

2010 No. 1536

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Local Justice Areas Order 2010

Made - - - - - *7th June 2010*
Laid before Parliament *9th June 2010*
Coming into force in accordance with article 1

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

Citation, commencement and extent

- 1.—(1) This Order may be cited as the Local Justice Areas Order 2010.
- (2) For the purposes of Part 1 of the Schedule to this Order, this Order shall come into force on 1st July 2010.
- (3) For all other purposes this Order shall come into force on 1st January 2011.

Interpretation

2. In this Order:—
 - “existing area” means a local justice area existing before 1st January 2011 and altered by this Order;
 - “new area” means a local justice area constituted by this Order.

Any reference to a justice for an area shall 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 2011, ordinarily act, in and for that area.

New Areas

- 3.—(1) The existing areas of Lincoln District, Gainsborough and Sleaford are combined to become a new area named West Lincolnshire.
- (2) The existing areas of Grantham, Bourne and Stamford, and Elloes are combined to become a new area named South Lincolnshire.
- (3) The existing areas of Boston, Skegness and the Wolds are combined to become a new area named East Lincolnshire.

(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.

- (4) Accordingly, the Schedule to the Local Justice Areas Order 2005(a) is amended as follows:-
- (a) delete “Boston” “Bourne and Stamford” “Elloes” “Gainsborough” “Grantham” “Lincoln District” “Skegness” “Sleaford” and “Wolds” and
 - (b) after “East Kent” insert “East Lincolnshire”.
 - (c) After “South Lakeland” insert “South Lincolnshire”
 - (d) After “West Hertfordshire” insert “ West Lincolnshire”
4. The consequential and transitional provisions set out in the Schedule to this Order have effect.

Signed by authority of the Lord Chancellor

Jonathan Djanogly
Parliamentary Under Secretary of State
Ministry of Justice

7th June 2010

SCHEDULE Article 4

CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

PART 1

PROVISIONS CONSEQUENTIAL ON CONSTITUTION OF NEW AREAS BY
ARTICLE 3

1.—(1) The persons and bodies referred to in sub-paragraph (2) shall be appointed or elected for the new areas in the prescribed manner and for the prescribed term, to take office on 1st January 2011.

(2) The persons and bodies are-

- (a) a chairman and one or more deputy chairmen;
- (b) a Bench Training and Development Committee;
- (c) a family panel;
- (d) 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, the manner prescribed by the Justices of the Peace (Size and Chairmanship of Bench) Rules 2005(b) and a term ending on 31st December 2011;
- (b) in relation to 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(c) and a term ending for one third of the members on 31st December in the years 2011, 2012 and 2013 respectively;
- (c) in relation to the appointment of a family panel, the manner prescribed by the Family Courts (Constitution of Committees and Right to Preside) Rules 2007(d), and in relation to the chairman and deputy chairman or deputy chairmen of the family panel, a term ending on 31st December 2011;

(a) S.I. 2005/554, amended by S.I. 2005/2949, 2006/1839, 2006/2315, 2007/2284 and 2009/2080.

(b) S.I. 2005/553.

(c) S.I. 2007/1609.

(d) S.I. 2007/1610.

(d) in relation to the appointment of a youth panel, the manner prescribed by the Youth Courts (Constitution of Committees and Right to Preside) Rules 2007^(a), and in relation to the chairman and deputy chairman or deputy chairmen of the youth panel, a term ending on 31st December 2011.

(4) In this Part of this Schedule any reference to the manner prescribed by rules or regulations for any election or appointment 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 2011 for the purposes set out in this Part of the 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.

(3) The persons and bodies 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 2011 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 2011 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.

(a) S.I. 2007/1611.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the reorganisation of the local justice areas in Lincolnshire by reducing them from 9 to 3 benches. The new Local Justice Area of East Lincolnshire replaces Boston, Skegness and the Wolds. The new Local Justice Area of South Lincolnshire replaces Bourne and Stamford, Grantham and Elloes, and the new Local Justice Area of West Lincolnshire replaces Gainsborough, Lincoln District and Sleaford.

The Order is brought into force on 1st July 2010 for the purpose of enabling appointments to be made and elections to be held on the basis of the combined areas. The Order is brought into force on 1st January 2011 for the substantive creation of the combined areas.

© Crown copyright 2010

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978-0-11-149938-2

£4.00

E7222 6/2010 107222T 19585

9 780111 499382