

SCHEDULES

SCHEDULE 2

Section 58.

APPLICATION OF ENACTMENTS RELATING TO STATUTORY UNDERTAKERS ETC.

General application of enactments

- 1 (1) Any airport to which this Part applies shall be deemed to be a statutory undertaking, and a relevant airport operator a statutory undertaker, for the purposes of the following enactments, namely—
- the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 ;
 - the New Towns (Scotland) Act 1968 ;
 - the Town and Country Planning Act 1971 ;
 - the Town and Country Planning (Scotland) Act 1972 ;
 - Part I of the Local Government (Miscellaneous Provisions) Act 1976 ;
 - the Development of Rural Wales Act 1976 ;
 - the New Towns Act 1981 ;
 - the Acquisition of Land Act 1981 ; and
 - sections 283, 296 and 611 of the Housing Act 1985 ;
- and for the purposes of any other enactment in which " statutory undertakers " or " statutory undertaking " has the meaning assigned to it by section 275(1) of the Town and Country Planning (Scotland) Act 1972.
- (2) In the following enactments, namely—
- the Town and Country Planning Act 1971,
 - the Town and Country Planning (Scotland) Act 1972, and
 - the New Towns Act 1981,
- " the appropriate Minister " shall, in relation to a relevant airport operator, mean the Secretary of State for Transport.

Application of particular enactments

- 2 In the Public Health Act 1936—
- (a) section 330 (power of certain undertakers in England and Wales to alter sewers), and
 - (b) section 333 (protection of certain such undertakers from works executed under that Act),
- shall apply in relation to a relevant airport operator and the airport in question as they apply in relation to a railway company and its railway.
- 3 (1) The following provisions (which relate to the protection of certain statutory undertakers), namely—
- section 93 of Schedule 3 to the Water Act 1945, and
 - section 45 of Schedule 4 to the Water (Scotland) Act 1980,

Status: This is the original version (as it was originally enacted).

shall apply with the necessary modifications in relation to any works which statutory water undertakers propose to execute along, upon or under any airport to which this Part applies, whether or not section 93 or section 45 has been applied to the undertakers by an order under that Act of 1945 or (as the case may be) under that Act of 1980.

- (2) In sub-paragraph (1) " statutory water undertakers " means—
- (a) in relation to England and Wales, statutory water undertakers within the meaning of the Water Act 1973 and includes a person authorised to construct works by an order under section 23 of the Water Act 1945 ; and
 - (b) in relation to Scotland, a water authority within the meaning of the Water (Scotland) Act 1980.
- 4 A relevant airport operator shall be deemed to be a public undertaker for the purposes of section 56 of the Housing (Scotland) Act 1966 (demolition of obstructive buildings).
- 5 For the purposes of section 112 of the Land Drainage Act 1976 (protection of nationalised undertakings, etc.) an airport to which this Part applies shall be deemed to be an undertaking to which that section applies and the airport operator shall accordingly be deemed to be a person carrying on such an undertaking.
- 6 In the Building Act 1984—
- (a) section 4(1)(b) (exemption of buildings of statutory undertakers from building regulations), and
 - (b) section 59(4) (exemption of such buildings from provisions relating to drainage),
- shall apply in relation to a relevant airport operator as they apply in relation to statutory undertakers, but as if in those provisions any reference to a house included a hotel, and any reference to offices or showrooms did not include offices or showrooms on any airport to which this Part applies.