

1990 No. 54

CIVIL AVIATION

The Airports (Designation)
(Removal and Disposal of Vehicles) Order 1990

<i>Made</i> - - - -	<i>15th January 1990</i>
<i>Laid before Parliament</i>	<i>24th January 1990</i>
<i>Coming into force</i>	<i>14th February 1990</i>

The Secretary of State for Transport, in exercise of the powers conferred on him by section 66(1) of the Airports Act 1986(a) and of all other powers enabling him in that behalf, and after consultation with the persons for the time being having the management of the airports specified in Schedule 1 hereto in accordance with sub-section (4) of the said section 66, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Airports (Designation) (Removal and Disposal of Vehicles) Order 1990 and shall come into force on 14th February 1990.

(2) In this Order “the airport operator” means the person for the time being having the management of an airport specified in Schedule 1 hereto.

Designation

2. The airports specified in Schedule 1 hereto are hereby designated for the purposes of section 66 of the Airports Act 1986.

Modification of the Refuse Disposal (Amenity) Act 1978 and regulations made thereunder

3. The Secretary of State directs that in their application to land within the airports specified in Schedule 1 hereto the provisions of sections 3, 4, 5 and 8 of the Refuse Disposal (Amenity) Act 1978(b) and of the Removal and Disposal of Vehicles Regulations 1986(c) shall have effect subject to the modifications specified in Schedule 2 hereto for the purpose of, or in consequence of, conferring on the airport operators the functions exercisable under those provisions by local authorities or local authorities of any description.

Signed by the authority of the Secretary of State
for Transport

15th January 1990

Patrick McLoughlin
Parliamentary Under Secretary of State,
Department of Transport

(a) 1986 c.31.
(b) 1978 c.3.
(c) S.I. 1986/183.

SCHEDULE 1

Coventry
Gloucester/Cheltenham
Liverpool
Manchester
Southend

SCHEDULE 2

PART I

THE REFUSE DISPOSAL (AMENITY) ACT 1978(a)

1.—(1) In section 3(1), (2), (3), (5) and (8) for the words “a local authority” and “the authority” in each place where they occur there shall be substituted the words “the airport operator”.

(2) In section 3(1) the words “in their area” shall be omitted and for the words “in the open air or on any other land forming part of a highway” there shall be substituted the words “within the airport”.

(3) In section 3(2) the words “other than the airport operator” shall be inserted after the words “any person”.

(4) Section 3(4), (6) and (7) shall be omitted.

(5) In section 3(8) the words “or the council of a county in England” shall be omitted;

(6) In section 3(9) for the words “a local authority” in the second place where they occur there shall be substituted the words “the airport operator” and the words “within the meaning of this section” shall be omitted.

2.—(1) In section 4(1), (3), (5), (6) and (7) for the words “a local authority”, “the local authority” and “the authority” in each place where they occur there shall be substituted the words “the airport operator”.

(2) Section 4(8) shall be omitted.

3.—(1) In section 5(1) and (3) for the words “the appropriate authority” and “the authority” in each place where they occur there shall be substituted the words “the airport operator”.

(2) In section 5(4) the definition of “the appropriate authority” shall be omitted.

(3) Section 5(5) and (6) shall be omitted.

4.—(1) In section 8(1) the words “the Secretary of State or” shall be omitted; for the words “a local authority” there shall be substituted the words “the airport operator”; following the words “any land” there shall be inserted the words “within the airport”; and the words “or section 6” shall be omitted.

(2) Section 8(4) shall be omitted.

PART II

THE REMOVAL AND DISPOSAL OF VEHICLES REGULATIONS 1986(b)

1. The Removal and Disposal of Vehicles Regulations 1986 shall have effect as though—

(a) regulation 5 were omitted;

(b) regulation 7 were omitted;

(c) regulation 8 were omitted;

(d) regulation 9(1) were omitted;

(e) in regulation 9(2) for the words “an authority” and “the authority” there were substituted the words “the airport operator”;

(f) in regulation 10 the words “and section 99(4) of the 1984 Act,” were omitted, and for the words “an authority” and “the authority” there were substituted the words “the airport operator”;

(g) in regulation 12(1) the words “and section 101(3)(c) of the 1984 Act,” were omitted and for the words “an authority” there were substituted the words “the airport operator”;

(a) 1978 c.3.

(b) S.I. 1986/183.

- (h) in regulation 12(1)(a), (b), (c) and (d)—
 - (i) for the words “the authority” there were substituted the words “the airport operator”;
 - (ii) the words “(unless the authority is that officer)” were omitted;
 - (i) for regulation 12(1)(e) there were substituted—

“if the vehicle does not carry a GB registration mark or any other registration mark then the airport operator shall apply to the chief officer of the police force in whose area is the place at which the vehicle appeared to have been abandoned, giving the specified information and enquiring whether that officer has any information as to who is the owner of the vehicle”;
 - (j) in regulation 12(2) for the words “an authority” there were substituted the words “the airport operator”;
 - (k) in regulation 13 the words “and section 101(3)(c)(ii) of the 1984 Act” were omitted and for the words “an authority” there were substituted the words “an airport operator”;
 - (l) in regulation 14 the words “and section 101(3)(c)(ii) of the 1984 Act” were omitted and for the words “the authority” there were substituted the words “the airport operator”;
 - (m) regulation 15 were omitted;
 - (n) in regulation 16 the words “and section 101(4) of the 1984 Act,” were omitted and for the words “an authority” and “the authority” there were substituted the words “the airport operator”.
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EXPLANATORY NOTE

(This note is not part of the Order)

Section 66 of the Airports Act 1986 empowers the Secretary of State to direct that in their application to land within an airport designated by an order made by him for the purposes of the section, certain provisions of the Refuse Disposal (Amenity) Act 1978 and regulations in force thereunder shall have effect subject to such modifications as appear to him to be necessary or expedient to confer on the airport operator the functions exercisable under those provisions by local authorities.

This Order designates the airports listed in Schedule 1 for the purposes of section 66 and modifies the relevant provisions set out in Schedule 2 in their application to the listed airports.