
STATUTORY INSTRUMENTS

1995 No. 2864

POLICE

The Police Areas (Wales) Order 1995

<i>Made</i>	- - - -	<i>3rd November 1995</i>
<i>Laid before Parliament</i>		<i>13th November 1995</i>
<i>Coming into force:</i>		
<i>Articles 1 and 4</i>		<i>11th December 1995</i>
<i>Remainder of Order</i>		<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred on him by sections 21A and 21C of the Police Act 1964⁽¹⁾ and after consultation in accordance with section 21A(3) of that Act, hereby makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Police Areas (Wales) Order 1995.

(2) This article and article 4 below shall come into force on 11th December 1995 and the remainder of this Order shall come into force on 1st April 1996.

Amendment of Schedule 1A to the Police Act 1964

2.—(1) Schedule 1A to the Police Act 1964⁽²⁾ shall be amended as follows.

(2) For the entry in the right-hand column of that Schedule describing the extent of the Dyfed Powys police area, there shall be substituted “The counties of Cardiganshire, Carmarthenshire, Pembrokeshire and Powys”.

(3) For the entry in that column describing the extent of the Gwent police area, there shall be substituted “The county of Monmouthshire and the county boroughs of Blaenau Gwent, Caerphilly, Newport and Torfaen”.

(4) For the entry in that column describing the extent of the North Wales police area, there shall be substituted “The counties of Anglesey, Caernarfonshire and Merionethshire, Den bighshire and Flintshire and the county boroughs of Aberconwy and Colwyn and Wrexham”.

(1) 1964 c. 48; section 21A was substituted by section 14 of the Police and Magistrates' Courts Act 1994 (c. 29) and the powers in section 21A include the powers in section 21C, as so substituted.

(2) Schedule 1A was inserted by section 1(2) of, and Schedule 1 to, the Police and Magistrates' Courts Act 1994.

(5) For the entry in that column describing the extent of the South Wales police area, there shall be substituted “The counties of Cardiff and Swansea and the county boroughs of Bridgend, Merthyr Tydfil, Neath and Port Talbot, Rhondda, Cynon, Taff and the Vale of Glamorgan”.

Continuance of police authorities

3. Notwithstanding the changes to the police area made by article 2 above, Dyfed Powys, Gwent, North Wales and South Wales police authorities, as established by section 3 of the Police Act 1964⁽³⁾, shall continue to exist.

Transitional arrangements about membership of police authorities

4.—(1) In this article, in relation to each of the following police authorities, namely, Dyfed Powys, Gwent, North Wales and South Wales, as established by section 3 of the Police Act 1964, (each of which is referred to as a “relevant authority”), “new councils” refers to the councils of the counties and county boroughs established under the Local Government (Wales) Act 1994⁽⁴⁾ which, by virtue of the amendment made by article 2 above, will be listed in Schedule 1A to the Police Act 1964 as constituting the police area of each of those authorities.

(2) For the purposes of the functions to which this article applies—

- (a) paragraph 27(1) of Schedule 1B to the Police Act 1964 (meaning of “relevant council”)⁽⁵⁾ shall have effect as though section 1 of the Local Government (Wales) Act 1994 (which creates new principal local government areas in Wales for the administration of local government on and after 1st April 1996) was in force for the purposes of that provision on 1st December 1995, and
- (b) accordingly, the appointments which are required to be made to each relevant authority by paragraph 2(2) of that Schedule (appointments of members of police authority by joint committee appointed by relevant councils) shall be made, as soon as practicable after that date, by a joint committee appointed by the new councils (as relevant councils) in accordance with that provision.

(3) The functions to which this article applies are—

- (a) on and after 1st April 1996, all functions of the relevant authorities;
- (b) before that date, the following functions of the relevant authorities in respect of the financial year beginning on 1st April 1996—
 - (i) functions under Chapter IV of Part I of the Local Government Finance Act 1992 (precepts)⁽⁶⁾; and
 - (ii) functions under sections 4A (local policing objectives) and 4B (local policing plans) of the Police Act 1964⁽⁷⁾.

(4) For the purposes of the functions referred to in paragraph (3)(b) above—

- (a) section 28(2)(b) of the Police and Magistrates' Courts Act 1994 (approval of decisions about precepts) shall have effect as though the reference to members of the police authority appointed under paragraph 2 of Schedule 1B to the Police Act 1964 was a reference to the members so appointed by virtue of paragraph (2) above; and

(3) Section 3 was substituted by section 2 of the Police and Magistrates' Courts Act 1994.

(4) 1994 c. 19.

(5) Schedule 1B was inserted by section 3(2) of, and Schedule 2 to, the Police and Magistrates' Courts Act 1994.

(6) 1992 c. 14; section 39 of that Act was amended by section 27(1) of the Police and Magistrates' Courts Act 1994.

(7) Sections 4A and 4B were inserted by section 4 of the Police and Magistrates' Courts Act 1994.

- (b) the members of each relevant authority appointed under paragraph 2 of that Schedule otherwise than by virtue of paragraph (2) above shall not participate in the discharge of those functions.

(5) In determining the period of a term of years for the purposes of paragraph 17 of Schedule 1B to the Police Act 1964 (term of appointment of members of a police authority), any period as a member of the authority prior to 1st April 1996 under an appointment made by virtue of paragraph (2) above shall be disregarded.

Transfer of property

- 5.—(1) Subject to paragraph (3) below, any property (real or personal) which—
- (a) immediately before 1st April 1996 is situated in the police area of the transferor authority and is held by that authority, and
 - (b) as a result of the changes made by article 2 above, will be situated in the police area of the transferee authority,

shall transfer on that date from the transferor authority to the transferee authority and shall vest in the latter, together with all rights and obligations in connection therewith.

- (2) In this article—
- “transferor” authority means North Wales police authority or South Wales police authority; and
- “transferee authority” means—
- (i) Dyfed Powys police authority in relation to transfers from North Wales police authority, and
 - (ii) Gwent police authority in relation to transfers from South Wales police authority.

(3) This article shall not apply to the Radio Station at the Divisional Office of Welsh Water at Pentwyn Road, Nelson, Treharris, Mid Glamorgan which is leased by South Wales police authority.

Transfer of civilian staff

6.—(1) Every person to whom this article applies shall transfer on 1st April 1996 from the employment of the South Wales police authority to that of the Gwent police authority.

(2) This article applies to any person who on 31st March 1996 holds any of the posts which are listed in the left-hand column of the Schedule to this Order and which are identified by the names of those persons listed in the right-hand column opposite thereto who, on 30th September 1995, held those posts.

(3) The contract of employment between a person to whom this article applies and the South Wales police authority shall be deemed to have effect from 1st April 1996 as if originally made between him and Gwent police authority.

Home Office
3rd November 1995

David Maclean
Minister of State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 6

List and identification of posts the holders of which are to transfer on 1st April 1996 from South Wales police authority to Gwent police authority

Name of post	Name of postholder on 30th September 1995
Administrative Manager	S Dobson
Clerical Officer	C Jones
Administrative Assistant	J Twynham
Administrative Assistant	L Robinson
Administrative Assistant	L Richards
Administrative Assistant	K Matthews
Supervisory Typist	G Stenner
Typist	V Granden
Typist	T Hammond
Driver/Handyman	G Harris
Process Server	I Field
Station Enquiry Clerk	H Hembury
Station Enquiry Clerk	G Price
Station Enquiry Clerk	D Sanders
Station Enquiry Clerk	J Ellis
Station Enquiry Clerk	D M Edwards
Station Enquiry Clerk	S Smith
Station Enquiry Clerk	T Lewis
Station Enquiry Clerk	R McCarthy
Station Enquiry Clerk	L Bradbeer
Station Enquiry Clerk	B M Williams
Station Enquiry Clerk	A Harris
Supervisor Traffic Warden	C West
Traffic Warden	M Lloyd
Traffic Warden	T A Jones
Traffic Warden	J R Davies
Traffic Warden	A Handscomb
Caretaker/Handyman	W T Muller
Cleaner	J Clarke
Cleaner	W Kingston
Cleaner	R Cushing

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Name of post	Name of postholder on 30th September 1995
Cleaner	A Littlewood
Cleaner	S Penrose
Cleaner	J Edmunds
Cleaner	O Winstone

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends police areas in Wales to take account of the reorganisation of local government in Wales under the Local Government (Wales) Act 1994.

Article 2 (which, by virtue of article 1(2) will come into force on 1st April 1996) amends Schedule 1A to the Police Act 1964 (as inserted by the Police and Magistrates' Courts Act 1994) to take account of the new local government areas in Wales. Police areas in that Schedule are described by reference to local government areas. Article 3 ensures that, notwithstanding the changes to their areas, the existing police authorities continue to exist.

Article 4 makes transitional provision so that councillors from the new local government councils can participate as members of the police authorities in certain decisions in respect of the budget and policing plan for the financial year beginning 1st April 1996. Article 5 makes transfers of property consequential on the changes to police areas. Article 6 and the Schedule to this Order transfer certain civilian staff from South Wales police authority to Gwent police authority.