



# Civil Aviation Act 1982

## 1982 CHAPTER 16

### PART II

#### AERODROMES AND OTHER LAND

##### *Aerodromes and facilities at aerodromes provided by local authorities*

#### **30 Provision of aerodromes and facilities at aerodromes by local authorities.**

- (1) A local authority, other than a district council in Scotland, may do one or both of the following things, namely—
  - (a) with the consent of the Secretary of State and subject to such conditions as he may impose, establish and maintain aerodromes;
  - (b) make arrangements with the person owning or managing an aerodrome in Great Britain whereby the local authority provide and maintain facilities for civil aviation at that aerodrome;and a district council in Scotland may do as mentioned in paragraph (b) above.
- (2) A local authority, other than a district council in Scotland, may in connection with—
  - (a) the establishment and maintenance by them of aerodromes in pursuance of subsection (1)(a) above, or
  - (b) any aerodrome in respect of which the local authority have made such an arrangement as is mentioned in subsection (1)(b) above,provide and maintain roads, approaches, apparatus, equipment and buildings and other accommodation.
- (3) Nothing in subsection (1)(a) or (2) above 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 Secretary of State and subject to such conditions as he may impose.
- (4) Without prejudice to any power conferred otherwise than by this Act, a local authority may, for the purpose of exercising any of the powers conferred on them by subsections

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, Cross Heading: Aerodromes and facilities at aerodromes provided by local authorities. (See end of Document for details)*

(1)(a) and (2) above, acquire land by agreement or be authorised by the Secretary of State to purchase land compulsorily.

- (5) In relation to the compulsory purchase of land under this section—
- (a) if the land is in England and Wales, the <sup>M1</sup>Acquisition of Land Act 1981, and
  - (b) if the land is in Scotland, the <sup>M2</sup>Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

shall apply and, in the latter case, shall apply as if this Act had been in force immediately before the commencement of that Act.

- (6) For the avoidance of doubt, 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 have established, or are 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.
- (7) Without prejudice to any power conferred otherwise than by virtue of this Act, the powers conferred on a local authority by subsections (1)(a), (2) and (4) above shall be exercisable by that authority outside, as well as within, their area.
- (8) For the purpose of the purchase of land by agreement under this section—
- (a) if the land is in England and Wales, the provisions of Part I of the <sup>M3</sup>Compulsory Purchase Act 1965 (so far as applicable) other than sections 4 to 8, section 10 and section 31 shall apply; and
  - (b) if the land is in Scotland, 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.

#### Marginal Citations

- M1** 1981 c. 67.  
**M2** 1947 c. 42.  
**M3** 1965 c. 65.

### 31 Power to carry on ancillary business.

- (1) If the Secretary of State is satisfied with respect to any local authority aerodrome that it is necessary or expedient that the local authority maintaining the aerodrome should be empowered to carry on in connection with the aerodrome any ancillary business 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.

- (2) In this section—

“ancillary business” means any business which appears to the Secretary of State to be ancillary to the maintaining of an aerodrome; and

“local authority aerodrome” means—

- (a) any aerodrome maintained by a local authority under section 30 above; or
- (b) so much of any other aerodrome as consists of buildings or other works maintained by a local authority by virtue of that section.

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**Modifications etc. (not altering text)**

**C1** S. 31, 35 extended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 40(3)

**32** ..... **F1**

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**Textual Amendments**

**F1** Ss. 27, 29, 32, 33, 37, 40 repealed by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 83(5), **Sch. 6 Pt. II**

**Status:**

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