
 STATUTORY INSTRUMENTS

1986 No. 425

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Government Reorganisation
(Airports) Order 1986**

<i>Made</i> - - - -	<i>6th March 1986</i>
<i>Laid before Parliament</i>	<i>7th March 1986</i>
<i>Coming into Operation</i>	<i>1st April 1986</i>

Whereas

(1) the metropolitan county council of Tyne and Wear (hereinafter referred to as "Tyne and Wear") have property rights and liabilities in respect of Newcastle airport;

(2) the metropolitan county council of West Midlands (hereinafter referred to as "West Midlands") have property rights and liabilities in respect of Birmingham airport;

(3) the metropolitan county council of West Yorkshire (hereinafter referred to as "West Yorkshire") have rights and liabilities in respect of Leeds and Bradford airport;

(4) the metropolitan county council of Greater Manchester (hereinafter referred to as "Greater Manchester") have property rights and liabilities in respect of Manchester airport; and

(5) the metropolitan county council of Merseyside (hereinafter referred to as "Merseyside") have property rights and liabilities in respect of Liverpool airport;

And whereas the Secretary of State for Transport is satisfied that the councils of the districts comprised in the counties of Tyne and Wear, West Midlands, West Yorkshire and Greater Manchester have, in the case of Newcastle, Birmingham, Leeds and Bradford and Manchester airports respectively, agreed on the operation of each of the airports from 1st April 1986 by a committee consisting of or including members appointed by all of the councils of the districts comprised in their respective counties and on the transfer or division of the said property rights and liabilities or, as the case may be, the said rights and liabilities to or among all of the respective councils;

And whereas, in the case of Liverpool airport, the Secretary of State is not satisfied that the councils of the districts comprised in the county of Merseyside have agreed as aforesaid:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 40, 52 and 101 of the Local Government Act 1985(a) ("the

(a) 1985 c.51.

Act”), and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Local Government Reorganisation (Airports) Order 1986 and shall come into operation on 1st April 1986.

2. In this Order:

“property” in respect of an airport means property, including cash, held or used otherwise than temporarily by a metropolitan county council exclusively for or in connection with the use of that airport;

“rights” and “liabilities” in respect of an airport means rights and liabilities acquired or incurred by a metropolitan county council in respect of that airport, other than

- (a) any rights and liabilities of a metropolitan county council arising under a contract of employment, or
- (b) any rights and liabilities of a metropolitan county council in respect of money borrowed in connection with the airport
 - (i) by that council, or
 - (ii) by any other authority whose rights and liabilities in respect of that money have been transferred to that council.

Newcastle airport

3. All the property and rights in respect of Newcastle airport to which Tyne and Wear were entitled immediately before the coming into operation of this Order shall become by virtue of this article property and rights of the district council of North Tyneside (“North Tyneside”) to be held by them for the joint use and benefit of themselves, the district councils of Gateshead, Newcastle upon Tyne, South Tyneside and Sunderland and the county councils of Durham and Northumberland.

4. All the liabilities in respect of Newcastle airport to which Tyne and Wear were subject immediately before the coming into operation of this Order shall become by virtue of this article liabilities of North Tyneside.

5. Any person who immediately before the coming into operation of this Order was in the service of Tyne and Wear under a contract of employment which would have continued but for the abolition of that council and who was engaged exclusively on the business of Newcastle airport is hereby designated for the purposes of section 52 of the Act; and the successor authority specified in relation to such a person is North Tyneside.

Birmingham airport

6. All the property and rights in respect of Birmingham airport to which West Midlands were entitled immediately before the coming into operation of this Order shall become by virtue of this article property and rights of the district council of Solihull to be held by them for the joint use and benefit of

themselves and the district councils of Birmingham, Coventry, Dudley, Sandwell, Walsall and Wolverhampton.

7. All the liabilities in respect of Birmingham airport to which West Midlands were subject immediately before the coming into operation of this Order shall become by virtue of this article the joint and several liabilities of the district councils of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.

8. Any person who, immediately before the coming into operation of this Order, was in the service of West Midlands under a contract of employment which would have continued but for the abolition of that council and who was engaged exclusively on the business of Birmingham airport is hereby designated for the purposes of section 52 of the Act; and the successor authority specified in relation to such a person is the district council of Sandwell.

Leeds and Bradford airport

9. All the rights in respect of Leeds and Bradford airport to which West Yorkshire were entitled immediately before the coming into operation of this Order shall by virtue of this article be divided equally among the district councils of Bradford, Calderdale, Kirklees, Leeds and Wakefield.

10. All the liabilities in respect of Leeds and Bradford airport to which West Yorkshire were subject immediately before the coming into operation of this Order shall become by virtue of this article the joint and several liabilities of the district councils referred to in article 9 above.

11. Any person who, immediately before the coming into operation of this Order, was in the service of West Yorkshire under a contract of employment which would have continued but for the abolition of that council and who was engaged exclusively on the business of Leeds and Bradford airport is hereby designated for the purposes of section 52 of the Act; and the successor authority specified in relation to such a person is the district council of Bradford.

Manchester airport

12. All the property and rights in respect of Manchester airport to which Greater Manchester were entitled immediately before the coming into operation of this Order shall become by virtue of this article property and rights of the Manchester City Council to be held by them for the joint use and benefit of themselves and the district councils of Bolton, Bury, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan.

13. All the liabilities in respect of Manchester airport to which Greater Manchester were subject immediately before the coming into operation of this Order shall become by virtue of this article the joint and several liabilities of the district councils of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan.

14. Any person who, immediately before the coming into operation of this Order, was in the service of Greater Manchester under a contract of employment which would have continued but for the abolition of that council and who was engaged exclusively on the business of Manchester airport is hereby designated for the purposes of section 52 of the Act; and the successor authority specified in relation to such a person is the Manchester City Council.

Liverpool airport

15. All the property rights and liabilities in respect of Liverpool airport to which Merseyside were entitled or subject immediately before the coming into operation of this Order shall become by virtue of this article property rights and liabilities of the Merseyside Passenger Transport Authority.

16. Any person who, immediately before the coming into operation of this Order, was in the service of Merseyside under a contract of employment which would have continued but for the abolition of that council and who was engaged exclusively on the business of Liverpool airport is hereby designated for the purposes of section 52 of the Act; and the successor authority specified in relation to such a person is the Merseyside Passenger Transport Authority.

Tyne and Wear Act 1980

17. In sections 32 to 36 of the Tyne and Wear Act 1980(a) references to “the county council” shall be construed as references to the district council of North Tyneside and in Section 36 the reference to “the Tyne and Wear County Council” shall be construed as a reference to the district councils of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland.

West Midlands County Council Act 1977

18. The functions conferred on West Midlands by sections 3, 4 and 5 of the West Midlands County Council Act 1977(b) (in that Act referred to as “the County Council”) in relation to Birmingham airport shall be exercised by the district councils of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton acting jointly and references in those sections to the “County Council” shall be construed accordingly; and in section 2(1) of that Act for the definition of Birmingham airport there shall be substituted the following:

“the Birmingham airport” means the aerodrome vested in the district council of Solihull for the joint use and benefit of themselves and the district councils of Birmingham, Coventry, Dudley, Sandwell, Walsall and Wolverhampton.”

County of Merseyside Act 1980

19. The powers conferred on a local authority by section 114 of the County of Merseyside Act 1980(c) may be exercised by the Merseyside Passenger Transport Authority in connection with Liverpool airport.

(a) 1980 c.xliii.
(b) 1977 c.xiv.
(c) 1980 c.x.

6th March 1986.

Nicholas Ridley,
Secretary of State for Transport.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes provision in respect of the property rights and liabilities of the metropolitan county councils ("MCC's") in respect of airports to take effect on the abolition of the MCCs on 1st April 1986 in pursuance of the Local Government Act 1985 ("the Act").

In accordance with the agreements reached by the councils of the districts comprised in the counties of Tyne and Wear, West Midlands, West Yorkshire and Greater Manchester the Order provides:

(1) for the transfer of the property and rights of Tyne and Wear MCC in respect of Newcastle airport to the district council of North Tyneside to be held by them for the joint use and benefit of themselves and the other district councils comprised in the county and the county councils of Durham and Northumberland, and for the transfer of their liabilities in respect of the airport to North Tyneside (articles 3 and 4);

(2) for the transfer of the property and rights of West Midlands MCC in respect of Birmingham airport to the district council of Solihull to be held by them for the joint use and benefit of themselves and the other district councils comprised in the county and for their liabilities in respect of the airport to become the joint and several liabilities of all those district councils (articles 6 and 7);

(3) for the rights of West Yorkshire MCC in respect of Leeds and Bradford airport to be divided equally among the district councils comprised in the county and for their liabilities in respect of the airport to become the joint and several liabilities of those district councils (articles 9 and 10);

(4) for the transfer of the property and rights of Greater Manchester MCC in respect of Manchester airport to the Manchester City Council to be held by them for the joint use and benefit of themselves and the other district councils comprised in the county and for their liabilities in respect of the airport to become the joint and several liabilities of all those district councils (articles 12 and 13).

In the case of Liverpool airport, where the councils of the districts comprised in the county of Merseyside had not reached agreement on the operation of the airport following abolition of the MCC, the property rights and liabilities of the Merseyside MCC are transferred to the Merseyside Passenger Transport Authority (article 15).

Any person who, immediately before 1st April 1986, was in the service of Tyne and Wear, West Midlands, West Yorkshire, Greater Manchester or Merseyside MCCs under a contract of employment which would have continued but for the abolition of the MCCs and who was engaged exclusively on the business of Newcastle, Birmingham, Leeds and Bradford, Manchester and Liverpool airports respectively are designated for the purposes of section 52 of the Act. As a result the contract of employment of any such person will not be terminated by the abolition of the employing MCC but will have effect as if originally made between him and one of the successor authorities (namely, North Tyneside, Sandwell, Bradford, Manchester City Council and Merseyside Passenger Transport Authority, respectively) specified in relation to such persons (articles 5, 8, 11, 14, and 16).

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