purchase land compulsorily.
- (3) For the avoidance of doubts it is hereby declared that one of the purposes for which a local authority may acquire land under this section is the purpose of securing that the land adjacent to the site of an aerodrome which the local authority has established, or is about to establish, shall not be used in such manner as to cause interference with, or danger or damage to, aircraft at, approaching or leaving the aerodrome.
- (4) The powers conferred on a local authority by the foregoing provisions of this section shall be exercisable by that authority outside, as well as within, its area.
- (5) For the purpose of the purchase of land by agreement under this section, the Lands Clauses Acts, except the provisions of those Acts with respect to the purchase and taking of land otherwise than by agreement, shall be incorporated with this Act.

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- (6) Where any land is held by a local authority for any purpose for which land may be acquired under this section, the local authority shall not, without the consent of the Minister, appropriate that land for any other purpose or dispose of the land in any way.

In relation to land in Scotland this subsection shall have effect as if for the words " shall not, without the consent -of the Minister " there were substituted the words " shall have power, with the consent of the Minister, but not otherwise, to ".

- (7) Without prejudice to the provisions of the last foregoing subsection where a local authority to which section one hundred and sixty-five of the Local Government Act, 1933, applies holds any land solely for the purpose of securing that it shall not be used in such manner as to cause interference with, or danger or damage to, aircraft at, approaching or leaving an aerodrome of the local authority, that section shall, notwithstanding that it is still requisite that the land should not be so used, have effect in relation to that land as if it authorised the local authority, with the consent of the Minister of Health, to sell the land subject to such conditions as the local authority thinks necessary to secure that the land will not be so used.
- (8) A local authority may borrow for the purposes of this section.
- (9) In this section the expression "local authority " does not include the council of a rural district in England or Wales, and the expression " land " includes any right in or over land.

20 Power to carry on ancillary businesses

If the Minister is satisfied, with respect to any aerodrome provided by a local authority under the last foregoing section, that it is necessary or expedient that the local authority should be empowered to carry on in connection with the aerodrome any particular business, being a business which appears to him to be ancillary to the carrying on of an aerodrome but which the authority would not otherwise have power to carry on, he may make an order authorising that local authority, subject to such conditions (if any) as may be specified in the order, to carry on that business in connection with the aerodrome.

21 Provisions as to London

- (1) For the purposes of section nineteen of this Act—
- (a) the London County Council may borrow under and in accordance with the London County Council (Finance Consolidation) Act, 1912;
 - (b) the Common Council of the City of London may borrow under the City of London Sewers Acts, 1848 to 1897.
- (2) Section ninety-seven of the Local Government Act, 1933 (which applies the provisions of Part III of that Act relating to joint committees to the London County Council and to councils of metropolitan boroughs) shall in relation to the powers conferred on local authorities by or under the last two foregoing sections, have effect as if any reference in the said section ninety-seven to the council of a metropolitan borough included a reference to the Common Council of the City of London.
- (3) The expenses of the Common Council of the City of London under the said section nineteen shall be defrayed out of the general rate.

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22 Other statutory bodies in Northern Ireland

- (1) His Majesty may by Order in Council direct that in Northern Ireland the powers conferred by or under the three last foregoing sections on a local authority shall, subject to any restrictions imposed by the Order in Council, be, and be deemed always to have been exercisable also by any statutory body specified in the Order in Council and that any of the said provisions shall, in relation to that body, have effect subject to such adaptations as may be so specified.
- (2) Part VI of this Act applies to this section.