

EXPLANATORY MEMORANDUM TO
THE CIVIL COURTS (AMENDMENT No.2) ORDER 2006
2006 No. 2920

1. This explanatory memorandum has been prepared by the Department for Constitutional Affairs and is laid before Parliament by Command of Her Majesty.

2. Description

2.1. This order amends the Civil Courts Order 1983 (SI1983/713) so as to close Gravesend County Court. It does not deal with the devolution of the business of Gravesend County Court but this is transferred to Dartford County Court by direction of the Lord Chancellor after consulting the Lord Chief Justice.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 Section 2(1) of the County Courts Act 1984 gives the Lord Chancellor, after consulting the Lord Chief Justice, the power to specify places at which county courts shall be held.

5. Extent

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and it does not amend primary legislation, no statement is required.

7. Policy Background

7.1 A summary of the Business reasons behind this order is provided below:-

- The court building at Gravesend is in a poor state of repair and even if large amounts were spent on upgrading the building it could not be made to comply with the Disability Discrimination Act 1995. The alternative Court, Dartford, is only 8 miles from Gravesend and good transport links are available. Dartford County Court is a modern building with excellent facilities.
- Gravesend County Court, which has a civil jurisdiction only, has few customers. The workload at Gravesend has been in steady decline for the past three years and the building is too large for the business it processes.

- Circuit Judge hearings and family proceedings are already held at Dartford County Court.
- There has been an extensive consultation exercise with members of the Judiciary, the Courts Board, Bench Chairmen, Justices' Clerks, local residents and MPs with few objections to closure. A better and more efficient service can be provided at Dartford.
- Although the Court at Gravesend will be closed, provision will be made to continue one day per week District Judge sittings in the town of Gravesend so that impact on customers is minimised.
- The closure will improve the overall service provided to the public. Resources can be concentrated at Dartford where facilities such as consultation rooms and access for court users with disabilities are available.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies. However the proposal has been subject to rural proofing.

9. Contact

9.1 Any enquiries about the contents of this memorandum should be addressed to: Garry Winder at Her Majesty's Courts Service (Tel: 020 7189 2194 or e-mail garry.winder@hmcourts-service.gsi.gov.uk)