

2014 No. 1899

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Local Justice Areas (No. 2) Order 2014

Made - - - - *17th July 2014*

Laid before Parliament *18th July 2014*

Coming into force in accordance with article 1

The Lord Chancellor, in exercise of powers conferred by sections 8(4) and 108(6) of the Courts Act 2003(a) and after consulting in accordance with section 8(5A) and 8(6) of that Act, makes the following Order.

Citation and commencement

- 1.—(1) This Order may be cited as the Local Justice Areas (No. 2) Order 2014.
- (2) This Order comes into force on 8th August 2014 for the purposes of Part 1 of the Schedule to this Order.
- (3) For all other purposes, this Order comes into force on 1st January 2015.

Interpretation

- 2.—(1) In this Order—
 - “existing area” means a local justice area as it exists immediately before 1st January 2015;
 - “new area” means a local justice area constituted by this Order.
- (2) Any reference to a justice for an area is to be construed as a reference to a justice of the peace who ordinarily acts, or as the case may be, will on or after 1st January 2015, ordinarily act, in and for that area.

New Areas

- 3.—(1) The existing areas of—
 - (a) Swansea County, and
 - (b) Neath Port Talbot,are combined to become a new area named West Glamorgan.
- (2) The existing areas of—
 - (a) North East Suffolk,
 - (b) South East Suffolk, and

(a) 2003 c. 39. Section 8(5A) was inserted by the Constitutional Reform Act 2005 (c. 4), section 15(1) and Schedule 4, paragraph 312. Section 108(6) was amended by the Constitutional Reform Act 2005 (c. 4), section 15(1) and Schedule 4, paragraph 348.

(c) West Suffolk,
are combined to become a new area named Suffolk.

- (3) The existing areas of—
(a) Wrexham Maelor and
(b) Flintshire,

are combined to become a new area named North East Wales.

- (4) The existing areas of—
(a) North Cumbria, and
(b) West Cumbria,

are combined to become a new area North and West Cumbria.

- (5) The existing areas of—
(a) Furness and District, and
(b) South Lakeland,

are combined to become a new area of South Cumbria.

Amendments to the Local Justice Areas Order 2005

4. The Schedule to the Local Justice Areas Order 2005(a) is amended as follows—

- (a) omit “Neath Port Talbot”;
- (b) omit “Swansea County”;
- (c) omit “North East Suffolk”;
- (d) omit “South East Suffolk”;
- (e) omit “West Suffolk”;
- (f) omit “Wrexham Maelor”;
- (g) omit “Flintshire”;
- (h) omit “North Cumbria”;
- (i) omit “West Cumbria”;
- (j) omit “Furness and District”;
- (k) omit “South Lakeland”;
- (l) after “West Dorset” insert “West Glamorgan”;
- (m) after “Stockport” insert “Suffolk”;
- (n) after “North East London” insert “North East Wales”;
- (o) after “North West London” insert “North and West Cumbria”;
- (p) after “South Cheshire” insert “South Cumbria”.

The Schedule

5. The Schedule to this Order has effect.

Signed by authority of the Lord Chancellor

Shailesh Vara
Parliamentary Under Secretary of State

(a) S.I. 2005/554. The Schedule was substituted by S.I. 2011/1168 and amended by S.I. 2011/1708, S.I. 2012/1277, S.I. 2012/1555, S.I. 2012/3128, S.I. 2013/1777, S.I. 2013/1878 and S.I. 2014/322.

SCHEDULE

Article 5

PART 1

Consequential and Transitional Provisions

1.—(1) In relation to a new area, the persons and bodies referred to in sub-paragraph (2) shall be appointed, elected or formed (as the case may be) in the prescribed manner and for the prescribed term, to take effect on 1st January 2015.

(2) The persons and bodies are—

- (a) a chairman and one or more deputy chairmen of the justices of a local justice area;
- (b) a Bench Training and Development Committee;
- (c) a family panel and a chairman and one or more deputy chairmen of a family panel;
- (d) a youth panel and a chairman and one or more deputy chairmen of a youth panel.

(3) In sub-paragraph (1) the expressions “the prescribed manner” and “the prescribed term” mean respectively—

- (a) in relation to the election of a chairman or deputy chairman of the justices, the manner prescribed by the Justices of the Peace (Size and Chairmanship of Bench) Rules 2005(a) and a term ending on 31st December 2015;
- (b) in relation to the formation of a Bench Training and Development Committee and the appointment of a member of a Bench Training and Development Committee, the manner prescribed by the Justices of the Peace (Training and Development Committee) Rules 2007(b), and a term ending for one third of the members on 31st December in the years 2015, 2016 and 2017 respectively;
- (c) in relation to the formation of a family panel and the election of a chairman and one or more deputy chairmen of a family panel, the manner prescribed by the Family Court (Constitution of Committees: Family Panels) Rules 2014(c), and as regards any such election, a term ending on 31st December 2015;
- (d) in relation to the formation of a youth panel and the election of a chairman and one or more deputy chairmen of a youth panel, the manner prescribed by the Youth Courts (Constitution of Committees and Right to Preside) Rules 2007(d), and as regards any such election, a term ending on 31st December 2015.

(4) In this Part of this Schedule any reference to the manner prescribed by rules or regulations for any election, appointment or formation shall not include provisions relating to dates, times or time limits.

2.—(1) The persons who will be justices for a new area may hold a meeting before 1st January 2015 for the purposes set out in this Part of this Schedule and in order to prepare to assume their functions on and after that date.

(2) If a meeting is held in accordance with sub-paragraph (1) it shall be treated as if it were a meeting of the justices for the new area for the purposes of the enactments cited in this Part of this Schedule despite the fact that the new area was not at that time in existence.

(a) S.I. 2005/553.

(b) S.I. 2007/1609 as amended by S.I. 2011/1493 and S.I. 2012/1206.

(c) S.I. 2014/842.

(d) S.I. 2007/1611 as amended by S.I. 2007/2622 and S.I. 2011/1494.

(3) The persons appointed or elected for a new area under paragraph 1(1) may hold one or more meetings after the conclusion of the process of appointment or election but before 1st January 2015 for the purpose of preparing to assume their functions on and after that date.

PART 2

Other things done

3. Subject to the provisions of this Schedule anything done before 1st January 2015 by, to, before or in relation to any justices for an existing area, their clerk or any other officer of the court, shall on or after that date, be deemed to have been done by, to, before or in relation to those justices, their clerk or any other officer of the court, as justices for the new area, their clerk or any other officer of the court, as the case may be.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order creates five new local justice areas by combining certain existing local justice areas. It amends the list of local justice areas in the Local Justice Areas Order 2005 (S.I. 2005/554) to reflect the changes.

The new local justice areas and the existing areas they combine are as follows:

- West Glamorgan replaces the areas of Neath Port Talbot and Swansea County.
- Suffolk replaces the areas of North East Suffolk, South East Suffolk and West Suffolk.
- North East Wales replaces the areas of Wrexham Maelor and Flintshire.
- North and West Cumbria replaces the areas of North Cumbria and West Cumbria
- South Cumbria replaces the areas of Furness and District and South Lakeland.

The Order comes into force on 8th August 2014 for the purpose of enabling appointments to be made, elections to be held and bodies formed on the basis of the altered local justice areas. The Order comes into force on 1st January 2015 for the substantive creation of the new local justice areas.

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