



HOUSE OF LORDS,  
SW1A 0PW

22 July, 1983

*My Dear Patrick:*

Abolition of GLC and Metropolitan County Councils -  
Commissions of the Peace and Lords Lieutenant

Abolition of the GLC and Metropolitan County Councils raises issues affecting the lay magistracy.

When appointing Justices of the Peace under section 6(1) of the Justices of the Peace Act 1979 I appoint them to a Commission Area. Section 1 of the Act provides -

"There shall in England and Wales be a commission of the peace for the following areas (in this Act referred to as "commission areas") and no others, that is to say -

- (a) every county;
- (b) every London commission area; and
- (c) the City of London."

London Commission Areas are defined in section 2 of the Act and they need not be disturbed by the abolition of the GLC. I am also anxious to retain the present Commission Areas in the metropolitan counties. These areas would be unaffected if the counties themselves remained even though their councils did not.

If the counties were abolished it would be possible to amend section 1 so that each metropolitan district (however designated in future) became a Commission Area and had its own Commission of the Peace, but there would be no practical benefits from this change

The Right Honourable  
The Secretary of State for the Environment.



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and there would be many disadvantages, including the need to issue new Commissions, the possibility of some justices becoming residentially disqualified - they must reside in or within 15 miles of the Commission Area - a reduction of magistrates' territorial jurisdiction and more consequential statutory amendments.

In the event of a decision to abolish the counties the legislation might nevertheless provide that the present grouping of metropolitan districts should be deemed counties for such purposes as Commissions of the Peace, Justices of the Peace, magistrates' courts, the Keeper of the Rolls and related matters. There is provision in similar terms in section 2(2) of the Justices of the Peace Act 1979.

I can see nothing to be gained by any change in the position of magistrates.

The position of Lords Lieutenant also needs to be considered. As a matter of practice I designate the Lords Lieutenant as Keepers of the Rolls in counties, although any justice may be so designated under section 11 of the 1979 Act. In non-metropolitan counties I appoint the Lords Lieutenant as Chairmen of my Advisory Committees on the Appointment of Magistrates, and in metropolitan counties, where there is usually one Advisory Committee for each metropolitan district, they are ex-officio members of each Committee and Chairman of any county coordinating committee of Advisory Committee Chairmen. These arrangements work well and I favour Lords Lieutenant retaining their present areas of responsibility.

There will no doubt be others who will argue strongly for the retention of the counties and their Lords Lieutenant.

I am sending copies of this letter to the other members of MISC 95, and to Lord Cockfield who, as Chancellor of the Duchy of



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Lancaster is responsible for the appointment of justices in the metropolitan counties of Greater Manchester and Merseyside.

YRS :

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

LOCAL GOVT. Relations Pt 16

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LOCAL GOVT. A 16.

NB PM

CC NO.

MUS 5/9

HOUSE OF LORDS,  
SW1A 0PW



2 September, 1983

Dear Irwin:

Abolition of GLC and Metropolitan County Councils -  
Commissions of the Peace and Lords Lieutenant

Thank you for your letter of 24th August. *will request of reg'd.*

Either option which you offer to take account of Commissions of the Peace and Lords Lieutenant would meet my requirements. The decision is essentially one for colleagues but I favour retention of the counties which would have the merit of legislative simplicity. I would tend not to give much weight to the argument that by retaining the concept of counties it could give the impression that there is still a council.

The alternative of reconstituting the county areas as "metropolitan areas" would be legislatively more complicated. For example, section 1 of the Justice of the Peace Act 1979 would require amendment and other provisions would be needed to avoid the amendment of the Crown Office (Commissions of the Peace) Rules 1973 and the issue of new Commissions.

I note that your officials will clear with mine the appropriate reference in the draft White Paper.

I am sending copies of this letter to the other members of MISC 95 and to Lord Cockfield.

yrs.

The Lord Bellwin,  
Minister of State for Local Government,  
Department of the Environment,  
2 Marsham Street,  
London, S.W.1.

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W/C Joan Dunn  
DEPARTMENT OF THE ENVIRONMENT  
2 MARSHAM STREET LONDON SW1P 3EB  
01-212 3434

My ref: W/PSO/33761/83  
Your ref:

12 July 1983

Dear Robin <sup>Peris</sup>

Thank you for your letter of 29 June about two points raised by the Lord Lieutenant of Lancashire.

We are aware of the concern that abolition of the metropolitan county councils may lead to a reduction in funding for the arts. This is certainly the right time for views about the implications of abolition to be fed in. Mr Towneley may want to put his views to those who will be involved locally in pressing the case for arts funding to be protected as well as the relevant Government Departments.

On Mr Towneley's second point, we are well aware from previous reorganisation exercises of the need to consider the implications for Lord Lieutenants. However, we have not yet reached the stage of taking decisions on this issue. As we move towards the preparation of a Bill, we shall have to decide whether to abolish the metropolitan counties altogether, and to give these areas a new form of designation; or whether simply to abolish the councils and leave the counties in existence. The Lieutenancy arrangements are clearly one of the factors that will need to be taken into account when decisions are being made.

Yours sincerely

A handwritten signature in blue ink that reads 'Joan Dunn'.

JOAN DUNN  
Private Secretary

Robin Butler Esq