
STATUTORY INSTRUMENTS

1976 No 1495

CIVIL AVIATION

The Aerodrome Traffic (Heathrow) Order 1976

<i>Made</i>	- - -	31st August 1976
<i>Laid before Parliament</i>		21st September 1976
<i>Coming into Operation</i>		12th October 1976

The Secretary of State for the Environment, in exercise of the powers conferred by sections 13 and 14 of the Airports Authority Act 1975(a) and of all other enabling powers, and after consultation with the British Airports Authority in accordance with subsection (5) of the said section 13 and subsection (4) of the said section 14, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Aerodrome Traffic (Heathrow) Order 1976 and shall come into operation on 12th October 1976.

Revocation

2. The Aerodrome Traffic (Heathrow) Order 1969(b) is hereby revoked.

Interpretation

3.—(1) In this Order “the Authority” means the British Airports Authority.

(2) Any reference in this Order to any enactment or instrument shall, unless the context otherwise requires, be construed as a reference to that enactment or instrument as amended or altered by any subsequent enactment or instrument.

(3) Any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule so numbered in this Order.

(4) The Interpretation Act 1889(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act this Order were an Act of Parliament and the Order revoked by Article 2 were an Act of Parliament thereby repealed.

(5) In so far as any order, regulation, scheme, byelaw, application, determination, objection or specification made, approval, consent, designation, direction or notice issued, given or delivered, or other thing done, by virtue of a provision of the Order revoked by Article 2 could have been made, issued, given, delivered or done by virtue of a corresponding provision of this Order, it shall not be invalidated by the revocation effected by Article 2 but shall have effect as if made, issued, given, delivered or done by virtue of that corresponding provision.

Modification, etc., of road traffic enactments in relation to roads

4. The Secretary of State for the Environment directs that in their application to roads within Heathrow Aerodrome the road traffic enactments specified in

(a) 1975 c. 78.

(b) S.I. 1969/646.

(c) 1889 c. 63.

Parts I and II of Schedule 2 and the regulations specified in Part III of Schedule 2 shall have effect subject to the exceptions, adaptations and modifications specified in Schedule 2 for the purpose or in consequence of conferring on the Authority the functions exercisable under those enactments and regulations by a highway authority or a local authority (including the Greater London Council).

Exemptions from road traffic enactments

5. There shall be exempted from the application of the road traffic enactments (other than the road traffic enactments referred to in Article 6(b) of this Order) the roads and lengths of road within Heathrow Aerodrome to which the public does not have access and which the Authority for the time being identifies as being so exempted by means of a sign of a type or character specified in Schedule 1.

Modification, etc., of certain enactments in relation to land

6. The Secretary of State for the Environment directs that—

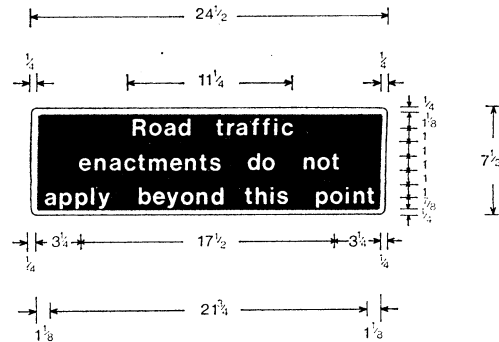
- (a) in their application to land in Heathrow Aerodrome the provisions of the enactments specified in Part I of Schedule 3 and of the regulations specified in Part III of Schedule 3 shall have effect subject to the exceptions, adaptations and modifications specified in those Parts for the purpose or in consequence of transferring to the Authority the powers and duties conferred or imposed by those provisions on local authorities or local authorities of any description; and
- (b) in their application to land, other than roads, in Heathrow Aerodrome the provisions of the road traffic enactments specified in Part II of Schedule 3 and of the regulations specified in Part III of Schedule 3 shall have effect subject to the exceptions, adaptations and modifications specified in those Parts for the purpose or in consequence of conferring on the Authority the functions exercisable under those enactments or regulations by a highway authority or local authority (including the Greater London Council).

Signed by authority of the
Secretary of State
31st August 1976.

John Gilbert,
Minister for Transport,
Department of the Environment.

SCHEDULE 1

DIMENSIONS SHOWN IN THE DIAGRAM ARE EXPRESSED IN INCHES



SCHEDULE 2

PART I

THE ROAD TRAFFIC ACT 1972(a)

- 1.—(1) In section 160(1), for the words “a highway authority” in each place where they occur there shall be substituted the words “the Authority”.
- (2) In section 160(2), the words “the Authority or” shall be inserted between the words “authorized by law” and the words “the highway authority on whose behalf”.
2. In section 196(1) there shall be added the words ““the Authority” means the British Airports Authority as defined in section 1 of the Airports Authority Act 1975”.
3. In section 200(1), for the words “a highway authority” there shall be substituted the words “the Authority”.

PART II

THE ROAD TRAFFIC REGULATION ACT 1967(b)

1. In section 1(2)(a), for the words “the local authority” onwards there shall be substituted the words “the Authority”.
- 2.—(1) In section 6(2)(a), for the words “the Greater London Council” there shall be substituted the words “the Authority”.
- (2) In section 6(2)(b), for the words “that Council” there shall be substituted the words “the Authority”.
- 3.—(1) In section 9(2)—
 - (a) in paragraph (a) for the words “the local authority” there shall be substituted the words “the Authority”;
 - (b) in paragraph (b) and in paragraph (c) for the words “the Greater London Council” there shall be substituted the words “the Authority”.

(a) 1972 c. 20.

(b) 1967 c. 76.

(2) In section 9(3) in paragraph (a), for the words “a local authority” there shall be substituted the words “the Authority”.

(3) In section 9(5), for the words “the Greater London Council” and for the words “that Council” there shall be substituted the words “the Authority”.

4. Section 11 shall be omitted.

5.—(1) In section 12(1), for the words “a highway authority” in both places where they occur there shall be substituted the words “the Authority” and for the words “the highway” there shall be substituted the words “the road”.

(2) In section 12(2), for the words “a highway authority” there shall be substituted the words “the Authority” and for the words “the highway” there shall be substituted the words “the road”.

(3) In section 12(4), for the words “a highway authority” in the first place where they occur there shall be substituted the words “the Authority”.

(4) In section 12(6), for the words “not being an order made by a Minister or the Greater London Council” there shall be substituted the words “being an Order made by the Authority” and the words “the reference in this subsection to an Order made by the Greater London Council” to the end shall be omitted.

6. In section 20(5), for the words “a local authority” there shall be substituted the words “the Authority”.

7.—(1) In section 21(1), for the words “A local authority” there shall be substituted the words “The Authority” and the words “in the whole or part of their area (other than trunk roads)” shall be omitted.

(2) In section 21(4), for the words “the local authority by whom the scheme was submitted” there shall be substituted the words “the Authority”.

(3) Section 21(6), (7), (8) and (9) shall be omitted.

8. In section 52—

- (a) in subsection (1), in paragraphs (b) and (c), for the words “a local authority” there shall be substituted the words “the Authority”; and
- (b) in subsection (3), in the definition of “appropriate authority”, for paragraph (b) there shall be substituted the words “in relation to a vehicle removed by a person other than as aforesaid, the Authority”.

9. In section 53(5), in the definition of “competent authority”, for paragraph (b) there shall be substituted the words “the Authority”.

10.—(1) In section 55(1) and (2) for the words “a highway authority” there shall be substituted the words “the Authority”.

(2) Section 55(4) shall be omitted.

11. In section 61(1) for the words “the highway authority” in each place where they occur there shall be substituted the words “the Authority”.

12. In section 61(2) for the words “a highway authority requiring the authority” there shall be substituted the words “the Authority requiring it”.

13. In sections 62(1) and 63 for the words “a highway authority” there shall be substituted the words “the Authority”.

14.—(1) In section 70(1)—

- (a) for the words “Greater London Council” and for the word “Council” in each place where it occurs, there shall be substituted the word “Authority”;
- (b) the words “(hereinafter in this section referred to as “the Council”)” shall be omitted;

- (c) in paragraph (a), the words “authorise or require the highway authority for any road in Greater London which is not a trunk road to” shall be omitted, and the word “to” where it last occurs shall be omitted; and
 - (d) paragraph (b) shall be omitted.
- (2) Section 70(2), (3), (4) and (5) shall be omitted.
15. In sections 73(1)(b), 73(3), 74(2)(b) and 75(5)(b), for the words “the local authority” there shall be substituted the words “the Authority”.
16. Section 76(2)(a) shall be omitted.
- 17.—(1) In section 84(1), for the words “the Greater London Council and every other local authority upon whom functions are conferred by or under this Act” there shall be substituted the words “the Authority”.
- (2) In section 84(1)(c), for the words “the Council or, as the case may be, the authority” there shall be substituted the words “the Authority”.
- (3) In section 84(3), for the words “the Greater London Council or any other local authority” there shall be substituted the words “the Authority”.
- 18.—(1) In section 84(1)(a), for the words “the Greater London Council” and “that Council” there shall be substituted the words “the Authority”.
- (2) In section 84A(1)(b), for the words “any other local authority” there shall be substituted the words “the Authority”.
- (3) In section 84A(1)(i) and (ii), for the words “the Council or authority” there shall be substituted the words “the Authority”.
- (4) In section 84A(2) for the words “the Greater London Council” in each place where they occur and for the words “the Council” in each place where they occur there shall be substituted the words “the Authority”.
- (5) Section 84A(2A) shall be omitted.
- (6) In section 84A(4), for the words “the Greater London Council or, as the case may be, the authorized authority concerned” there shall be substituted the words “the Authority”.
- (7) In section 84A(5), for the words “the Greater London Council or, as the case may be, of the authorized authority concerned” and for the words “that Council” there shall be substituted the words “the Authority”.
- 19.—(1) In section 84B(1), for the words “a local authority other than the Greater London Council” there shall be substituted the words “the Authority”.
- (2) In section 84B(2), for the words “the Greater London Council” there shall be substituted the words “the Authority” and for the words “in paragraphs (b)” there shall be substituted the words “in paragraphs (a)”.
- (3) In section 84B(5) there shall be added the words “by the Authority” immediately after the words “general consent to the making of Orders”, and section 84B(5)(c) shall be omitted.
- 20.—(1) In section 84C(1), for the words “the Greater London Council or any other local authority” there shall be substituted the words “the Authority”.
- (2) In section 84C(2), for the words “a local authority other than the Greater London Council” there shall be substituted the words “the Authority”.
- (3) In section 84C(4), for the words “the Greater London Council” and for the words “that Council” in each place where they occur there shall be substituted the words “the Authority”.
21. In section 104(1) there shall be added the words ““the Authority” means the British Airports Authority as defined in section 1 of the Airports Authority Act 1975”.
22. In Schedule 3, for the words “the highway authority” in each place where they occur there shall be substituted the words “the Authority”.

PART III

REGULATIONS

1. The Removal and Disposal of Vehicles Regulations 1968(a) shall have effect as though—

- (a) in Regulation 5(1), for the words “a local authority” and “the local authority” there were substituted the words “the Authority”;
- (b) in Regulation 5(1)(a) and (b) the words “in the area of a local authority” were omitted;
- (c) Regulation 5(2) were omitted;
- (d) in Regulation 12(1)(e)—
 - (i) in head (i), for the words “the local authority in whose area is that place” there were substituted the words “the Authority”;
 - (ii) in head (ii), for the words “the local authority in whose area is the place at which the vehicle appeared to have been abandoned” there were substituted the words “the Authority”; and
 - (iii) the words “For the purpose of” to the end were omitted;
- (e) in Regulation 15(1)(e)—
 - (i) for the words “the local authority in whose area is that place (unless the authority is that local authority)” there were substituted the words “the Authority (unless the authority is the Authority)”;
 - (ii) the words from “For the purposes of” to the end were omitted.

2. The Zebra Pedestrian Crossings Regulations 1971(b) shall have effect as though in Regulation 3(1) in the definition of “appropriate authority” for the words “the local authority” there were substituted the words “the Authority” and in the definition of “crossing” for the words “a local authority” there were substituted the words “the Authority”.

3. The London Authorities’ Traffic Orders (Procedure) Regulations 1972(c) shall have effect as though—

- (a) for any reference in those Regulations to the Greater London Council there were substituted a reference to the Authority, and the references to a local authority were omitted;
- (b) in Regulation 2(1) for the definition of “the order making authority” there were substituted the words ““the order making authority” means the Authority”.
- (c) for Regulation 3(1) there were substituted the words “(1) These Regulations apply to orders made or proposed to be made by the Authority under or by virtue of any of the following provisions of the Act, that is to say, sections 1(1) to (7), 6, 9, 73(3) and 74.”;
- (d) in Regulation 5(2)(c), 10(2)(c), 19(2)(b), 20(2) and (3), 21(2) and (4) and in paragraph 10 of Part V of Schedule 1, before the words “section 6” wherever they occur, there were inserted the words “section 1 or”; and
- (e) Regulations 2(3) and (4), 4(1), 5(1), 6, 7, 8(1) and (4), 9(3), 11(4), 15, 17, 21(1) and Part I of Schedule 1 and Schedule 4 were omitted.

4. The Traffic Signs Regulations and General Directions 1975(d) shall have effect as though any references therein to a highway authority included a reference to the Authority.

(a) S.I. 1968/43 (1968 I, p. 96).

(b) S.I. 1971/1524 (1971 III, p. 4281).

(c) S.I. 1972/729 (1972 II, p. 2299).

(d) S.I. 1975/1536 (1975 III, p. 5139).

SCHEDULE 3

PART I

CIVIC AMENITIES ACT 1967(a)

1.—(1) In section 20(1), (2) and (3), for the words “a local authority” and for the words “the authority” in each place where they occur there shall be substituted the words “the Authority”.

(2) In section 20(5), for the words “a local authority or the Greater London Council or the council of a county in England” there shall be substituted the words “the Authority”.

2.—(1) In section 21(1), for the words “the council of a county in England or a district in Wales or the Greater London Council” there shall be substituted the words “the Authority”, and for the words “the council” in sub-paragraph (c) in each place where they occur there shall be substituted the words “the Authority”.

(2) In section 21(2) and (3), for the words “a council” in each place where they occur there shall be substituted the words “the Authority”.

(3) In section 21(4), for the words “a council” and for the words “the council” in each place where they occur there shall be substituted the words “the Authority”.

(4) In section 21(5), for the words “such a council as aforesaid” and for the words “the Council” there shall be substituted the words “the Authority”.

3. In section 22(3), for the definition of “the appropriate authority” there shall be substituted the words “ “the appropriate authority” means the Authority”.

4. In section 28(1), so far as it relates to section 20 of the Civic Amenities Act 1967, for the words “a local authority” there shall be substituted the words “the Authority”.

5. In section 30(1) there shall be added the words “ “the Authority” means the British Airports Authority as defined in section 1 of the Airports Authority Act 1975”.

PART II

ROAD TRAFFIC REGULATION ACT 1967

Sections 20, 52 and 53 shall have effect as provided in paragraphs 6, 8 and 9 of Part II of Schedule 2.

PART III

REGULATIONS

The Removal and Disposal of Vehicles Regulations 1968 shall have effect as provided in Part III of Schedule 2.

EXPLANATORY NOTE

(This Note is not part of the Order.)

1. This Order is necessary because powers which would normally be exercisable by highway or local authorities are, in the case of land and roads within Heathrow Aerodrome, to be exercised by the British Airports Authority, and the previous Order for that purpose was out of date. In addition, this Order enables the British Airports Authority to denote by means of a sign those roads within the Aerodrome to which the public does not have access and to which certain of the road traffic enactments do not apply.

(a) 1967 c. 69.

2. In particular this Order:

- (1) revokes the Aerodrome Traffic (Heathrow) Order 1969 (Article 2);
- (2) by virtue of section 13(2) of the Airports Authority Act 1975, provides as to roads within Heathrow Aerodrome that the road traffic enactments specified in Parts I and II of Schedule 2 to this Order and the regulations specified in Part III of that Schedule shall apply subject to the amendments specified in that Schedule (Article 4);
- (3) by virtue of section 13(3) of the Airports Authority Act 1975 exempts from the application of the road traffic enactments such roads or lengths of road to which the public does not have access as the British Airports Authority may from time to time identify as being so exempted by means of a sign as specified in Schedule 1 (Article 5); and
- (4) (a) by virtue of section 14(1) of the Airports Authority Act 1975, provides, as to any land in Heathrow Aerodrome, that the enactments specified in Part I of Schedule 3 to this Order and the regulations specified in Part III of that Schedule shall have effect subject to the amendments specified in those parts of that Schedule (Article 6(a)); and
(b) by virtue of sections 13(2) and 14(2) of the Airports Authority Act 1975, provides as to land, other than roads, within Heathrow Aerodrome that the road traffic enactments specified in Part II of Schedule 3 to this Order and the regulations specified in Part III of that Schedule shall apply subject to the amendments specified in that Schedule (Article 6(b)).

3. The provisions in the revoked Order as to policing have been omitted in view of the Policing of Airports Act 1974 and an Order relating to Heathrow Aerodrome made under that Act.