STATUTORY INSTRUMENTS

1976 No. 363 (S. 28)

CIVIL AVIATION

The Aerodrome Traffic (Edinburgh, Glasgow, Aberdeen and Prestwick) Order 1976

Made - - - -	*2nd March* 1976
Laid before Parliament	*15th March* 1976
Coming into Operation	*5th April* 1976

In exercise of the powers conferred on me by section 12 of the Airports Authority Act 1965(a) as amended by section 24(2) of and Schedule 6 to the Road Traffic Act 1974(b) and section 214(2) of and Schedule 27 Part II to the Local Government (Scotland) Act 1973(c), and by section 10 of the Civil Aviation Act 1968(d), and of all other enabling powers, and after consultation with the British Airports Authority in accordance with subsection (4) of the said section 12 and subsection (4) of the said section 10, I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Aerodrome Traffic (Edinburgh, Glasgow, Aberdeen and Prestwick) Order 1976 and shall come into operation on 5th April 1976.

Revocation

2. The orders specified in Schedule 1 to this order are hereby revoked.

Interpretation

3.—(1) In this order "the Authority" means the British Airports Authority.

(2) Any reference in this order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(3) The Interpretation Act 1889(e) 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this order were an Act of Parliament and the orders revoked by article 2 of this order were Acts of Parliament thereby repealed.

(4) 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 any of the orders revoked by article 2 of this order 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 the said article 2 but shall have effect as if made, issued, given, delivered or done by virtue of that corresponding provision.

(a) 1965 c. 16. (b) 1974 c. 50. (c) 1973 c. 65.
(d) 1968 c. 61. (e) 1889 c. 63.

Modification etc., of Road Traffic Enactments in Relation to Roads

4. I hereby direct that in their application to roads within Edinburgh, Glasgow, Aberdeen and Prestwick Aerodromes the road traffic enactments specified in Schedule 2 to this order shall have effect subject to the exceptions, adaptations and modifications specified in that Schedule for the purpose or in consequence of conferring on the Authority the functions exercisable under those enactments by a highway authority or local authority.

Exemptions from the Road Traffic Enactments

5. There shall be exempted from the application of the said road traffic enactments the roads and lengths of roads within Edinburgh, Glasgow, Aberdeen and Prestwick Aerodromes to which the public does not have access and which the Authority may for the time being identify as being so exempted by means of signs of a type or character specified in Schedule 4 to this order.

Modification etc., of Certain Enactments in Relation to Land

6. I hereby direct that—

(*a*) in their application to land in Edinburgh, Glasgow, Aberdeen and Prestwick Aerodromes the provisions of the enactments specified in Part I of Schedule 3 to this order and of the regulations made under those enactments and specified in Part III of that Schedule 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*) without prejudice to articles 4 and 5 of this order, in their application to land, other than roads, in the said Aerodromes the provisions of the road traffic enactments specified in Part II of Schedule 3 and of the regulations made under those enactments and specified in Part III of that Schedule 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.

William Ross,
One of Her Majesty's Principal Secretaries of State

New St. Andrew's House,
Edinburgh.
2nd March 1976.

SCHEDULE 1

ORDERS REVOKED BY ARTICLE 2

Title	*Year and Number*
The Aerodrome Traffic (Prestwick) Order 1969	S.I. 1969/970
The Airport Traffic (Edinburgh) Order 1971	S.I. 1971/551

SCHEDULE 2

Article 4

PART I

THE ROAD TRAFFIC REGULATION ACT 1967 (1967 c. 76) AS AMENDED BY PART IX OF THE TRANSPORT ACT 1968 (1968 c. 73)

1.—(1) In section 1(2)(*a*), for the words "local authority" to the end there shall be substituted the word "Authority".

(2) In section 1(3AA), for the words from "A" to "above" there shall be substituted the words "The Authority".

(3) In section 1(3AB), for the words "a local authority" there shall be substituted the words "the Authority".

2. Section 1A shall be omitted.

3.—(1) In section 9(2)(*a*), for the words "local authority" there shall be substituted the word "Authority".

(2) In section 9(3)(*a*), for the words "a local authority" there shall be substituted the words "the Authority".

4.—(1) In section 12(1)—

(*a*) for the words "a highway authority" in both places where they occur there shall be substituted the words "the Authority";

(*b*) for the word "highway" there shall be substituted the word "road".

(2) In section 12(2), for the words "A highway authority" there shall be substituted the words "The Authority" and for the word "highway" there shall be substituted the word "road".

(3) In section 12(4), for the words "a highway authority" and for the words "that authority" wherever they occur there shall be substituted the words "the Authority".

(4) In section 12(6), for the words from the beginning to "Minister" where this word first occurs there shall be substituted the words "An order under subsection (1) of this section, not being an order made by the Secretary of State or the Authority, or under subsection (4) of this section, not being an order made by the Secretary of State".

5. In section 20 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967(a), in subsection (5) thereof, for the words "a local authority" and "that authority" wherever they occur there shall be substituted the words "the Authority".

6.—(1) In section 21(1), for the words "A local authority" there shall be substituted the words "The Authority", and for the words "in the whole or part of their area (other than trunk roads)" the words "within Edinburgh, Glasgow, Aberdeen and Prestwick Aerodromes".

(2) In section 21(4), for the words "local authority" there shall be substituted the word "Authority".

(3) Section 21(2), (6), (7), (8) and (9) shall be omitted.

(a) S.I. 1967/1900 (1967 III, p. 5191).

7. In section 52 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967—

(*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 following paragraph—

"(*b*) in relation to a vehicle removed by a person other than as aforesaid, the Authority".

8. In section 53 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967, in subsection (5), in the definition of "competent authority" for paragraph (*b*) there shall be substituted the following paragraph—

"(*b*) the Authority whether or not the vehicle has been delivered by the chief officer of a police force to them;".

9.—(1) In section 55(1), for the words "a highway authority" there shall be substituted the words "the Authority" and for the words "in their area" there shall be substituted the words "within Edinburgh, Glasgow, Aberdeen and Prestwick Aerodromes".

(2) In section 55(2), for the words "a highway authority" there shall be substituted the words "the Authority".

10.—(1) In section 61(1), for the words "highway authority" in both places where they occur there shall be substituted the word "Authority".

(2) In section 61(2), for the words "a highway authority" and "the authority" wherever they occur there shall be substituted the words "the Authority".

11. In section 62(1), for the words "a highway authority" there shall be substituted the words "the Authority".

12. In section 63, for the words "A highway authority" there shall be substituted the words "The Authority".

13.—(1) In section 73(1)(*b*), for the words "local authority" there shall be substituted the word "Authority".

(2) In section 73(3), for the words "local authority" there shall be substituted the word "Authority".

14. In section 74(2)(*b*), for the words "local authority" there shall be substituted the word "Authority".

15. In section 75(5)(*b*), for the words "local authority" there shall be substituted the word "Authority".

16. Section 76(2)(*b*) shall be omitted.

17.—(1) In section 84(1), for the words "Greater London Council and every other local authority upon whom functions are conferred by or under this Act" there shall be substituted the word "Authority".

(2) In section 84(1)(*c*), for the words "Council or, as the case may be, the authority" there shall be substituted the word "Authority".

(3) In section 84(3), for the words "Greater London Council or any other local authority" there shall be substituted the word "Authority".

18.—(1) In section 84(A)(1)(*b*), for the words "any other local authority", there shall be substituted the words "the Authority".

(2) In section 84A(1)(i), for the words "Council or authority" there shall be substituted the word "Authority".

(3) In section 84A(1)(ii), for the words "Council or authority" there shall be substituted the word "Authority".

(4) Section 84A(2A) shall be omitted.

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(5)(*c*), for the words from "such local" to the end there shall be substituted the words "the Authority".

20.—(1) In section 84C(1), for the words "Greater London Council or any other local authority" there shall be substituted the word "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".

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 1965".

22. In Schedule 3, for the words "highway authority" wherever they occur there shall be substituted the word "Authority".

PART II

THE ROAD TRAFFIC ACT 1972
(1972 c. 20)

1.—(1) In section 160(1), for the words "a highway authority" in both places where they occur there shall be substituted the words "the Authority".

(2) In section 160(2), for the words "highway authority" there shall be substituted the word "Authority".

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 1965".

3. In section 200(1), for the words "a highway authority", there shall be substituted the words "the Authority".

PART III

REGULATIONS, ETC.

1. The Zebra Pedestrian Crossings Regulations 1971(a) shall have effect as though—

(*a*) in regulation 3(1) in the definition of "appropriate authority" and in the definition of "crossing" for the words "a local authority" there were substituted the words "the Authority";

(*b*) in regulation 3(1) there were added the words " 'the Authority' means the British Airports Authority as defined in section 1 of the Airports Authority Act 1965".

2. The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1969(b) shall have effect as though—

(*a*) for any reference in those regulations to a local authority or authority there were substituted a reference to the Authority;

(*b*) in regulation 2(1) there were added the words " 'the Authority' means the British Airports Authority as defined in section 1 of the Airports Authority Act 1965";

(*c*) in regulation 16 the reference to section 342 of the Local Government (Scotland) Act 1947 were omitted.

(a) S.I. 1971/1524 (1971 III, p. 4281). (b) S.I. 1969/487 (1969 I, p. 1388).

3. The Traffic Signs Regulations and General Directions 1975(a) shall have effect as though—

(*a*) in regulation 4(1) there were added the words " 'the Authority' means the British Airports Authority as defined in section 1 of the Airports Authority Act 1965";

(*b*) in paragraph (*a*) of direction 20 the reference to the highway authority for that road included a reference to the Authority.

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

(*a*) in regulation 2(1) there were added the words " 'the Authority' means the British Airports Authority as defined in section 1 of the Airports Authority Act 1965";

(*b*) in regulation 5(1), for the words "a local authority" in the first place where they occur and for the words "the local authority" there were substituted the words "the Authority" and for the words "in the area of a local authority" wherever they occur there were substituted the words "within Edinburgh, Glasgow, Aberdeen or Prestwick Aerodrome";

(*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 word "Authority";

(ii) in head (ii), for the words "local authority in whose area is the place at which the vehicle appeared to have been abandoned" there were substituted the word "Authority";

(iii) the words from "For the purposes of" to the end were omitted;

(*e*) in regulation 15(1)(*e*)—

(i) for the words "local authority in whose area is that place (unless the authority is that local authority)" there were substituted the words "Authority (unless the authority is the Authority)";

(ii) the words from "For the purposes of" to the end were omitted.

SCHEDULE 3

PART I

Article 6

CIVIC AMENITIES ACT 1967
(1967 c. 69)

1.—(1) In section 20(1), (2) and (3), for the words "a local authority" and "the authority" wherever 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" and "the authority" wherever they occur there shall be substituted the words "the Authority" and the words "or the Council" shall be omitted.

2.—(1) In section 21(1), for the words from "council of a county borough" to "Greater London Council" there shall be substituted the word "Authority" and for the word "council" in sub-paragraph (*c*) wherever it occurs there shall be substituted the word "Authority".

(2) In section 21(2) to (5), for the words "a council" and the words "the council" wherever they occur there shall be substituted the words "the Authority".

(3) Section 21(6) shall be omitted.

3. In section 22(4)(*a*), for the words "local authority" there shall be substituted the word "Authority".

(a) S.I. 1975/1536 (1975 III, p. 5139). (b) S.I. 1968/43 (1968 I, p. 96).

4. In section 28(1), so far as relating to section 20 of the above Act, 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 1965".

PART II

SECTIONS 20, 52 AND 53 OF THE ROAD TRAFFIC REGULATION ACT 1967, AS ALTERED BY THE REMOVAL AND DISPOSAL OF VEHICLES (ALTERATION OF ENACTMENTS) ORDER 1967

1. In section 20 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967, in subsection (5) thereof, for the words "a local authority" and "that authority" wherever they occur there shall be substituted the words "the Authority".

2. In section 52 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967—

(*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 following paragraph—

"(*b*) in relation to a vehicle removed by a person other than as aforesaid, the Authority".

3. In section 53 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967, in subsection (5), in the definition of "competent authority", for paragraph (*b*) there shall be substituted the following paragraph—

"(*b*) the Authority whether or not the vehicle has been delivered by the chief officer of a police force to them".

PART III

REGULATIONS

The Removal and Disposal of Vehicles Regulations 1968 shall have effect as though—

(*a*) in regulation 2(1) there were added the words "'the Authority' means the British Airports Authority as defined in section 1 of the Airports Authority Act 1965";

(*b*) in regulation 5(1), for the words "a local authority" in the first place where they occur and for the words "the local authority" there were substituted the words "the Authority" and for the words "in the area of a local authority" there were substituted the words "within Edinburgh, Glasgow, Aberdeen or Prestwick Aerodrome";

(*c*) regulation 5(2) were omitted;

(*d*) in regulation 12(1)(*e*)—

(i) in head (i), for the words "local authority in whose area is that place" there were substituted the word "Authority";

(ii) in head (ii), for the words "local authority in whose area is the place at which the vehicle appeared to have been abandoned" there were substituted the word "Authority";

(iii) the words from "For the purposes of" to the end were omitted;

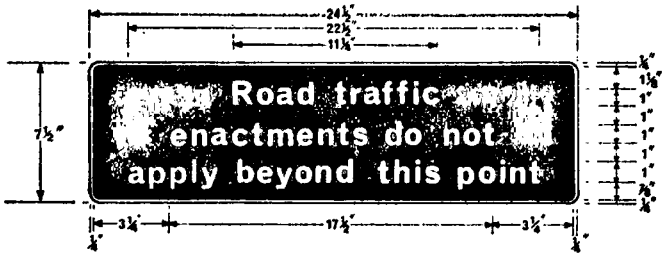
(*e*) in regulation 15(1)(*e*)—

(i) for the words "local authority in whose area is that place (unless the authority is that local authority)" there were substituted the words "Authority (unless the authority is the Authority)";

(ii) the words from "For the purposes of" to the end were omitted.

SCHEDULE 4

Article 5



Note. Lettering and border to be white on red background

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order consolidates with amendments the Aerodrome Traffic (Prestwick) Order 1969 and the Airport Traffic (Edinburgh) Order 1971, extends their effect to Aberdeen and Glasgow Aerodromes and provides that in their application to certain roads within Edinburgh, Glasgow, Aberdeen and Prestwick Aerodromes the road traffic enactments mentioned in Schedule 2 should have effect subject to the exceptions, adaptations and modifications specified in that Schedule for the purpose of *inter alia* conferring on the British Airports Authority certain highway or local authority functions.

The British Airports Authority are also enabled to exempt from the road traffic enactments certain roads within these Aerodromes to which the public do not have access, by means of displaying signs of a type or character specified in Schedule 4.