

2011 No. 1465

SENIOR COURTS OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES

The Civil Courts (Amendment) Order 2011

Made - - - - - *10th June 2011*

Laid before Parliament *13th June 2011*

Coming into force in accordance with article 1

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 2(1) of the County Courts Act 1984(a), section 33(1) of the Matrimonial and Family Proceedings Act 1984(b) and section 117 of the Insolvency Act 1986(c).

In accordance with section 2(1) of the County Courts Act 1984 the Lord Chancellor has consulted the Lord Chief Justice before making the Order.

In accordance with section 33(1) of the Matrimonial and Family Proceedings Act 1984 and sections 117(4) and 374 of the Insolvency Act 1986 the Lord Chief Justice concurs in the making of articles 4 and 5 of this Order.

Citation and commencement

1. This Order may be cited as the Civil Courts (Amendment) Order 2011 and shall come into force—

- (a) in respect of Cheltenham County Court, Goole County Court, Harlow County Court, Hitchin County Court, Huntingdon County Court, Leigh County Court, Lowestoft County Court, Newbury County Court, Penzance County Court, Poole County Court and Whitehaven County Court, on 4th July 2011;
- (b) in respect of Ashford County Court, Bishop Auckland County Court, Consett County Court, Epsom County Court and Haywards Heath County Court, on 18th July 2011;
- (c) in respect of Aberdare County Court, Northwich County Court, Penrith County Court, Pontypool County Court, Runcorn County Court and Southport County Court, on 1st August 2011;
- (d) in respect of Salford County Court, on 8th August 2011.

(a) 1984 c. 28. Section 2(1) was amended by paragraphs 160 and 161 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4).

(b) 1984 c. 42. Section 33(1) was amended by paragraphs 171 and 172 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4).

(c) 1986 c. 45. Section 117 was amended by paragraphs 185 and 186 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4).

Closure of county courts

2. The county courts listed in the Schedule to this Order are discontinued.

Establishment of Workington County Court

3. A county court shall be held at Workington and named West Cumbria County Court.

Jurisdiction under the Insolvency Act 1986

4. Jurisdiction is conferred on the West Cumbria County Court for the purposes of Parts VIII to XI of the Insolvency Act 1986.

Divorce Jurisdiction

5. For the purposes of section 33(1) of the Matrimonial and Family Proceedings Act 1984 the West Cumbria County Court shall be a divorce county court and a court of trial.

Transitional Provisions

6.—(1) The county courts listed in Table 1 in the column headed ‘receiving court’ shall have jurisdiction in proceedings begun at the county court in the column headed ‘closing court’ before this Order comes into force in accordance with directions made under section 2 of the County Courts Act 1984.

Table 1

<i>Closing Court</i>	<i>Receiving Court</i>
Aberdare County Court	Merthyr Tydfil County Court
Ashford County Court	Canterbury County Court, Maidstone County Court
Bishop Auckland County Court	Darlington County Court, Durham County Court
Cheltenham County Court	Gloucester and Cheltenham County Court
Consett County Court	Durham County Court, Gateshead County Court
Epsom County Court	Croydon County Court, Guildford County Court, Kingston County Court, Reigate County Court
Goole County Court	Doncaster County Court
Harlow County Court	Chelmsford County Court
Haywards Heath County Court	Brighton County Court, Horsham County Court, Reigate County Court, Tunbridge Wells County Court
Hitchin County Court	Bedford County Court, Cambridge County Court and Luton County Court,
Huntingdon County Court	Peterborough County Court
Leigh County Court	Warrington County Court, Wigan County Court.
Lowestoft County Court	Norwich County Court
Newbury County Court	Reading County Court
Northwich County Court	Chester County Court, Crewe County Court
Penrith County Court	Carlisle County Court, Kendal County Court
Penzance County Court	Truro County Court
Pontypool County Court	Blackwood County Court
Poole County Court	Bournemouth and Poole County Court
Runcorn County Court	Warrington County Court
Salford County Court	Bury County Court, Manchester County Court
Southport County Court	Liverpool County Court
Whitehaven County Court	West Cumbria County Court

7. No process shall be invalid only because the holding of any court named in the process has been discontinued by this Order.

Amendments to the Civil Courts Order 1983

8.—(1) The Civil Courts Order 1983(a) is amended as follows.

(2) In Schedule 1, omit —

- (a) “Aberdare” from its position in the second column opposite the entry for “Pontypridd” in the first column;
- (b) “Ashford” from its position in the second column opposite the entry for “Canterbury” in the first column;
- (c) “Bishop Auckland” from its position in the second column opposite the entry for “Durham” in the first column;
- (d) “Cheltenham” from its position in the first column and the corresponding entry for “Cheltenham” in the second column;
- (e) “Consett” from its position in the second column opposite the entry for “Sunderland” in the first column;
- (f) “Epsom” from its position in the second column opposite the entry for “Guildford” in the first column;
- (g) “Goole” from its position in the second column opposite the entry for “Doncaster” in the first column;
- (h) “Gravesend” from its position in the second column opposite the entry for “Chatham” in the first column.
- (i) “Harlow” from its position in the first column and the corresponding entries for “Harlow” and “Hertford” in the second column;
- (j) “Haywards Heath” from its position in the second column opposite the entry for “Brighton” in the first column;
- (k) “Hitchin” from its position in the second column opposite the entry for “Luton” in the first column;
- (l) “Huntingdon” from its position in the second column opposite the entry for “Peterborough” in the first column;
- (m) “Leigh” from its position in the second column opposite the entry for “Wigan” in the first column;
- (n) “Lowestoft” from its position in the first column and the corresponding entry for “Lowestoft” in the second column;
- (o) “Nelson” from its position in the second column opposite the entry for “Burnley” in the first column;
- (p) “Newbury” from its position in the second column opposite the entry for “Reading” in the first column;
- (q) “Northwich” from its position in the second column opposite the entry for “Crewe” in the first column;
- (r) “Penrith” from its position in the second column opposite the entry for “Carlisle” in the first column;
- (s) “Penzance” from its position in the second column opposite the entry for “Truro” in the first column;
- (t) “Pontypool” from its position in the second column opposite the entry for “Newport (Gwent)” in the first column;

(a) S.I. 1983/713. There have been numerous amendments none of which are relevant.

- (u) “Poole” from its position in the second column opposite the entry for “Bournemouth” in the first column;
 - (v) “Runcorn” from its position in the second column opposite the entry for “Chester” in the first column;
 - (w) “Salford” from its position in the first column and the corresponding entry for “Salford” in the second column;
 - (x) “Southport” from its position in the first column and the corresponding entry for “Southport” in the second column;
 - (y) “Whitehaven” from its position in the first column and the corresponding entry for “Whitehaven” in the second column.
- (3) In Schedule 1, insert—
- (a) “Hertford” in the second column opposite the entry for “Chelmsford” in the first column;
 - (b) “Workington” in the appropriate alphabetical position in the first column and insert “Workington” in the corresponding entry in the second column.
- (4) In Schedule 3, omit the entry relating to—
- (a) Aberdare County Court;
 - (b) Ashford County Court;
 - (c) Bishop Auckland County Court;
 - (d) Cheltenham County Court;
 - (e) Consett County Court;
 - (f) Epsom County Court;
 - (g) Goole County Court;
 - (h) Leigh County Court;
 - (i) Harlow County Court;
 - (j) Haywards Heath County Court;
 - (k) Hitchin County Court;
 - (l) Huntingdon County Court;
 - (m) Lowestoft County Court;
 - (n) Newbury County Court
 - (o) Northwich County Court;
 - (p) Penrith County Court;
 - (q) Penzance County Court;
 - (r) Pontypool County Court;
 - (s) Poole County Court;
 - (t) Runcorn County Court;
 - (u) Salford County Court;
 - (v) Southport County Court;
 - (w) Whitehaven County Court.
- (5) In Schedule 3, after the entry for “Welshpool” insert—
- (a) in the first column “Workington”;
 - (b) in the second column “Bankruptcy”, “Company or LLP” and “Divorce”.
- (6) In Schedule 4 insert at the end—

“15. The name of the county court at Bournemouth shall be the Bournemouth and Poole County Court.

16. The name of the county court at Gloucester shall be the Gloucester and Cheltenham County Court.

17. The name of the county court at Workington shall be the West Cumbria County Court.”.

Signed by authority of the Lord Chancellor

8th June 2011

I concur

10th June 2011

J Djanogly
Parliamentary Under Secretary of State
Ministry of Justice

Judge, C.J.
Lord Chief Justice

SCHEDULE

Article 2

County Courts to be discontinued

Aberdare County Court
Ashford County Court
Bishop Auckland County Court
Cheltenham County Court
Consett County Court
Epsom County Court
Goole County Court
Leigh County Court
Harlow County Court
Haywards Heath County Court
Hitchin County Court
Huntingdon County Court
Lowestoft County Court
Newbury County Court
Northwich County Court
Penrith County Court
Penzance County Court
Pontypool County Court
Poole County Court
Runcorn County Court
Salford County Court

Southport County Court

Whitehaven County Court

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Civil Courts Order 1983. The county courts listed in the Schedule to this Order are discontinued.

A new county court is to be held at Workington, named West Cumbria County Court.

Jurisdiction in respect of existing cases in closing courts is transferred to named courts. Where the district of a closing court is redistributed to more than one court, directions made by the Lord Chancellor, which will be available at <http://www.justice.gov.uk/publications/bills-and-acts/index.htm>, indicate the new districts.

This Order corrects references to closed courts that should have been removed previously.

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STATUTORY INSTRUMENTS

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£5.75