



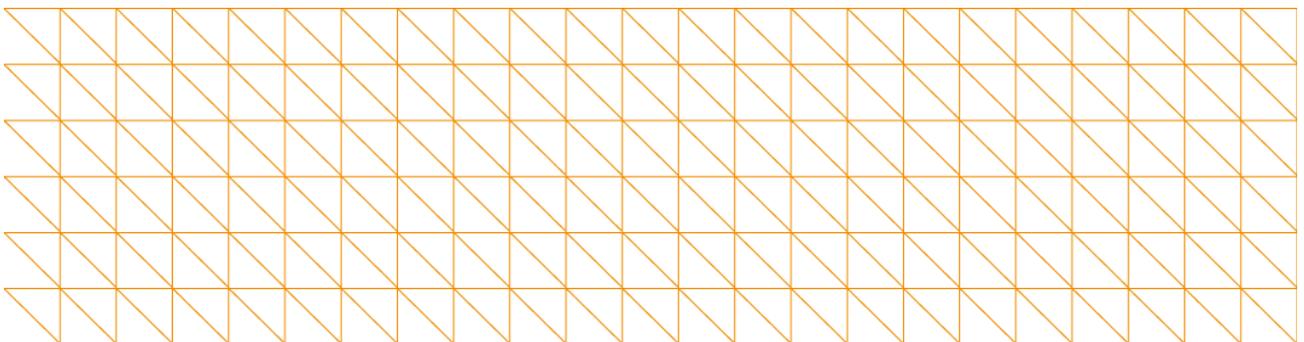
Ministry  
of Justice



HM Courts &  
Tribunals Service

# Response to the proposal on the provision of court and tribunal estate in the North West

This response is published on 11 February 2016







Ministry  
of Justice



HM Courts &  
Tribunals Service

## **Response to the proposal on the provision of court and tribunal estate in the North West**

**Response to consultation carried out by HM Courts & Tribunals Service, part of the Ministry of Justice. This information is also available at [www.gov.uk/moj](http://www.gov.uk/moj)**



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## Introduction and contact details

This document is the post-consultation report for the consultation paper 'Proposal on the provision of court and tribunal services in the North West region'.

It will cover:

- the background to the consultation
- a summary of the responses to the consultation
- a detailed response to the points raised in response to the consultation
- next steps following this consultation.

Further copies of this report and the consultation paper can be obtained by contacting **HMCTS Consultation** at the address below:

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Alternative format versions of this publication can be requested from the above contact details.

This report is also available at **[www.gov.uk/moj](http://www.gov.uk/moj)**

### **Complaints or comments**

If you have any complaints or comments about the consultation process you should contact HM Courts & Tribunals Service at the above address.

## **Foreword**

On 16 July 2015 the national consultation on the provision of court and tribunal estate in England and Wales was published. This included proposals to close 14 buildings and three courts in the North West and information on plans to integrate a further three courts in the region.

Working with the judiciary, we want to reform our services so that they better meet the needs of the public in the modern age. The consultation put forward proposals to make changes to our estate where buildings are no longer able to provide a modern service due to poor facilities, where usage is low and where sites no longer provide value for money.

A total of 482 consultation responses were received for the North West region. As the Delivery Director responsible for managing the operations of HM Courts & Tribunals Service in the North West region I am very grateful to everyone for taking the time to provide their views on our proposals and help us to reach the best solutions. It is clear from the responses that our courts and tribunals continue to be valued by society and that it is important to maintain effective access to justice.

The Lord Chancellor has agreed to close eleven sites plus four courts in the North West region and retain three sites. Seven sites and three courts will close as proposed within the consultation with a further four sites and one court taking place but with changes to the original proposal. These changes, many suggested by respondents, include the establishment of suitable alternative venues, such as the use of local civic buildings, or different venues in the HM Courts & Tribunals Service estate to those originally proposed. Further details are included on a court-by-court basis in the summary of responses.

The decision to close a court or tribunal will mean that in some cases court users will need to travel further to attend court. We continue to develop alternative ways of accessing our services, and have modified our plans using the local knowledge provided in responses to the consultation, to reduce the travel time impact to court users.

Staff and judiciary who work hard to deliver our justice system will obviously be affected by these changes. I am committed to working closely with the judiciary on the implementation of these decisions. I am also committed to supporting our staff through these changes and ensuring the transition to the new arrangements takes place in a fair and transparent manner in line with the Managing Organisation Change Framework (MOCF) and in consultation with the Departmental Trade Union.

Attached with this document is an indicative timetable for implementation. Please note this timetable is subject to change as the programme progresses.

**Gill Hague**

**Delivery Director  
HM Courts & Tribunals Service North West**

## **Background**

The consultation paper 'Proposal on the provision of court and tribunal services in the North West region' was published on 16 July 2015. It invited comments from anyone with an interest in local justice to ensure that courts and tribunals continue to be aligned to workload; that communities continue to have access to buildings where they need to attend or through alternative methods; and that cases are heard in buildings with suitable facilities.

The consultation proposed the closure of the following courts<sup>1</sup> and tribunals which, for presentational purposes, have been listed by area:

### **Greater Manchester**

- Bolton County Court and Family Court
- Bury Magistrates' Court and County Court
- Oldham County Court
- Oldham Magistrates' Court
- Stockport Magistrates' Court and County Court
- Tameside County Court
- Trafford Magistrates' Court and Altrincham County Court

### **Cheshire and Merseyside**

- Macclesfield County Court
- Macclesfield Magistrates' Court
- Runcorn (Halton) Magistrates' Court
- St Helens Magistrates' Court and County Court
- Warrington County Court

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<sup>1</sup> Reference in this document to magistrates' courts, county courts, crown courts and combined courts refers to buildings (a singular structure providing the physical hearing rooms for criminal, civil, family and tribunal cases) which house that activity in a particular location. Strictly, legislation provides that there is a single crown court, county court and family court.

## **Cumbria and Lancashire**

- Accrington County Court
- Accrington Magistrates' Court
- Kendal Magistrates' Court and County Court
- Ormskirk Magistrates' Court and Family Court
- West Cumbria Magistrates' Court and County Court

## **Integrations**

To provide users with an overview of all proposed change to the estate, the consultation also included information on where HM Courts & Tribunals Service plan to integrate courts within the same town or city. An integration is when HM Courts & Tribunals Service moves work to allow jurisdictions to operate from fewer locations in a local area. This allows the closure of a building or buildings while retaining local jurisdictions, with a limited impact on service provision. Integrations are managed by HM Courts & Tribunals Service operational leads as part of the normal running of the business.

### **Bolton Magistrates' Court to be integrated within Bolton Combined Court**

This location will establish a single crime centre for crown court and magistrates' court work in Bolton. This will be taken forward alongside the consultation closure implementation plan.

### **Lancaster County Court to be integrated within Lancaster Magistrates' Court**

This integration will provide increased flexibility and efficiency and allow improved utilisation of the court and tribunal estate. Enabling works are required and are currently being investigated.

### **Warrington Magistrates' Court to be integrated within Warrington Combined Court**

This relocation will enable the work to be administered in a single venue and allow the receiving court to be more responsive and flexible with the listing of cases and create a single centre for crime in Warrington. This will be taken forward alongside the consultation closure implementation plan.

Local stakeholders will be notified of these integrations when they take place.

The 'Proposals on court and tribunal services in the North West region' consultation closed on 8 October 2015 and this report summarises the responses, including how the consultation process influenced the final shape of the proposal consulted upon.

The Impact Assessment accompanying the consultation was updated to take account of evidence provided by stakeholders during the consultation period. The updated Impact Assessment is attached.

The 'Proposal on the provision of court and tribunal services in the North West region' consultation document was updated due to one of the e-mail addresses quoted for receipt of responses being incorrect. The impact of this was felt to be minimal as the correct details were provided in other parts of the consultation document, however, HM Courts & Tribunals Service apologises for this error.

HM Courts & Tribunals Service applied the following principles when developing the 'Proposal on the provision of court and tribunal estate in England & Wales' consultation:

### **Access to justice**

- To ensure continued access to justice when assessing the impact of possible closures on both professional and lay court and tribunal users, taking into account journey times for users, the challenges of rural access and any mitigating action, including having facilities at local civic centres and other buildings to ensure local access, modern ICT and more flexible listing, when journeys will be significantly increased.
- To take into account the needs of users and in particular, victims, witnesses and those who are vulnerable.
- To support the requirements of other agencies such as the Crown Prosecution Service, Social Services, Police Forces and the Children and Family Court Advisory and Support Service (CAFCASS).

### **Value for money**

- To reduce the current and future cost of running the estate.
- To maximise the capital receipts from surplus estate for reinvestment in HM Courts & Tribunals Service.

### **Operational efficiency**

- To reduce the reliance on buildings with poor facilities and to remove from the estate buildings that are difficult and expensive either to improve or to upgrade.
- To move towards an estate with buildings which are larger and facilitate the more efficient and flexible listing of court and tribunal business whilst also giving users more certainty when their cases will be heard.
- To increase the ability to use the estate flexibly across the criminal jurisdiction and separately across the Civil, Family and Tribunal (CFT) jurisdictions.
- To move towards an estate that provides dedicated hearing centres, seeking opportunities to concentrate back office function where they can be carried out most efficiently.
- To improve the efficient use of the estate by seeking to improve whole system efficiency, taking advantage of modernised communication methods (wi-fi and video links) and adopting business processes to increase efficiency and effectiveness.

- To increase the efficient use of the estate wherever possible irrespective of current administrative boundaries.

## Summary of responses

### Summary of responses on the proposal on the provision of court and tribunal services in the North West region

A total of 482 responses were received to the 'Proposals on court and tribunal services in the North West' consultation paper.

These responses have been broken down by stakeholder group as follows:

- 119 were from members of the public
- 99 were from professional users
- 83 were from HM Courts & Tribunals Service staff
- 58 were from other public sector bodies
- 47 were from magistrates
- 32 were from members of the judiciary
- 20 were from members of parliament
- 14 were from criminal justice service partners
- five were from uncategorised stakeholders
- five were from union/staff groups

Of the responses received, 62 related to the region as a whole. Of these eight were in support of the proposals, whilst 51 were opposed and three were neutral.

#### **A stakeholder list of respondents is at Annex A.**

Some respondents commented on more than one proposal, so their views have been considered for each of the sites mentioned within their response.

#### **County Court utilisation**

The county court utilisation figures provided in the site by site consultation proposals used sitting hours workload data as a share of total court room capacity. HM Courts & Tribunals Service is aware that some county courts occasionally use chambers and informal rooms to hear county court work and this may not be recorded in the workload data for some of these courts. A number of responses highlighted that work heard in county court chambers should also be considered as part of the overall usage of the court before any final decisions are made. Supplementary data on judicial work held in chambers and informal rooms was considered before final decisions were made.

#### **Operating Costs**

The operating costs included in this document have been updated from those published in July. They have been adjusted to reflect current prices.

## **Decision**

**In considering the principles and the responses to the consultation, the Lord Chancellor has made the following decisions:**

### **Greater Manchester**

- The county courts in Altrincham, Bolton, Bury, Oldham and Tameside will close and the work will move to Manchester County Court in the Manchester Civil Justice Centre. Tribunal hearings in Bury will move to Bolton, Rochdale or Manchester, as appropriate.
- The magistrates' courts in Bury and Trafford will close and the work will move to Manchester and Salford Magistrates' Court.
- Oldham Magistrates' Court will close and the work will move to Tameside Magistrates' Court.
- Stockport Magistrates' Court and County Court will remain open and will accommodate the workload of Macclesfield Magistrates' Court, Macclesfield County Court and work from the High Peak area of Buxton Magistrates' Court and County Court. Family public law (care) work from Macclesfield County Court and Buxton County Court will move to the Designated Family Court, located in the Manchester Civil Justice Centre.

### **Cheshire and Merseyside**

- Macclesfield County Court will close and its workload will move to Stockport County Court. Public law (care) work currently listed in Macclesfield, will however, move to Manchester County Court where all the family public law (care) work is conducted for Greater Manchester.
- The magistrates' courts in Macclesfield, Runcorn (Halton) and St Helens will close, and their workload will move to Stockport Magistrates' Court, Warrington Magistrates' Court, and Liverpool and Knowsley Magistrates' Court respectively.
- Warrington County Court will close and its workload will move to St Helens County Court. The family law (care) work will move to Liverpool Civil & Family Courts.
- Tribunal hearings currently listed in Warrington County Court and Runcorn (Halton) Magistrates' court will move to St Helens County Court.
- St Helens County Court will remain open and the workload from Warrington County Court will move to St Helens.

### **Cumbria and Lancashire**

- The county courts in Accrington and Kendal will close, and their workload will move to Burnley Combined Court and Barrow-in-Furness County Court

respectively. Alternative arrangements will be made for hearing the longer tribunal hearings currently listed in Kendal.

- The magistrates' courts in Accrington, Kendal and Ormskirk will close and their workload will move to: Blackburn Magistrates' Court; Lancaster Magistrates' Court and Barrow-in-Furness Magistrates' Court; and Wigan Magistrates' Court, Preston Magistrates' Court and Leyland Magistrates' Court respectively.
- West Cumbria Magistrates' Court and County Court will remain open.

## Greater Manchester

A number of responses received related to the proposals for the courts in Greater Manchester as a whole. The key themes from these responses are summarised below:

### Access to justice

Several responses identified issues around access to justice.

A number of responses queried the travel times quoted in the consultation paper, and raised concern that these do not take into account travel during rush hour or the time taken to travel from the relevant city centre train, tram or bus stations to Manchester Civil Justice Centre or Manchester and Salford Magistrates' Court. Comments were also made about the cost of parking in central Manchester and the impact of travel times on those with caring responsibilities, disabilities and mental health issues.

“Journeys by public transport do not start and end at the bus or train station: they almost invariably involve a significant additional time in getting to and from the station or bus stop at each end of the journey” (Solicitor)

“By the very nature of family court work, we deal with vulnerable, dysfunctional families, large numbers of who lead chaotic lifestyles, if the HM Courts & Tribunals Service proposal were to be implemented these individuals will be expected to travel greater distances than they do at present.” (Greater Manchester Family Panel)

“The safeguarding aspect for the young people is huge. For instance the proposals mean that there is an increased risk that they will be expected to travel to and from the courts in City Centres unsupervised meaning they could come into contact with other high risk individuals from other areas.” (Greater Manchester Councils)

Another access to justice issue was raised in relation to the cost of public transport.

“I disagree whole heartedly with the proposals that specifically relate to court closures in the Greater Manchester area. The closure of the courts will restrict access to justice to those who need it. It is simply not acceptable, or right, for someone who, say is facing eviction due to rent arrears and lives in Hyde or Macclesfield, Rochdale or Bolton, to travel to Manchester (and incur the expensive cost of tram/train/bus fares) to prevent homelessness. They simply will not be able to afford it.” (Solicitor)

Taking these issues in turn, travel times quoted in the consultation document are based on the journey from the town centre of the closing court to Manchester city centre. HM Courts & Tribunals Service accept that journey times will vary depending on the time of day and local traffic conditions, but the figures included in the consultation were approximate and intended as a guide only. Information regarding public transport was taken from the relevant public transport provider's website, and distance in miles and journey times by car were taken from travel websites.

HM Courts & Tribunals Service maintains that Greater Manchester is provided with an excellent transport infrastructure which enables court users to access Manchester city centre by a variety of different methods, including train, tram and bus. A number of local rail and metro link tram stops provide free parking to enable court users to continue their journey into the centre of Manchester by train or tram. All the main train and tram stations in Manchester city centre are within a 5-20 minute walk of both Manchester and Salford Magistrates' Court and Manchester Civil Justice Centre. Free buses operate from all the main railway stations in Manchester and their route is in close proximity to both buildings. For those court users who choose to travel into the city centre by car, there are a number of car parks within 5-10 minutes walk of both Manchester and Salford Magistrates' Court and Manchester Civil Justice Centre where parking for the full day costs between £4.50 and £10.

HM Courts & Tribunals Service acknowledge that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour. We also accept that the additional journey time is also likely to result in increased travel costs for some users. However, we are mindful of the infrequency with which people need to attend court.

It is a requirement for young persons aged under 16 years to be accompanied by a parent or guardian in court. When a young person in care is being accommodated by a Local Authority, that authority will ensure he or she is accompanied to court.

Currently all family public law (care) and adoption hearings for the Greater Manchester area are heard in the Manchester Civil Justice Centre. Similarly multi track civil hearings, together with Chancery, Mercantile, Technology and Construction Court and Administrative Court work for Greater Manchester is conducted in the Civil Justice Centre. Court users from around Greater Manchester attend these hearings routinely with little reported difficulty or impact.

HM Courts & Tribunals Service acknowledge that some court users who live in the more remote areas may have difficulty in attending court for a 10.00am hearing. In these circumstances, as is the case now, the start time of hearings may be delayed to allow later attendance due to travel difficulties, on a case by case basis.

Some responses expressed concerns that should HM Courts & Tribunals Service proceed with the proposals, there would be a lack of court presence in certain areas across the region.

"The proposal will create a postcode lottery and serve to damage access to justice across Greater Manchester, Wigan, Bolton, Tameside and Manchester City being the only boroughs which would retain access to local justice." (Bench Chair)

"It will be inequitable to have one retained Family Hearing Centre in Wigan (the currently Bolton, Bury, Wigan cluster and the Manchester CJC as the designated family hearing centre (in the centre) and no family hearing centre in the current Trafford, Oldham, Tameside and Stockport sub cluster." (Greater Manchester Family Panel)

"The JBG supports the proposal to focus magistrates court work in Greater Manchester in a reduced number of court centres working at full or near full capacity.....The JBG has concerns about access to justice if the proposals were adopted in line with the consultation and in particular the fact that all the remaining

courts would be located in the northern half of the county.” (Greater Manchester Judicial Business Group)

A number of alternative proposals were put forward in the responses. Several responses suggested retaining Stockport Courthouse and moving work from Macclesfield and north Derbyshire into it. Other proposals suggested closing Bolton Magistrates’ Court and Tameside Magistrates’ Court and retaining a court presence in Wigan and Stockport. Further responses suggested that magistrates’ courts in Manchester, Bury and Stockport be retained and all others closed.

Having reviewed the responses and alternative proposals put forward, the Lord Chancellor has decided to retain Stockport Magistrates’ Court and County Court and to transfer the civil and criminal work from Macclesfield and the High Peak area of Buxton to Stockport. This change will provide better access to justice for court users in these areas whilst also increasing the utilisation of Stockport Courthouse.

Other alternative proposals were considered but were not viewed as viable options. Retaining the Crown Court building in Bolton is necessary to deal with the level of Crown Court workload in Greater Manchester, and this also allows HM Courts & Tribunals Service to dispose of Bolton Magistrates’ Court which is not fit for purpose. The creation of a single centre for crime in Bolton will bring the criminal courts together in one venue with the associated benefits and efficiencies this will create.

Some responses raised concerns about the loss of local knowledge in magistrates’ courts.

“Local justice is based on far more than travel times... It has always been a guiding principle of British justice that a person would have the ability to be able to be judged by their peers and that such justice would be local....Local Magistrates provide an abundance of local knowledge.” (Solicitor)

HM Courts & Tribunals Service recognise that magistrates are valued members of the judiciary and work well together for the benefit of the communities they serve wherever they are delivering justice. Magistrates may cover larger areas than at present, but their collective knowledge of the communities and their judicial experience will enhance the quality of judicial decision making.

### **Value for money**

A number of responses raised issues about value for money and the likelihood of increased costs for other court users and stakeholders.

“The number of additional cases proposed to be sent to central Manchester (MSMC) will mean a requirement for an increase in security and attendances for City Centre Police.....A greater number of persons including suspects, greater crowding in the building and longer wait times will add to tensions and the potential for disorder.” (GM Police)

“The proposals will increase our costs. Those costs will in part be indirectly funded through taxation. Consequently the proposal’s aim of reducing costs to the taxpayer fails because it simply transfers costs from one public expenditure budget to another.” (Greater Manchester Housing Providers)

HM Courts & Tribunals Service acknowledge that there maybe an increase in costs for some court users as a result of the proposals, however we must have due regard to

ensure our estate is utilised to deliver justice efficiently and effectively while providing value for money. The close proximity of Manchester Civil Justice Centre and Manchester and Salford Magistrates' Court to the other courts in Greater Manchester, as well as their size, good condition and underuse, cannot be ignored. Nor can the fact that concentrating hearings in a smaller number of buildings can also reduce costs for organisations that need to attend courts.

### **Operational efficiency - Manchester Civil Justice Centre**

A number of points were raised about operational efficiency and particularly whether Manchester County Court and the Civil Justice Centre would cope with the increased workload and the volume of urgent appointments.

"Manchester takes weeks as it is to answer correspondence." (Local individual)

"The likelihood is that Manchester will crash under the weight of the additional cases it will have to deal with." (Local individual)

"You will end up fire fighting, only being able to deal with the urgent matters and the small, fast and multi track trials will be delayed/postponed. Justice delayed is justice denied." (Solicitor)

Issues were also raised regarding the limited number of secure courtrooms and holding rooms within Manchester Civil Justice Centre and the impact of the extra workload on security issues.

"There are only two cells in the CJC for arrested persons to be detained before and after production at court. They are regularly full even now. There are therefore serious security issues which have not been considered." (Solicitor)

A number of responses also identified issues in terms of the likely increase in delays getting into Manchester Civil Justice Centre, movement within and around the building, and the impact of this on court proceedings.

"Currently at peak times it is difficult to access the Manchester Civil Justice Centre due to the sheer volume of litigants and advocates trying to enter the building, which again adds to the stress and frustration of family court users." (Greater Manchester Family Panel)

"At Manchester, the proposed very substantial increase in the number of judges and staff based at the building and the number of court users attending the building will in all probability bring real problems of movement into and around the building with the consequent delays to court proceedings." (Presiding Judges)

The relocation of the closing courts to the Manchester Civil Justice Centre will be carefully planned and phased. Changes and improvements will be made to the infrastructure of the building including judicial accommodation, the physical services and facilities the building provides. Administrative and judicial practices and procedures will be reviewed and redesigned to deal with the increased workload efficiently. This will enhance the Civil Justice Centre's status as a flagship court both in the North West and England and Wales.

### **Operational efficiency- Manchester and Salford Magistrates' Court**

A number of responses raised issues about the capacity of Manchester and Salford Magistrates' Court and its ability to absorb the increased workload.

"The potential for the proposals to have a negative impact on a range of issues including successful prosecution of cases and a swift criminal justice process which does not see long wait times based around the availability of a court room." (Greater Manchester Councils)

"There is a serious risk that the proposals will hinder GM's approach to transforming justice. In particular it will impact negatively on the potential for a wider roll out of the problem-solving court that GM has implemented." (Greater Manchester Councils)

HM Courts & Tribunals Service is confident that sufficient capacity (including cell capacity) exists in Manchester and Salford Magistrates' Court to absorb the additional workload from Trafford Magistrates' Court and Bury Magistrates' Court. The introduction of the Single Justice Procedure in 2016, together with the listing efficiencies of a larger centre and the changes as a result of the Criminal Justice Efficiency Programme, will improve the throughput of cases.

Concerns were raised about the increase in traffic which would be caused by users travelling into Manchester from Bury, Stockport and Trafford to attend court.

"The closure of Bury Magistrates', Stockport Magistrates' and Trafford Magistrates' Courts will generate additional traffic into Manchester Magistrates' Court. There is single vehicle access into this location so additional congestion would be expected. This is compounded by congestion from other external agencies, as such there is a significant risk that the vehicle dock will become gridlocked during peak times and inhibit the timely delivery of prisoners to court." (GeoAmey)

HM Courts & Tribunals Service acknowledge that there have previously been issues around access to the car park in Manchester and Salford Magistrates' Court. However, these problems have now been satisfactorily resolved through improved traffic management, the agreement of earlier collection and delivery times with the police, and the use of larger custody vehicles.

A number of responses raised the point that many magistrates throughout Greater Manchester may resign as a result of the proposals and the impact of this on operational efficiency.

"A major concern for courts affected by the proposal, 25%-30% of Magistrates are considering resignation from the bench. A number close to retirement are also considering their position. More than 10% of resignations across GM (100 Magistrates) would seriously impact on the running of court business." (Bench Chair)

The resignation of any magistrate in response to the consultation would be greatly regretted. Magistrates are at the core of the Criminal Justice System and their collective judicial experience enhances the quality of judicial decision making. HM Courts & Tribunals Service hope that the vast majority of magistrates will continue to serve the community.

It was stated in the consultation that Manchester and Salford Magistrates' Court has a café. This was incorrect as the café closed in September 2014, although refreshments are

available from vending machines within the court building. HM Courts & Tribunals Service apologises for this error.

Other responses raised issues about the scale of the change in Greater Manchester.

“Such a scale of change has not previously been attempted and therefore a staged trial to assess measures such as the numbers of cracked and ineffective cases due to victim/witness non attendance, the increase in costs associated with expense claims for travel, delays caused due to the unavailability of a courtroom at the central Manchester courts would be desirable.” (Greater Manchester Police)

HM Courts & Tribunals Service recognises that the proposals contained within the consultation document will have a significant impact in Greater Manchester, even with the retention of Stockport Magistrates’ Court and County Court. To ensure workload is efficiently absorbed in stages, we intend to phase the court closures over a period of 18 months.

### **Alternative provision of services**

Greater Manchester Councils have requested a pause in the consultation with regard to the proposals in respect of Greater Manchester, in light of the devolution deal agreed with the government.

“A truly local criminal justice system should be considered within a ‘one public estate’ philosophy, to do true justice to these proposals they therefore need to be devolved to Greater Manchester so that we can consider how best to deliver court services across all public sector agencies. For example initial discussion reveal that the Fire Service and Probation service estates are worthy of further consideration.” (Greater Manchester Councils)

In addition the interim Mayor of Greater Manchester and Police and Crime Commissioner, Tony Lloyd, has requested:

“HM Courts & Tribunals Service helps to develop a collaborative approach which seeks to use a mix of local buildings and a justice reinvestment approach that recycles a percentage of the savings received from court closures into the delivery of a GM devolved local justice model. This model would free up court times through dealing with offences which could be moved from being listed in a court to deliver a swifter, local resolution and where possible diversion from crime.” (The interim Mayor of Greater Manchester and Police and Crime Commissioner, Tony Lloyd)

We are building a justice system which is simpler, swifter, accessible and more efficient. The current court and tribunal estate is both costly and underused. There are 460 buildings in England and Wales, costing taxpayers £500m per year. Last year, a third of those buildings sat empty for more than half their available hearing time. HM Courts & Tribunals Service is aware of the Greater Manchester Devolution Agreement, and we are engaging with the One Public Estate Programme nationally and this, in turn, will become a regional discussion. However, we need to move towards an estate with buildings which are larger and facilitate the more efficient and flexible listing of court and tribunal business whilst also giving users more certainty when their cases will be heard, and we believe the decisions made by the Lord Chancellor will contribute in achieving this aim.

## **Responses to individual proposals**

### **Greater Manchester**

#### **Bolton County Court and Family Court**

The Lord Chancellor has decided that Bolton County Court and Family Court will close and its workload will move to Manchester County Court.

A total of 49 responses were received in relation to Bolton County Court and Family Court. Of these:

- 18 were from HM Courts & Tribunals Service staff
- 11 were from members of the public
- 11 were from professional users
- two were from members of the judiciary
- two were from other public sector bodies
- two were from uncategorised stakeholders
- one was from a magistrate
- one was from a Member of Parliament
- one was from a union/staff group

Of these responses, four were in support of the proposals, whilst 44 were opposed and one was neutral.

It was stated in the consultation document that Bolton Combined Court, which houses the county court, was constructed in the early 1970's. This is incorrect as the building was constructed in 1982. It was also stated that hearings in Bolton County Court and Family Court take place in a civil courtroom and two district judges' hearing rooms. This is incorrect and should have stated a civil courtroom and three district judges' hearing rooms. Reference to four rooms is made elsewhere in the consultation document.

HM Courts & Tribunals Service apologises for these errors and any confusion caused.

#### **Access to justice**

Bolton County Court and Family Court is located 12 miles from Manchester Civil Justice Centre. There are regular bus and train services between Bolton and Manchester city centre.

Many of the responses made reference to access to justice.

“All closures inevitably impact on access to justice. Most people come before the civil courts rarely and can reasonably be expected to travel to Manchester and would find it relatively easy to do so.” (District Judge)

“The journey time quoted is only from Bolton town centre and does not take into account the time it takes to travel into Bolton from outlying areas such as Horwich, Astley Bridge, Bromley Cross and Edgworth.....where a journey to Manchester can easily take up to 2 hours.” (Member of Staff)

“We anticipate that far fewer customers would attend (possession) hearings purely due to lack of finance. Also timescales involved in travelling to Manchester would impact on customers with child care commitments.” (Bolton Community Housing)

Whilst HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour, 88% of potential court users in Bolton can travel to Manchester on public transport in under an hour. All family public law (care) and adoption work is already heard in the Manchester Civil Justice Centre and court users from Bolton attend these hearings with little reported difficulty or impact. We are also mindful of the infrequency with which people need to attend court. However, in exceptional cases, start times of hearings may be delayed to allow later attendance but this would be considered on a case by case basis.

We are looking to modernise our practices and adopt more streamlined ways of working, using our estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. HM Courts & Tribunals Service will, for example, explore the use of the Bolton Combined Court building as a venue for those court users who are unable to travel for exceptional reasons.

A number of alternative proposals were suggested as a way to improve access to justice. For example:

“I accept that Bolton Magistrates should be relocated or closed. Its building is not fit for purpose. The answer is not however to close the Bolton County and Family Courts to accommodate it. There are two better alternatives: closing Bolton Magistrates’ Court and relocating its work to Manchester or relocating to the Bury Courthouse.” (District Judge)

A number of responses suggested similar alternatives, for which HM Courts & Tribunals Service are grateful. We need to reduce the size of our estate and the alternative of moving Bolton Magistrates’ Court to Bury and retaining the Bury courthouse would not achieve this. Consideration also has to be given to the under capacity that exists within Manchester County Court which would not be addressed if Bolton County Court and Family Court were to remain open. The courthouse in Bolton will still be used for Crown Court work, whilst the workload from Bolton Magistrates’ Court will also be relocated to the building. This will establish a single crime centre for crown court and magistrates’ court work in Bolton. Moving the county court work to Manchester will increase the ability to use our estate flexibly across the criminal jurisdiction and separately across the civil, family and tribunal jurisdictions.

## **Value for money**

Bolton County Court and Family Court is located within Bolton Combined Court. The 2014-15 operating costs of this venue were approximately £673,000.

Some responses raised issues about value for money. In particular, it was pointed out that the cost of enabling works required in Manchester Civil Justice Centre and Bolton Combined Court to accommodate the work of Bolton County Court and Family Court and Bolton Magistrates' Court, were not disclosed within the consultation document.

"It is troubling too that there are no proposals (and no costing) in respect of the changes that will be necessary at the Manchester CJC. Thus whatever the identified 'savings', they are meaningless because they cannot be balanced against the costs of the consequential changes to the CJC." (District Judge)

HM Courts & Tribunals Service has given consideration to the enabling works required at the Manchester Civil Justice Centre to accommodate additional workload. The costs have been estimated based on previous costs for similar works, and we feel this proposal will enable efficiency in the long-term whilst also providing value for money.

Some responses also refer to the additional costs likely to be incurred by other professional users and advice agencies in having to travel to Manchester.

"Closure... will mean a greater travel and parking cost to the council in its capacity as a prosecuting and civil enforcement authority....these costs will be passed onto residents as additional summons costs." (Bolton Council)

HM Courts & Tribunals Service accepts that the closure of the court may impact some people more than others, including those with local businesses. However, we need to reduce the cost of our estate and reinvest the savings. The closure of Bolton County Court and Family Court will release the 'not fit for purpose' Bolton Magistrates' Court building from the estate and make significant savings in respect of operating costs. The close proximity of Manchester County Court, its size, good condition and underuse cannot be ignored.

## **Operational efficiency**

The current utilisation of Bolton Combined Court is approximately 49%, and Manchester County Court can absorb the workload of Bolton County Court and Family Court. Combining the workload to one location will improve efficiency in listing and enable savings to be made.

Several responses questioned whether Manchester County Court would be able to cope with the increased workload.

"No regard appears to have been given as to the capacity of the Manchester Civil Justice Centre to accommodate the proposed increase in work. For early morning applications the court is inaccessible and not designed for large numbers". (Solicitor)

The underuse of the receiving site at Manchester County Court offers the opportunity to make efficiencies while still providing access to justice. Larger buildings can facilitate more flexible and efficient listing of cases and give users more certainty of when their

case will be heard. Whilst HM Courts & Tribunals Service acknowledges that waiting times to enter the Manchester Civil Justice Centre can take longer at peak times, the number of security arches and guards will be reviewed in light of the increased footfall anticipated.

### **Alternative provision of services**

Bolton Council has suggested that HM Courts & Tribunals Service could potentially make use of the Council's buildings for hearings. Whilst HM Courts & Tribunals Service is grateful to Bolton Council for their suggestion, as we will still have a presence in Bolton, the future use of the council buildings will not be necessary. HM Courts & Tribunals Service will however explore the use of Bolton Combined Court as a venue for those court users who are unable to travel for exceptional reasons.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Bolton County Court and Family Court will close and its workload will move to Manchester County Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Bolton County Court and Family Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Bury Magistrates' Court and County Court**

The Lord Chancellor has decided that Bury Magistrates' Court and County Court will close and its workload will move to Manchester and Salford Magistrates' Court and Manchester County Court respectively.

Tribunal hearings currently listed in Bury will move to Bolton, Rochdale or Manchester tribunal hearing centres, as appropriate.

A total of 68 responses were received in relation to Bury Magistrates' Court and County Court. Of these:

- 24 were from HM Courts & Tribunals Service staff
- 11 were from other public sector bodies
- 10 were from magistrates
- nine were from professional users
- six were from members of the judiciary
- four were from members of the public
- one was from the criminal justice system
- one was from a Member of Parliament
- one was from an uncategorised stakeholder
- one was from a union/staff group

Of these responses three were in support of the proposals whilst, 64 were opposed and one was neutral.

### **Access to justice**

Bury Magistrates' Court and County Court is located nine miles from Manchester and Salford Magistrates' Court and Manchester County Court. There are regular bus and tram services between Bury and Manchester city centre.

Many of the responses made reference to access to justice issues.

"The proposal suggests convenient direct travel from Bury but this is only from the Town Centre. The outlying areas of Ramsbottom for example do not have tram or standard train connections with Bury or Manchester...and add 30 minutes on to the journey. This would be difficult for those with disabilities and of a vulnerable nature. In Radcliffe, car usage is low and for many the cost of public transport would be prohibitive. The elderly and vulnerable are likely to be seriously disadvantaged as a result" (Ivan Lewis MP)

"When courts were based locally, magistrates had an understanding of issues affecting local communities. Moving to Manchester and use of magistrates from across the region will not promote local justice." (Rochdale Borough Council)

“I believe relocation into Manchester City Centre is likely to result in more people becoming homeless. It will be more costly, time consuming and stressful to make an application to suspend eviction or to attend court to defend a claim for possession”  
(Bury Law Centre)

Bury courthouse is located nine miles from Manchester and is well served by public transport. There is a frequent local bus service and the Metrolink has a direct route to Manchester city centre. Travel by Metrolink takes approximately 25 minutes and costs £6.10 for a peak time return. Travel by bus takes approximately one hour and costs £4.20 for a day ticket.

A number of responses state that the journey into Manchester will impact more on people in Rochdale who currently use Bury Magistrates' Court and County Court as their local courthouse, and that travel times from Rochdale are not included in the consultation document. An examination of the travel times from Rochdale to Manchester show that by road the distance is 12.5 miles and takes approximately 35 minutes without traffic. The train from Rochdale to Manchester Victoria takes up to 25 minutes at a cost of £7.70 for an anytime day return. There is a Metrolink service which runs every 12 minutes at a cost of £6.50 return and takes 48 minutes.

HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court, and this may result in increased travel costs. However, we do not feel these travel times and costs are excessive considering the infrequency with which people are required to attend court.

Magistrates are valued members of the judiciary and work well together for the benefit of the communities they serve wherever they are delivering justice. Magistrates may cover larger areas than at present but their collective knowledge of the communities and their judicial experience will enhance the quality of judicial decision making.

A number of alternative proposals were put forward.

Some suggested that Bolton Crown Court should close instead, and its workload moved to the courthouse in Bury. Others suggested that Bury Magistrates' Court and County Court should be retained and used as an additional venue for the Crown Court.

Serious consideration was given to these alternative proposals. However, HM Courts & Tribunals Service needs to retain the Crown Court function in Bolton to deal with the level of Crown Court workload within Greater Manchester. Efficiencies can be gained by moving Bolton Magistrates' Court work into the same building as the Crown Court, creating a single centre for crime in Bolton. The retention of Bury courthouse would not address the current underuse of Manchester and Salford Magistrates' Court and Manchester County Court, or the need for HM Courts & Tribunals Service to reduce the current and future cost of running its estate and to maximise the capital receipts from surplus estate for reinvestment.

We are looking to modernise our practices and adopt more streamlined ways of working, using our estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. HM Courts & Tribunals Service will consider making alternative arrangements for those court users who are unable to travel for exceptional reasons.

## **Value for money**

The operating costs for Bury Magistrates' Court and County Court for 2014-15 were approximately £533,000.

Some responses raised concerns about value for money.

"It is acknowledged that HM Courts & Tribunals Service require the sale of Bury Courthouse to fund the reform programme, however it is also recognised that the Rochdale Magistrates' court building despite having a similar prominent position to that of the Bury courthouse building within the town, has remained on the market since its closure approximately 5 years ago. It is also argued that there is not a market for this type of sale in Bury." (Staff Member)

"The loss of the local court is likely to have serious impact on the economy of the local area. It will undoubtedly mean that local solicitors already impacted by substantial changes to the criminal justice system will have to close" (Solicitor)

HM Courts & Tribunals Service recognises that the closure of the court may impact some people more than others, including those with local businesses. However, we must have due regard to ensure our estate is utilised to deliver justice efficiently and effectively while providing value for money. The close proximity of the receiving courts, their size, good condition and underuse requires consideration as does the significant saving to be made in operating costs by the closure of Bury courthouse.

The disposal of surplus HM Courts & Tribunals Service property is dependent on a number of factors, such as the market, potential future use and location – for example, Rochdale Magistrates' Court closed in December 2011 but its sale was only completed in August 2014. In accordance with central government guidance, the department is required to dispose of its surplus property assets as expeditiously as possible within six months of being declared surplus for housing and within three years for all other properties.

## **Operational efficiency**

The current utilisation rate for Bury Magistrates' Court and County Court is approximately 51%, and does not justify keeping the court open. Manchester and Salford Magistrates' Court and Manchester County Court can absorb this workload, and combining to one location would improve efficiency and enable savings to be made.

Some responses raised concern about operational efficiency.

"Concerns that waiting times for court hearings would increase in light of the reduced courts." (Rochdale Borough Council)

"The number of courts available for listing is what HM Courts & Tribunals Service can afford – in the past 3 years the court has decreased the number of sessions available on numerous times which has impacted on the volume of outstanding work. Trial delays in Bury are currently at 105 days which is over three times the target. The trial blitz helped a bit but since it ended trial delays have continued to increase. It is contended that there is a shortage of trial session in the whole of GM?" (Magistrate)

The courts in Greater Manchester are seeking to reduce trial delays across all sites, recognising that any unnecessary delay must be avoided. At present the delays vary

between sites, in part because of the need to maintain a range of courts at eight sites irrespective of the volume of work. A reduction in the number of courts will permit HM Courts & Tribunals Service to increase the number of trial slots as other business will be listed in a more efficient manner, enabling more resources to be devoted to trial work. The Judicial Business Group (JBG) is currently working to increase the proportion of trials which are effective.

One response suggested that Bury Courthouse is retained and becomes a domestic violence trial centre, increasing the utilisation levels at Bury. Other responses suggested that utilisation could be increased by using it as an overflow Crown Court.

Consideration has been given to these proposals and the possible options to increase the utilisation of the Bury courthouse. However, HM Courts & Tribunals Service needs to reduce the size of its estate. The alternative proposals do not address the underuse of the receiving sites at Manchester and Salford Magistrates' Court and Manchester County Court. Movement of the work to these courts offers the opportunity to make efficiencies while still providing access to justice. The larger buildings will facilitate more flexible and efficient listing of cases and give users more certainty of when their case will be heard.

### **Alternative provision of services**

No alternative venues for hearings were identified in the consultation response as respondents felt a court presence in Bury should be maintained.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Bury Magistrates' Court and County Court will close and its workload will move to Manchester Magistrates' Court and Manchester County Court respectively. Tribunal hearings will move to tribunal hearing centres in Bolton, Rochdale or Manchester, as appropriate.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Bury Magistrates' Court and County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Oldham County Court**

The Lord Chancellor has decided that Oldham County Court will close and its workload will move to Manchester County Court.

A total of 47 responses were received in relation to Oldham County Court. Of these:

- 15 were from HM Courts & Tribunals Service staff
- 12 were from professional users
- eight were from other public sector bodies
- six were from members of the public
- two were from union/staff groups
- one was from a magistrate
- one was from a member of the judiciary
- one was from a Member of Parliament
- one was from an uncategorised stakeholder

Of these responses two were in support of the proposals, whilst 44 were opposed and was one neutral.

## **Access to justice**

Oldham County Court is located eight miles from Manchester County Court, the proposed receiving court. There are regular bus and tram services between Oldham and Manchester city centre.

Many of the responses made reference to access to justice issues, and in particular, the difficulties of travelling into Manchester.

“It is simply not correct that everyone could travel there within an hour. Oldham and Rochdale are deprived areas, over 30% of residents do not own a car. They would be reliant on public transport and it is not possible to travel from the outer boroughs of Oldham, Rochdale and Tameside into the centre of Manchester via public transport in less than hour.” (Family Law Solicitor)

“The borough of Rochdale is spread over a considerable geographic area. The consultation paper assumes that all Oldham court users are from Oldham. There is no acknowledgment of court users outside of the area i.e. Rochdale. It should further be noted that Rochdale residents have already been deprived of both their County and Magistrates’ Court.” (Rochdale Boroughwide Housing Ltd)

“The court serves a very large number of the most vulnerable people in society in relation to housing, bankruptcy and family matters. Such people are generally in receipt of welfare benefits. To expect these people to travel to Manchester to apply for instance, to suspend a warrant of eviction, is unrealistic.” (Staff member)

Whilst HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour, 60% of potential court users in Oldham would be able to travel to Manchester Civil Justice Centre in less than an hour on public transport. There is a regular train, bus and tram service from Rochdale town centre to Manchester city centre. The length of journey does not seem unreasonable bearing in mind the infrequency with which people need to attend court.

Some responses, recognising the need to make financial savings, identified alternative suggestions to those proposed in the consultation document. A number of responses suggested Oldham County Court is moved into the existing Oldham Magistrates' Court building, along with the work of Tameside County Court.

Serious consideration was given to this proposal, however, it does not address the current underuse of Manchester County Court and the need for HM Courts & Tribunals Service to reduce the current and future cost of running the estate and to maximise the capital receipts from surplus buildings for reinvestment. HM Courts & Tribunals Service can realise significant savings by the release of two buildings in Oldham, whilst still providing access to justice.

### **Value for money**

The operating costs included in this document have been updated from those published in July to reflect current prices. The operating costs for Oldham County Court for 2014-15 were approximately £673,000.

Some responses raised concerns about value for money.

“The figure of £666,000 (operating costs) is disputed and is disingenuous. The consultation paper implies that this amount is likely to be saved each year if Oldham County Court closes. What the paper fails to make clear is that there will be ongoing costs for judicial salaries, staff salaries, stationary costs etc irrespective of whether the court stays open or not.” (Staff Member)

“I am sure you are aware of the thousands wasted in the cost of running disused courts and tribunals waiting to be disposed of.” (Debbie Abrahams MP)

We need to reduce the cost of our estate and reinvest the savings to improve the accessibility and facilities in our remaining courts and tribunals. Operating costs quoted in the consultation document do not include costs for staff and judicial salaries and the majority of the operating costs for Oldham County Court would be savings to HM Courts & Tribunals Service. In accordance with central government guidance, the department is required to dispose of its surplus property assets as expeditiously as possible, within six months of being declared surplus for housing and within three years for all other properties. The disposal is however dependent on a number of factors, such as the market, potential future use and location.

### **Operational efficiency**

A utilisation figure of 12% was provided in the Oldham County Court consultation proposal. A number of responses highlighted that work heard in county court chambers and informal hearings rooms should also be considered as part of the overall usage of the court before any final decisions are made and this was raised amongst the responses.

“The 12% utilisation figure is disputed by the staff and management team at Oldham County Court”. (Staff member)

The utilisation figure of 12% was calculated using sitting hours workload data as a share of total court room capacity. HM Courts & Tribunals Service is aware that judges sometimes use chambers and informal rooms to hear county court work and this was not recorded in the workload data for the court. Supplementary data on judicial work held in chambers and informal rooms was therefore considered in addition to the published figure, but utilisation was still below 50% and does not justify keeping the court open. Manchester County Court can absorb the workload from Oldham County Court, and combining the workload in one location will improve efficiency and enable savings to be made.

Other concerns were raised about the capacity of Manchester County Court to cope with the increased work and the impact in terms of delays, customer service and the facilities available.

“Big is not necessarily beautiful and in our experience smaller size goes with greater accountability for efficient service.” (Andrew Wilson, High Court Enforcement Officer)

“Our concern is that we will have to wait longer for our matters to be listed (in Manchester) due to there being an equal number of similar cases issued from the housing providers in other areas.” (Rochdale Boroughwide Housing Ltd)

“Conference rooms at Manchester CJC are at a premium. If rooms will not be available we would have to discuss our cases with defendants or their representatives in public waiting areas which is not ideal.” (Rochdale Boroughwide Housing Ltd)

Several responses also raised concerns about how Manchester County Court would be able to deal with the volume of urgent applications to suspend possession warrants.

The underuse of Manchester County Court offers the opportunity to make efficiencies while still providing access to justice. Larger buildings can facilitate more flexible and efficient listing of cases and give users more certainty of when their case will be heard. There are 76 consultation rooms available in the Manchester Civil Justice Centre and we will work closely with stakeholders to ensure effective use is made of these rooms. HM Courts & Tribunals Service recognises that the volume of urgent applications at Manchester County Court will increase, and we will ensure that arrangements for dealing with this work are reviewed to accommodate the increased demand. Similarly we are committed to working closely with all housing associations and other stakeholders to ensure their work is listed efficiently.

We are looking to modernise our practices and adopt more streamlined ways of working, using our estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. HM Courts & Tribunals Service will consider making alternative arrangements for those court users who are unable to travel for urgent possession cases.

One response suggested that the County Court Money Claims Centre be given High Court District Registry jurisdiction to enable it to process the bulk issue of writs of control. HM Courts & Tribunals Service is aware that this suggestion has been considered previously and was dismissed, however we will undertake to explore this again.

### **Alternative provision of services**

No specific alternative venues in Oldham were identified in the consultation responses as most respondents felt that a court presence should be maintained in the town. There were some positive comments on the future use of technology in respect of video links and suggestions that greater use of telephone conferences could be made for civil procedural hearings.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Oldham County Court will close and the workload will move to Manchester County Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Oldham County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Oldham Magistrates' Court**

The Lord Chancellor has decided that Oldham Magistrates' Court will close and its workload will move to Tameside Magistrates' Court.

A total of 19 responses were received in relation to Oldham Magistrates' Court. Of these:

- six were from other public sector bodies
- four were from professional users
- three were from magistrates
- two were from HM Courts & Tribunals Service staff
- one was from a member of the public
- one was from a Member of Parliament
- one was from an uncategorised stakeholder
- one was from a union/staff group

Of these responses one was in support of the proposals, whilst 17 were opposed and one was neutral.

## **Access to justice**

Oldham Magistrates' Court is located five miles from Tameside Magistrates' Court. There is a frequent bus service between Oldham and Ashton-under-Lyne and Tameside Magistrates' Court.

Some responses made reference to access to justice issues.

“Most residents in these areas don't drive so the guarantee of accessibility within one hour by car won't apply to them. The cost of travel and parking if you have a car will be too heavy a burden proving to be a barrier in terms of court access.” (Oldham Councillor)

“Potentially defendants and witnesses will need to use the same mode of transport and will come into conflict.” (Oldham Councillor)

“Over many decades one of the fundamental principles of justice in the Magistrates' courts is trial by local people. There is a concern that if the closure takes place magistrates will have insufficient knowledge of specific local areas and this will be detrimental to justice.” (Oldham Borough Council)

HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour. The cost of the bus journey between Oldham and Ashton-under-Lyne is £4.20 for a day ticket and takes approximately 20 minutes. HM Courts & Tribunals Service considers the cost and time taken for the journey to be reasonable, bearing in mind the infrequency with which people are required to attend court. The possibility of all parties to a case travelling to court by the same form of public transport is

one that exists at present. If a party to a case is concerned for their safety, the court may consider applications to be represented by other means, such as via video link.

Magistrates are valued members of the judiciary and work well together for the benefit of the communities they serve wherever they are delivering justice. In future, magistrates may cover larger areas than at present, but their collective knowledge of the communities and their judicial experience will enhance the quality of judicial decision making.

Several responses suggested that Oldham County Court and Oldham Magistrates' Court should merge in one building, thus releasing the other.

Consideration has been given to this proposal but it does not address the current underuse of the courts in Greater Manchester and the need for HM Courts & Tribunals Service to reduce the cost of its estate. Whilst we recognise that this suggestion would reduce the size of the estate, greater savings can be realised from the release of two buildings in Oldham.

### **Value for money**

The operating costs for Oldham Magistrates' Court for 2014-15 were approximately £422,000. Large sections of the building are unused and the standard of accommodation is unsatisfactory in public areas. The workload of Oldham Magistrates' Court can be accommodated in Tameside Magistrates' Court without any enabling work.

Some responses raised concerns about value for money.

"It's a false economy to suggest the closures will save money as services such as the police, social care, and other statutory bodies when required to attend court will require more time to do so. There will be a cost implication here and the quality of service will suffer as a result." (Oldham Councillor)

"The proposed closure of Oldham County Court and Magistrates' Court will require Oldham, Bury and Rochdale Council's to source suitable accommodation for Jury inquest cases. This will inflict new financial burdens on the local authorities." (Coroners Office, Rochdale)

HM Courts & Tribunals Service accept that there will potentially be increased costs for other court users, but also efficiencies from agencies dealing with fewer sites. However, we must have due regard to ensure its estate is utilised to deliver justice efficiently and effectively while providing value for money.

### **Operational efficiency**

The current utilisation rate of Oldham Magistrates' Court is very low (approximately 28%) and does not justify keeping the court open. The receiving court can absorb the workload from Oldham Magistrates' Court without any enabling work. Combining the workload in one location would improve efficiency and enable savings to be made.

Some responses raised issues about operational efficiency.

"I seriously doubt that a percentage of those summoned to appear at court in a different township would be capable of finding their way to a court in another township. I strongly suspect this will lead to an increase in failed bail act offences,

which ultimately will result in a greater financial burden upon the MOJ due to the extra administration which will be necessary to provide enforcement.” (Magistrate)

“Magistrates’ will be forced to travel and this will cause some to leave.” (Magistrate)

Whilst HM Courts & Tribunals Service accepts that defendants who arrive late or fail to attend increase delays, there is no evidence that this increases significantly with the distance travelled.

The resignation of any magistrate in response to this consultation would be greatly regretted; magistrates are at the core of the Criminal Justice System and their collective judicial experience enhances the quality of judicial decision making. HM Courts & Tribunals Service therefore hope that the vast majority of magistrates will continue to serve the community.

### **Alternative provision of services**

No suggestions about alternative provision of services were received.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Oldham Magistrates’ Court will close and its workload will move to Tameside Magistrates’ Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Oldham Magistrates’ Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Stockport Magistrates' Court and County Court**

The Lord Chancellor has decided that Stockport Magistrates' Court and County Court will be retained and, after taking into account all the responses received, the workload of Macclesfield Magistrates' Court, Macclesfield County Court and work from the High Peak area of Buxton Magistrates' Court and County Court be moved to Stockport. Stockport courthouse will be retained as a tribunal hearing venue. Family public law (care) work from Macclesfield and Buxton will however move to Manchester County Court, where all public law work is conducted for Greater Manchester.

A total of 80 responses were received in relation to Stockport Magistrates' Court and County Court. Of these:

- 33 were from members of the public
- 16 were from professional users
- eight were from magistrates
- six were from other public sector bodies
- five were from Members of Parliament
- four were from HM Courts & Tribunals Service staff
- three were from members of the judiciary
- three were from uncategorised stakeholders
- two were from union/staff groups

Of these responses three were in support of the proposals, whilst 76 were opposed and one was neutral.

There was significant media interest in this proposal, including two petitions which attracted over 700 signatures in opposition to the closure of the court.

### **Access to justice**

Stockport Magistrates' Court and County Court is located eight miles from Manchester and Salford Magistrates' Court and Manchester County Court. There are regular bus and train services from Stockport to Manchester city centre.

Many of the responses received make alternative proposals, with a large number suggesting that the courthouse in Stockport is retained and that it should accommodate the work from Macclesfield Magistrates' Court, Macclesfield County Court and Buxton Magistrates' Court and County Court.

There were a number of other concerns in relation to access to justice.

"Whilst one cannot deny that some courts are underused, financial considerations should not be the only driver for reform. Providing local justice should be the overriding consideration and the proposal to close Stockport court will leave a void..."

no magistrates' court between Manchester city and Chesterfield as Macclesfield and Buxton courts are also subject to closure considerations." (Magistrate)

"I believe that court users living and working to the south of Manchester including North East Cheshire will be disproportionately disadvantaged in their ability to access the services..... serious consideration should be given to keeping Stockport open and moving Macclesfield work there rather than to Crewe." (Magistrate)

"We have built positive working relationships with all courthouse staff ... to support clients at a very difficult time - we are very concerned that this victim centred approach will be lost if Stockport courthouse closes and will place our clients at further risk" (Stockport Without Abuse)

Contained in the original consultation document were proposals to close Macclesfield County Court and Macclesfield Magistrates' Court and transfer their workload to Manchester County Court and Crewe Magistrates' Court respectively. In addition there was a proposal to close Buxton Magistrates' Court and County Court and transfer it's workload to Chesterfield Magistrates', County and Family Courts. HM Courts & Tribunals Service accepts that these closures, together with that of Stockport Magistrates' Court and County Court, would create a large geographical area without a court.

HM Courts & Tribunals Service therefore consider that to transfer the civil and criminal work from Macclesfield and the High Peak area of Buxton to Stockport Magistrates' Court and County Court would provide court facilities to cover east Cheshire, north Derbyshire and south Manchester, whilst also increasing the utilisation rate at the courthouse in Stockport.

### **Value for money**

The operating costs for Stockport Magistrates' Court and County Court for 2014-15 were approximately £887,000.

Some responses raised concerns about value for money.

"The proposals do not evidence value for money and will have a significantly negative impact on the wider public purse." (Stockport Council)

"This building had a £1million pound facelift as recently as 2010 and it would be an unprofitable and unwise waste of taxpayers' money to close this resource." (Local individual)

"Stockport Magistrates' Court regularly runs a successful Problem Solving court, this saves many thousands of pounds for the Ministry of Justice. This is achieved by diverting offenders towards rehabilitation with the aid of probation services rather than sending them to prison". (Local individual)

HM Courts & Tribunals Service needs to reduce the cost of its estate and reinvest the savings. However, full consideration also needs to be given to ensure access to justice is maintained and, whilst HM Courts & Tribunals Service recognises the close proximity and the suitability of the receiving courts, we feel to retain the courthouse in Stockport and transfer the work from Buxton Magistrates' Court and County Court, Macclesfield County Court and Macclesfield Magistrates' Court will provide sufficient court presence to cover this large geographical area.

## **Operational efficiency**

The current utilisation rate of Stockport Magistrates' Court and County Court is approximately 54%.

“There is potential for a higher number of offenders failing to attend court leading to an increase in the number of adjournments and police time to action breaches on these cases.” (Stockport Council)

“There are grave concerns in respect of how Manchester and Salford court will deliver within these proposals and in particular around how they could manage the business demands and space within the court to deliver an effective and efficient service that meets the needs of local service operations.” (Stockport Council)

HM Courts & Tribunals Service accepts that defendants who fail to attend can increase delays and sometimes cause adjournments. However, there is no evidence that this increases significantly with the distance travelled.

Larger buildings can facilitate more flexible and efficient listing of cases and give users more certainty of when their case will be heard. Whilst HM Courts & Tribunals Service recognise the underuse of the proposed receiving sites, Manchester and Salford Magistrates' Court and Manchester County Court, we felt the requirement for a court presence covering the area of east Cheshire, north Derbyshire and south Manchester outweighed this and justifies the retention of Stockport Magistrates' Court and County Court at this time.

## **Alternative provision of services**

No alternative venues for provision of services were identified in the responses to the consultation. The majority of responses felt it was important to maintain a court presence in Stockport.

## **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided to retain Stockport Magistrates' Court and County Court. Tribunal hearings will continue to be heard in Stockport courthouse.

## **Tameside County Court**

The Lord Chancellor has decided that Tameside County Court will close and its workload will move to Manchester County Court.

A total of 10 responses were received in relation to Tameside County Court. Of these:

- two were from HM Courts & Tribunals Service staff
- two were from members of the public
- two were from professional users
- one was from a member of the judiciary
- one was from another public sector body
- one was from an uncategorised stakeholder
- one was from a union/staff group

Of these responses two were in support of the proposals, whilst seven were opposed and one was neutral.

## **Access to justice**

Tameside County Court is located seven miles from Manchester County Court. There are regular bus, train and tram services from Ashton-under-Lyne to Manchester city centre.

All of the responses referred to access to justice issues. In particular, the travel times from the outlying areas of the court's jurisdiction and the cost of travel for defendants caused concern, notably in relation to housing matters.

"The figures given in the in [sic] the consultation documents for inward travel from Ashton are unfortunately rather disingenuous, as only those court users who live in the town of Ashton will actually choose to get the tram at Ashton." (District Judge)

"The impact will be on our tenants, many of whom are already being stretched financially as a result of changes to the welfare benefit system. There will now be a requirement for these tenants to make travel arrangements by public transport into Manchester. This is relatively straightforward for tenants living close to rail links, but for those tenants with no immediate rail links, living north, east or south of Ashton (and therefore off the metrolink service) will be required to catch buses or walk to train stations to start the journey." (New Charter Housing Trust Ltd)

"It is ridiculous to continue with Tameside County Court when there is a large court centre in Manchester which is only a short distance away that can absorb both the work and the staff of Tameside County Court and can deal with customers effectively and which will do the work much more efficiently.... On the odd occasion that any member of the public needs to attend court it is not unreasonable for them to attend the court in Manchester." (Local individual)

Travel times included in the consultation document were based on travel from the centre of Ashton-under-Lyne to the centre of Manchester and were provided as a guide only. HM

Courts & Tribunals Service acknowledges and accepts that some individuals will have further to travel to get to the centre of Ashton and also from bus, train or tram stops to get to the Civil Justice Centre in Manchester. However, 82% of potential court users from Tameside are able to travel to Manchester city centre by public transport in less than an hour, at a cost of between £4 and £6. We are also mindful of the infrequency with which people need to attend court, and accordingly we do not consider the cost or the time involved to be unreasonable.

We are looking to modernise our practices and adopt more streamlined ways of working, using our estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. HM Courts & Tribunals Service will, for example, explore the use of the courthouses in Stockport and Tameside for those court users who are unable to travel for exceptional reasons.

### **Value for money**

The operating costs included in this document have been updated from those published in July to reflect current prices. The operating costs for Tameside Courthouse (Magistrates' and County Court) for 2014-15 were approximately £572,000. As explained in the consultation document, the proposal is to retain Tameside Courthouse and move the work of Oldham Magistrates' Court into the space created by the closure of Tameside County Court.

One response raised issues about value for money.

"I do not accept that the cost of running Tameside County Court is £566,000 per annum as it occupies a small office space and only 2 courts. Such a closure would be a false economy upon the tax payer and the closure would impact on the businesses in the town of Ashton-under-Lyne." (Individual)

The operating costs of approximately £572,000 are in respect of Tameside Courthouse and not just the County Court jurisdiction. HM Courts & Tribunals Service needs to reduce the cost of its estate and reinvest the savings in improving its existing courts and tribunals. The closure of Tameside County Court will create space to accommodate the workload from Oldham Magistrates' Court, making savings in operating costs in addition to the potential proceeds of sale from the freehold building. The close proximity of Manchester County Court, its size, good condition and underuse also has to be taken into account.

Although the proposal would result in the county court workload from Tameside being relocated to Manchester, the impact on local businesses in Ashton-under-Lyne would be minimal, if at all, as the courthouse would accommodate additional workload from the closure of Oldham Magistrates' Court.

### **Operational efficiency**

The current utilisation rate of Tameside Courthouse is low (approximately 44%). The closure of Oldham Magistrates' Court and the transfer of the workload will improve the listing efficiencies at Tameside Courthouse. Manchester County Court is underused and can absorb the workload from Tameside County Court. Combining the workload to one location would improve efficiency and enable savings to be made.

Some responses made comments on operational efficiency.

“...practitioners who are habitually before the County Court in Manchester have already raised concerns that the Court is operating at or near capacity. There is therefore a concern that matters will be delayed should they be dealt with at Manchester rather than Tameside.” (New Charter Housing Trust)

“Some courts are very small and are totally inefficient. My local court, Tameside County Court, is a case in point..... there is no need whatsoever for expensive inefficient courts like Tameside County Court to remain open.” (Local individual)

“Tameside County Court is a valuable local resource....but I would be in difficulty making a case for viability on current apparent workload as reflected in actual hearings.” (District Judge)

During 2014-15, the Civil Justice Centre in Manchester was utilised at approximately 44% of its capacity. This underuse offers the opportunity to make efficiencies whilst still providing access to justice. Larger buildings will facilitate more flexible and efficient listing of cases and give users more certainty of when their case will be heard. HM Courts & Tribunals Service is committed to working closely with all housing associations and other stakeholders to ensure their work is listed efficiently.

### **Alternative provision of services**

No suggestions were made as to alternative provision of services.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Tameside County Court will close and its workload will move to Manchester County Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Tameside County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Trafford Magistrates' Court and Altrincham County Court**

The Lord Chancellor has decided that Trafford Magistrates' Court and Altrincham County Court will close and its workload will move to Manchester and Salford Magistrates' Court and Manchester County Court respectively.

A total of 11 responses were received in relation to Trafford Magistrates' Court and Altrincham County Court. Of these:

- four were from professional users
- two were from members of the public
- one was from HM Courts & Tribunals Service staff
- one was from a Member of Parliament
- one was from another public sector body
- one was from an uncategorised stakeholder
- one was from a union/staff group

Of these responses two were in support of the proposals, whilst eight were opposed and one was neutral.

### **Access to justice**

Trafford Magistrates' Court and Altrincham County Court are co-located in Sale and are approximately five miles from the proposed receiving courts, Manchester and Salford Magistrates' Court and Manchester County Court. There are regular bus and tram services from Sale to Manchester city centre.

The responses received included references to access to justice issues.

"If both Trafford and Stockport were to close then there would be no court facility in the south of Manchester. This would adversely impact the delivery of local justice and put a heavy burden on court users." (Graham Brady MP)

"Trafford Council is of the view that access to justice is paramount. For justice to be delivered fairly, it should be delivered locally to those who are required to attend court." (Trafford Council)

Whilst HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach the courts in Manchester, 79% of potential court users in Altrincham will be able to travel to the court by public transport in less than an hour. We are also mindful of the infrequency with which people need to attend court. The decision to retain Stockport Magistrates' Court and County Court will ensure there is a court presence in the south of Manchester.

## **Value for money**

The operating costs for Trafford Courthouse for 2014-15 were approximately £595,000.

The responses received included concerns about value for money.

“The proposed closure of Trafford Magistrates’ Court does not appear to represent a particularly significant financial saving.” (Trafford Borough Council)

“Trafford Courthouse occupies an excellent site which on disposal should realise a significant benefit to the taxpayer.” (Local individual)

HM Courts & Tribunals Service needs to reduce the cost of its estate and reinvest the savings whilst maintaining access to justice. As well as being in relative close proximity, Manchester and Salford Magistrates’ Court and Manchester County Court have the capacity to absorb the workload from Trafford Magistrates’ Court and Altrincham County Court.

## **Operational efficiency**

During 2014-15, Trafford Courthouse was utilised at approximately 27% of its capacity. This is very low and does not justify keeping the court open. Manchester and Salford Magistrates’ Court and Manchester County Court are able to absorb the workload of Trafford Courthouse, and combining the workload to one location will improve efficiency and enable savings to be made.

The responses included reference to operational efficiency.

“My recent experience of Trafford Magistrates’ Court is that it is an inefficient and underutilised resource.” (Local individual)

“Given the number of cases we bring before the court on an annual basis, we are concerned that there will simply not be the capacity for Manchester and Salford Magistrate’s Court to absorb and have the capacity to deal with our cases in an efficient manner.” (Trafford Borough Council)

The underuse of the receiving courts in Manchester offers the opportunity to make efficiencies whilst still providing access to justice. Larger buildings can facilitate more flexible and efficient listing of cases and give users more certainty of when their case will be heard. HM Courts & Tribunals Service will work closely with all stakeholders to ensure the smooth transition of their work to the receiving court.

## **Alternative provision of services**

Trafford Council suggested the use of the following buildings as alternatives to court: Altrincham Town Hall, Sale Waterside and Trafford Town Hall. Whilst HM Courts & Tribunals Service is grateful to Trafford Council for their suggestions, the close proximity to Manchester City Centre and good transport links between Trafford and Manchester indicate that future use of these buildings will not be necessary.

## **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Trafford Magistrates' Court and Altrincham County Court will close and their workload will move to Manchester and Salford Magistrates' Court and Manchester County Court.

## **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Trafford Magistrates' Court and Altrincham County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Cheshire and Merseyside**

### **Macclesfield County Court**

The Lord Chancellor has decided that Macclesfield County Court will close and after taking into account all the responses received, its workload will move to Stockport County Court instead of Manchester County Court as originally proposed. Public law (care) work currently listed in Macclesfield will however, move to Manchester County Court where all family public law (care) work is conducted for Greater Manchester.

A total of 25 responses were received in relation to Macclesfield County Court. Of these:

- 10 were from members of the public
- four were from other public sector bodies
- four were from professional users
- two were from magistrates
- two were from Members of Parliament
- one was from a criminal justice system partner
- one was from HM Courts & Tribunals Service staff
- one was from a union/staff group

Of these responses one was in support of the proposals, whilst 24 were opposed.

### **Access to justice**

Some of the responses referred to access to justice issues, highlighting the difficulties of travel time and cost to Manchester and the ability for customers to lodge applications.

“There are also concerns that customers may not lodge an appeal hearing due to difficulties reaching the court for a hearing and this could lead to an increase in evictions and more people losing their homes. People may also have difficulty raising the funds to pay for additional travel costs.” (Peaks and Plain Housing Trust)

“With regards to the Impact Assessment, members thought that much of the ‘evidence’ regarding travel is dubious and specifically ignores the impact on people from outside Macclesfield town.” (Poynton with Worth Town Council)

“My main concern is the impact on vulnerable court users in my constituency and the costs which the proposals impose on Cheshire East Council and the local housing association.” (Fiona Bruce MP)

Travel times quoted in the consultation document were approximations based on the journey from Macclesfield town centre to Manchester city centre, and were intended as a guide only. HM Courts & Tribunals Service has already established alternative ways users can interact with our services and we are looking to expand these provisions to provide more choice than is currently available.

We are looking to modernise our practices and adopt more streamlined ways of working, using our estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. HM Courts & Tribunals Service will consider making alternative arrangements for those court users who are unable to travel for exceptional reasons.

A number of responses suggested an alternative proposal to combine Macclesfield County Court and Macclesfield Magistrates' Court, thereby retaining a court presence in the town.

This alternative proposal has been considered. To retain the county court building would require significant enabling works to accommodate the magistrates' court – for example, for the creation of cells and secure courtrooms. To retain the magistrates' building is not viable as the building is of a poor standard in some areas and does not comply with the Equality Act 2010. The combining of the two jurisdictions into one building does not provide an opportunity to gain listing efficiencies, which would be possible if the work was moved to a larger single jurisdiction building. HM Courts & Tribunals Service needs to reduce the current and future cost of running the estate and to maximise the capital receipts from surplus estate for reinvestment. This alternative proposal would not release two buildings in Macclesfield and save the associated ongoing operating costs.

A number of responses highlighted travel difficulties from the outlying Macclesfield areas to Manchester, and there was a suggestion to move the workload to Stockport County Court.

“The “extensive” Metrolink does not reach any part of Stockport, and is of no use to people from Poynton or Stockport travelling to Manchester.” (Poynton with Worth Town Council)

“Moving the Macclesfield court business to Stockport would provide local and accountable justice and value for money.” (PCS)

Having reviewed all the responses and alternative proposals submitted, the Lord Chancellor has decided to retain Stockport Magistrates' Court and County Court and to transfer the workload of Macclesfield County Court to Stockport. This will provide better access to justice to Macclesfield court users, as 64% of potential court users can travel to Stockport in an hour or less. Macclesfield County Court is approximately 12 miles from Stockport and there are regular bus and train services between the two towns. Family public law (care) work from Macclesfield County Court will move to Manchester County Court, where all public law is conducted for Greater Manchester.

### **Value for money**

The operating costs of Macclesfield County Court for 2014-15 were approximately £278,000.

A concern was raised about value for money.

“The lease at Macclesfield County Court is not due to expire until 2020 with a get out clause in 2017. It would not make financial sense to close it until then as the rent would still need to be paid.” (Individual)

HM Courts & Tribunals Service has due regard to ensure its estate is utilised to deliver justice efficiently and effectively whilst providing value for money. The opportunity to exit

within the current lease arrangements for Macclesfield County Court will be given due consideration.

### **Operational efficiency**

During 2014-15, Macclesfield County Court was utilised at approximately 45% of its capacity which does not justify keeping the court open.

One response made reference to operational efficiency.

“The utilisation figures do not show an accurate reflection of utilisation. Macclesfield District Judges allocation has been reduced making it impossible to use Courtrooms fully if there is no Judge made available to sit.” (Local individual)

There is no evidence to suggest that sitting days at Macclesfield County Court have been reduced. In fact, from 2011-12, the number of days allocated to Macclesfield County Court have increased year on year but this does not detract from the low utilisation of the court building.

### **Alternative provision of services**

Although positive comments were made in respect of the use of civic buildings and the future use of technology, no alternative venues were identified in the responses to the consultation.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Macclesfield County Court will close and its workload will move to Stockport County Court, with the exception of family public law (care) work which will move to Manchester County Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Macclesfield County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Macclesfield Magistrates' Court**

The Lord Chancellor has decided that Macclesfield Magistrates' Court will close and after taking into account all the responses received its workload will move to Stockport Magistrates' Court instead of Crewe Magistrates' Court as originally proposed.

A total of 23 responses were received which related to Macclesfield Magistrates' Court. Of these:

- seven were from members of the public
- five were from magistrates
- four were from other public sector bodies
- two were from criminal justice system partners
- two were from professional users
- one was from HM Courts & Tribunals Service staff
- one was from a Member of Parliament
- one was from a union/staff group

Of these responses one was in support of the proposals, whilst 21 were opposed and one was neutral.

### **Access to justice**

Many of the responses referred to access to justice issues. The main concerns are that Macclesfield would be without a court and the journey to Crewe is long and costly.

“This has raised concerns about the access to justice available for local residents, if the proposals were to proceed. For example 38% of Macclesfield Magistrates' Court bus users would have to leave home between 7.30am and 8.00am to be in Crewe Court house for 10.00am.” (David Rutley, MP)

“These proposals may result in defendants, victims and witnesses, having to travel at the same time, using the same public transport.” (Macclesfield Town Council)

“The local bench are drawn from the local community; they know the area, its problems and the characteristics of the population. This would be less so if the Courts were concentrated at Crewe.” (Macclesfield Civic Society)

HM Courts & Tribunals Service recognise the challenges that travelling to Crewe could raise, and given the responses (with travel times a key theme), has concluded that keeping the courthouse in Stockport open and moving Macclesfield work there is a more effective option.

The possibility of all parties to a case travelling to court by the same form of public transport is one that exists at present. If a party to a case is concerned for their safety, the court may consider applications to be represented at court other than by personal attendance. However, we consider the options for travel and the frequency of public

transport between Macclesfield and Stockport is likely to reduce the impact of parties travelling to court by the same public transport.

Magistrates are valued members of the judiciary and work well together for the benefit of the communities they serve, wherever they are delivering justice. In future, magistrates may cover larger areas than at present but their collective knowledge of the communities and their judicial experience will enhance the quality of judicial decision making.

The South and East Cheshire Magistrates' Bench provided a proposal to create a Justice Centre in Macclesfield located within the current magistrates' court building, to incorporate Macclesfield County Court, Macclesfield Magistrates' Court and some of Buxton Magistrates' Court workload. This alternative proposal was supported by a number of respondents.

HM Courts & Tribunals Service has considered this proposal. The combining of the county and magistrates' jurisdictions into one building will not provide an opportunity to gain listing efficiencies. The Macclesfield Magistrates' Court building is of a poor standard in some areas and does not comply with the Equality Act 2010. HM Courts & Tribunals Service has to reduce the size of its estate and retaining one of the court buildings in Macclesfield does not address this issue.

Having reviewed all the responses and alternative proposals, particularly those in relation to Stockport courthouse, the Lord Chancellor has decided to retain Stockport Magistrates' Court and County Court and to increase the utilisation of this venue by transferring the workload from Macclesfield Magistrates' Court. Approximately 12 miles away, the courthouse in Stockport is closer to Macclesfield than the originally proposed receiving court in Crewe. There are regular bus and train services between Macclesfield and Stockport, and 64% of users are able to make this journey in an hour or less.

### **Value for money**

The operating costs for Macclesfield Magistrates' Court for 2014-15 were approximately £122,000.

Some responses raised concerns about value for money.

“Macclesfield Magistrates' Court was completely refurbished as recently as 2011 at a cost of £568,000. At the time, HMCTS clearly believed that the building had a future.” (South and East Cheshire Magistrates)

In 2011 some refurbishment work was carried out in Macclesfield Magistrates' Court to address security issues and essential maintenance works. The building currently has limited capacity for extension and is of a poor standard in some areas. The closure of Macclesfield Magistrates' Court and transfer of the work to the courthouse in Stockport can be achieved without any enabling works at the receiving site.

### **Operational efficiency**

The current utilisation rate is low (44%) which does not justify keeping the court open.

Responses raised the following issues around operational efficiency.

“It is essential that if the above closures are to take place that HMCTS provide adequate capacity within the court system, both in terms of court space and time, to

ensure the efficiency of justice in Cheshire is not compromised and victims receive swift justice.” (Police & Crime Commissioner for Cheshire)

“The building doesn’t meet the minimum standards as laid out by the Security and Safety manual only having one dock and cell capacity issues.” (Staff Member)

HM Courts & Tribunals Service needs to reduce its reliance on buildings with poor facilities and to remove from the estate buildings that are difficult and expensive either to improve or upgrade. The retention of Stockport Magistrates’ Court and County Court offers the opportunity to combine the workload to one larger location, facilitating greater flexibility and efficient listing of cases whilst providing access to justice. The courthouse in Stockport can absorb the workload from Macclesfield Magistrates’ Court without any enabling works being required.

### **Alternative provision of services**

No alternative provision has been suggested for HM Courts & Tribunals Service to consider.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Macclesfield Magistrates’ Court will close and its workload will move to Stockport Magistrates’ Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Macclesfield Magistrates’ Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Runcorn (Halton) Magistrates' Court**

The Lord Chancellor has decided that Runcorn (Halton) Magistrates' Court will close and its workload will move to Warrington Magistrates' Court. This decision forms part of the plan to relocate Warrington Magistrates' Court to Warrington Combined Court Centre. Tribunals work currently heard in Runcorn (Halton) Magistrates' Court will move to St Helens County Court.

A total of 12 responses were received in relation to Runcorn (Halton) Magistrates' Court. Of these:

- two were from HM Courts & Tribunals Service staff
- two were from members of the judiciary
- two were from magistrates
- one was from a criminal justice system partner
- one was from a member of the public
- one was from a Member of Parliament
- one was from another public sector body
- one was from a professional user
- one was from a union/staff group

Of these responses, one was in support of the proposals whilst 11 were opposed.

### **Access to justice**

Runcorn (Halton) Magistrates' Court is located approximately 10 miles from Warrington Combined Court. There are regular bus and train services between Runcorn and Warrington town centre.

Some responses made reference to access to justice issues.

"Closing the Runcorn Court will leave my constituency without any access to courts locally." (Derek Twigg MP)

"As things stand, the majority of work is heard at Halton, with Warrington mainly reserved for road traffic cases from the whole of Cheshire. At present therefore, defendants from the Warrington area have to travel to Halton for court hearings. Under the proposal, this process would simply be reversed, and defendants from the Halton area would travel to Warrington." (North Cheshire Bench)

"Our appellants all have health problems, many of which make travelling difficult." (Tribunals Regional Medical Member)

Some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour. However, 70% of potential court users in Runcorn can travel to Warrington in an hour or less by public transport. We

consider this to be reasonable bearing in mind the infrequency with which people need to attend court.

HM Courts & Tribunals Service have taken into account all the responses received in relation to the tribunal hearings currently listed in Runcorn. These hearings will move to St Helens County Court, however, we will explore alternative provision for tribunal users who may find it difficult to travel.

One response provided an alternative suggestion:

“We feel a better use of resources and protection of the public purse would be to re-house the staff of North Cheshire Magistrates’ within Runcorn Magistrates’ building.”  
(Staff member)

This alternative proposal has been considered. Closing Runcorn (Halton) Magistrates’ Court and moving its workload to Warrington Combined Court will enable HM Courts & Tribunals Service to establish the creation of a single centre for crime in Warrington. The suggestion to relocate Warrington Magistrates’ Court to Runcorn (Halton) Magistrates’ Court would not achieve this or realise the associated benefits. The proposal would also fail to release the same number of properties from HM Courts & Tribunals Service estate.

### **Value for money**

The operating costs for Runcorn (Halton) Magistrates’ Court for 2014-15 were approximately £353,000.

One response raised a concern about value for money.

“We accept the proposal to relocate all Magistrates’ criminal work to one site will cut costs to HMCTS. However to gain the income from sales of estates it is necessary to sell the empty buildings. Runcorn Magistrates’ is housed in a building that would have extremely poor resale prospects” (Staff Member)

In accordance with central government guidance, HM Courts & Tribunals Service is required to dispose of its assets as expeditiously as possible, within six months of being declared surplus for housing and within three years for all other properties. The disposal is however dependent on a number of factors, such as the market, potential future use and location.

HM Courts & Tribunals Service needs to reduce the size of its estate and reinvest the savings. There is an opportunity to create a single centre for crime in Warrington, which includes the work from Runcorn (Halton) Magistrates’ Court and will release three buildings from the estate.

### **Operational efficiency**

Runcorn (Halton) Magistrates’ Court is currently utilised at approximately 66%.

Some responses raised concerns about operational efficiency.

“The proposals do not seem to adequately address provision for emergency applications. There is concern that the reduced number of court sessions and the increased competition from neighbouring authorities and other agencies using the

single regional court facility will mean emergency/urgent access to Magistrates is significantly reduced.” (Halton Borough Council)

There are existing arrangements to facilitate the administration of urgent applications from local authorities and any changes made to court provision will not detrimentally impact access to a magistrate for such applications. HM Courts & Tribunals Service will continue to work with all its stakeholders to consider alternative options for the submission of urgent applications to a magistrate.

The opportunity to combine the work of Runcorn (Halton) Magistrates’ Court with Warrington Magistrates’ Court will create a single centre for crime in Warrington, enabling HM Courts & Tribunals Service to make efficiencies while still providing access to justice. Larger buildings can facilitate more flexible and efficient listing of cases and give users more certainty of when their case will be heard. The receiving court can absorb the workload from Runcorn (Halton) Magistrates’ Court without any enabling works.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Runcorn (Halton) Magistrates’ Court will close and its workload will move to Warrington Magistrates’ Court. This decision forms part of the plan to relocate Warrington Magistrates’ Court to Warrington Combined Court Centre. Tribunal hearings will move to St Helens County Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Runcorn (Halton) Magistrates’ Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **St Helens Magistrates' Court and County Court**

The Lord Chancellor has decided that St Helens Magistrates' Court will close and its workload will move to Liverpool and Knowsley Magistrates' Court, located in the single centre for crime at the QEII Law Courts in Liverpool.

The Lord Chancellor has decided that St Helens County Court will be retained, and after taking into account all the responses received some of the workload of Warrington County Court, tribunal hearings from Warrington County Court and Runcorn (Halton) Magistrates' Court will move to St Helens County Court.

A total of 37 responses were received in relation to St Helens Magistrates' Court and County Court. Of these:

- 10 were from members of the public
- 9 were from professional users
- 5 were from HM Courts & Tribunals Service staff
- 5 were from members of the judiciary
- 2 were from magistrates
- 2 were from Members of Parliament
- 2 were from other public sector bodies
- 1 was from a criminal justice system partner
- 1 was from a union/staff group

Of these responses one was in support of the proposals, whilst 35 were opposed and one was neutral.

There was significant press interest in this proposal, including a petition from a member of public which attracted over 1170 signatures and an online petition which contained the names of nearly 350 people who opposed the closure of St Helens Magistrates' Court and County Court.

### **Access to justice**

St Helens Magistrates' Court and County Court is located approximately 14 miles from Liverpool and Knowsley Magistrates' Court.

Many of the responses referred to access to justice.

"The cost of extra travel will also have an impact on vulnerable people's ability to access justice." (Colin McGinn MP)

"It is highly likely that the perpetrator will be on the same train/bus for the return hearing and any subsequent hearings given the parties are listed to attend court at the same time. Again this would deter many victims from pursuing protection via the court." (Haygarth Jones Solicitors)

“The idea that Magistrates’ should be ‘local’ derives from the fact that Magistrates’ are drawn from the area and, until the Courts Act 2003, had to live within 15 miles of their commission area. Generally, Magistrates’ will have a knowledge and understanding of their area, including the more deprived areas.” (Staff Member)

St Helens is well served by public transport with a direct rail and bus service between the town and Liverpool. The cost of a peak time return train ticket is £5.70, and the travel time is approximately 35 minutes. There is a frequent bus service between the two locations. A day ticket costs £5.00 and the travel time is approximately one hour. The journey time by a car is approximately 45 minutes.

Whilst HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour, we are mindful of the infrequency with which people need to attend court.

The possibility of all parties to a case travelling to court by the same form of public transport is one that exists at present. If a party to a case is concerned for their safety, the court may consider applications to be represented at court other than by personal attendance. However, we consider the options for travel and the frequency of public transport services between St Helens and Liverpool is likely to reduce the impact of parties travelling to court by the same form of public transport.

HM Courts & Tribunals Service recognise that magistrates are valued members of the judiciary and work well together for the benefit of the communities they serve wherever they are delivering justice. In future, magistrates may cover larger areas than at present but their collective knowledge of the communities and their judicial experience will enhance the quality of judicial decision making.

There were a number of alternative proposals for retaining St Helens Magistrates’ Court and County Court, which included transferring the work of Warrington County Court to St Helens Courthouse, instead of Liverpool and Manchester.

“The authors suggest with minimal adaptation the work of the Warrington County Court should be moved into the St Helens Courthouse.” (District Judges)

“The Society therefore recommends that St Helens Magistrates’ Court and County Court remains open. St Helens could be used as an alternative venue for cases from Warrington County Court should that court be closed.” (The Law Society)

HM Courts & Tribunals Service considered the proposal to retain St Helens Magistrates’ Court and County Court and move Warrington County Court workload to St Helens. However, there is insufficient capacity to accommodate the magistrates’ court work in addition to the workload of St Helens County Court, Warrington County Court and Tribunals.

Having reviewed all the responses and alternative proposals put forward for Cheshire and Merseyside, the Lord Chancellor has decided to retain St Helens County Court and transfer some of the work of Warrington County Court to St Helens. This will allow HM Courts & Tribunals Service and its customers, located in this area of Cheshire and Merseyside, to benefit from the creation of a single civil, family and tribunals centre and the associated efficiencies. In addition, criminal court users will benefit from the creation of a single centre for crime in Warrington.

Consequently, St Helens Magistrates' Court will close and its workload will move to the QEII Law Courts, Liverpool's Single Centre for Crime. Combining the workload to one location will improve efficiency and enable savings to be made for reinvestment.

### **Value for money**

The operating costs for St Helens Magistrates' Court and County Court for 2014-15 were approximately £284,000.

Some responses raised concerns about value for money.

"St Helens Courthouse opened on 2<sup>nd</sup> July 2012 following a £1.7 million refurbishment of the Magistrates' Court building. The project included the relocation of St Helens County Court from Rexmore House to the newly renovated and modernised building which now conducts both criminal and civil hearings."  
(Solicitors)

"I understand that in order to meet demands in the current economic environment and changes in workload that such changes are necessary and therefore support this" (Merseyside Police)

In 2012, £1.7million was spent to integrate St Helen's County Court into St Helens Courthouse, creating one court building for the two jurisdictions, as part of HM Courts & Tribunals Service's continual review of its estate. The workload of St Helens Magistrates' Court can be accommodated in Liverpool's single centre for crime without enabling works. The decision to retain St Helens County Court and close St Helens Magistrates' Court supports the strategy to create a single civil, family and tribunals centre in St Helens and enables the release of three buildings in Warrington and Runcorn.

### **Operational efficiency**

The consultation document stated the courtroom utilisation rate for St Helens Magistrates' Court and County Court was approximately 62%. This was incorrect as the utilisation data was incomplete. The utilisation rate for 2014-15 for St Helens Magistrates' Court and County Court has been recalculated to include the missing data and verified by MoJ Analytical Services. The revised utilisation figure has been confirmed at 64%.

It was stated in the consultation document that there were five courtrooms and two hearing rooms in St. Helens Magistrates' Court and County Court. This was incorrect. The courthouse has three courtrooms and two hearing rooms.

HM Courts & Tribunals Service apologise for these errors.

Some responses referred to operational efficiency:

"Even allowing for a settling in period, the relocation of Liverpool & Knowsley Magistrates' Court, together with the implementation of the Merseyside SDV Panel at the QEII, has caused serious accommodation and performance problems. Any additional delay to hearing times and trials not only damages efficiency but, more importantly it has serious consequences for victims and witnesses, affecting the accuracy and therefore the value of their evidence." (St Helens Magistrates Bench)

"In recent reorganisations within Merseyside the limiting factor on court capacity has been a lack of court cell space for defendants who pose a risk. Moving further work

to the Liverpool and Knowsley Magistrates' Court at Liverpool can only exacerbate this situation. The contingency plan would be to move cases to other courts with spare cell capacity i.e. Wirral." (Merseyside Police)

HM Courts & Tribunals Service is confident that there is sufficient capacity in Liverpool and Knowsley Magistrates' Court to absorb the workload of St Helens Magistrates' Court. The introduction of the Single Justice Procedure in 2016, together with the listing efficiencies of a larger centre and the changes as a result of the Criminal Justice Efficiency Programme, will improve the throughput of cases, giving users more certainty of when their cases will be heard.

HM Courts & Tribunals Service acknowledge that there may be some pressure on cell space within Liverpool QEII building, and we will continue to work with stakeholders to ensure effective management of the cells.

### **Alternative provision of services**

No specific alternative venues in St Helens were identified in the consultation responses as respondents felt that a court presence should be maintained in the town. There were some positive comments on the future use of technology in respect of video links and suggestions that greater use of telephone conferences could be made for civil procedural hearings. Whilst we have already established alternative ways users can interact with our services, we are looking to expand these provisions to provide more choice than is currently available.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that St Helens Magistrates' Court will close and its workload will move to Liverpool and Knowsley Magistrates' Court.

The Lord Chancellor has decided to retain St Helens County Court and move the workload of Warrington County Court and tribunal hearings from Runcorn and Warrington to St Helens.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before St Helens Magistrates' Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Warrington County Court**

The Lord Chancellor has decided that Warrington County Court will close and after taking into account all the responses received, its workload will move to St Helens County Court, instead of Liverpool Civil and Family Court and Manchester County Court as was originally proposed. Tribunal hearings currently listed in Warrington County Court will move to St Helens County Court. However, family public law (care) work will move to Liverpool Civil and Family Court where all public law work is dealt with for Merseyside.

A total of 40 responses were received in relation to Warrington County Court. Of these:

- 12 were from HM Courts & Tribunals Service staff
- eight were from professional users
- seven were from members of the public
- five were from members of the judiciary
- four were from magistrates
- two were from other public sector bodies
- one was from a criminal justice system partner
- one was from a union/staff group

Of these responses one was in support of the proposals, whilst 39 were opposed.

### **Access to justice**

Many of the responses made reference to access to justice issues.

“We try to encourage all our customers to attend their court hearings to appreciate the seriousness and implications of not adhering to their order. Closing Warrington County Court and moving to a court much further away will just deter our customers from doing this as they will struggle to meet the costs.” (Weaver Housing Trust)

“For a town the size of Warrington, with a population in excess of 200,000 people living locally to be without a local Civil and Family Court is to fundamentally undermine the principle of ‘access to justice’ which has been the principle and guiding philosophy of the Court Service in recent years.” (Warrington Law Society)

“Of particular note is that SSCS Tribunals will be the only civil jurisdiction that will remain in an entirely criminal based court. This may discourage appellants from attending the hearing and although some appeals can be heard by phone or conferencing facilities, there will still be a need for oral hearings.” (Regional Tribunal Judge)

We are looking to modernise our practices and adopt more streamlined ways of working, using our estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. HM Courts & Tribunals Service will consider making alternative arrangements for those court users who are unable to travel for exceptional reasons.

A number of alternative proposals were put forward. One suggestion was to retain Warrington County Court in the Combined Court Centre, transfer in the work of Warrington Magistrates' Court and Runcorn Magistrates' Court, and move the Crown Court work to either Chester or Liverpool. Several responses supported this proposal.

HM Courts & Tribunals Service have given this proposal consideration and concluded that it is not viable. There is a need to retain the Crown Court function in Warrington to deal with the level of Crown Court workload within Cheshire and Merseyside. Consequently, there is insufficient capacity for magistrates' and county court work to be accommodated in the Combined Court centre.

Having reviewed all the responses and alternative proposals submitted, the Lord Chancellor has decided to retain St Helens County Court and for this to become the receiving site for some of the workload of Warrington County Court, rather than Liverpool Civil and Family Court and Manchester County Court as originally proposed. Recognising the concerns raised in relation to tribunal hearings remaining in an entirely criminal based court, tribunal hearings currently listed in Warrington will also move to St Helens.

The retention of St Helens County Court and the transfer of some of the Warrington County Court work and tribunal hearings to St Helens will allow HM Courts & Tribunals Service and its customers, located in this area of Cheshire and Merseyside, to benefit from the creation of a single civil, family and tribunals centre and the associated efficiencies.

HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour, however we are mindful of the infrequency with which people need to attend court. Warrington is approximately 10 miles from St Helens and is closer in proximity than the courts in Liverpool and Manchester which were originally proposed. In addition this decision supports the strategy to create a single centre for crime in Warrington and the release of three buildings from the estate.

### **Value for money**

The operating costs for Warrington Combined Court for 2014-15 were approximately £499,000.

Some responses referred to value for money, commenting on the level of enabling work required in Liverpool Civil and Family Court and Manchester Civil Justice Centre.

“On the basis of our own knowledge of the civil and family court in Liverpool, we are satisfied that the relocation of all judges from Warrington, St Helens and Macclesfield would present enormous difficulties of accommodation which could not be resolved without significant structural alteration and expense.” (Designated Family Judge and Designated Civil Judge)

“There would be significant enabling works required for the Magistrates to use the Legh Street site.” (Family Legal Adviser)

The decision to retain St Helens County Court and use this as a receiving site for some of the workload from Warrington County Court eliminates the need for enabling works in Liverpool Civil and Family Court, whilst also reducing the level of enabling works required in Manchester Civil Justice Centre. No enabling works are required to accommodate the magistrates and crown court work in Warrington Combined Court.

## **Operational efficiency**

A number of responses raised issues around the operational efficiency at Liverpool Civil and Family Court, which was the proposed receiving court for some of the Warrington County Court work.

“Liverpool Court is already extremely busy for family matters, with long waiting times to get into the building, into court, limited consultation rooms, no refreshments and a feeling that more cases will only make things worse.” (Halton Borough Council)

“There are no courtrooms available that would not necessitate construction/building works and/or impinge upon the sitting of senior judiciary in the Chancery and Queens Bench Divisions and of Recorders. The remaining floors are separately leased.” (Liverpool Civil and Family Judiciary)

The decision to retain St Helens County Court and use this as a receiving site for some of the workload from Warrington County Court and tribunal hearings from Runcorn (Halton) Magistrates’ Court and Warrington, significantly lessens any impact on the workload of Liverpool Civil and Family Court and also eliminates the need for enabling works.

## **Alternative provision of services**

No alternative provision has been suggested for HM Courts & Tribunals Service to consider.

## **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Warrington County Court will close and its workload will move to St Helens County Court. Tribunal hearings currently listed in Warrington County Court will move to St Helens County Court. Family public law (care) work will move to Liverpool Civil and Family Court.

## **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Warrington County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Cumbria and Lancashire**

### **Accrington County Court**

The Lord Chancellor has decided that Accrington County Court will close and its workload will move to Burnley Combined Court.

A total of 12 responses were received which related to Accrington County Court. Of these:

- three were from members of the public
- two were from other public sector bodies
- one was from HM Courts & Tribunals Service staff
- one was from a member of the judiciary
- one was from a magistrate
- one was from a Member of Parliament
- one was from a professional user
- one was from an uncategorised stakeholder
- one was from a union/staff group

Of these responses two were in support of the proposals, whilst 10 were opposed.

The consultation paper incorrectly stated that Accrington County Court sat two days per month. HM Courts & Tribunals Service apologise for this error and acknowledge that the correct level of sittings is two days per week.

### **Access to justice**

Accrington County Court is located close to the town centre; one mile from Accrington railway station and 6.4 miles from the proposed receiving court, Burnley Combined Court. There are regular train and bus services between Accrington and Burnley.

Some of the responses referred to access to justice issues, in particular the additional travel required to attend possession hearings at Burnley Combined Court.

“Accrington is now used primarily as a hearing centre for possession claims. There is good accommodation for the duty advisor from Shelter and representatives of the parties which facilitates discussions between the parties before hearings commence. The same facilities will not necessarily be available at Burnley where the waiting room and consultation rooms tend to be full with members of the public attending Crown Court cases.” (Judicial office holder)

“People in Lancashire who are in court for not paying their rent or mortgage are in court for a particular reason, they have no money. So for them the impact of accessing services that might be able to help them, the further away this is the less engaged they become.” (Professional user)

“There is no evidence on the travel costs from Blackburn to Burnley for possession hearings that will be transferred to Burnley instead of Accrington.” (Professional user)

Civil work from Accrington, Blackburn and Burnley County Court is currently administered from Burnley Combined Court. HM Courts & Tribunals Service acknowledge that some residents from Blackburn currently travel to Accrington for their hearings and will now be required to travel to Burnley. However, court users are already routinely travelling from Blackburn to Burnley for other hearings with no reported difficulty. We anticipate that there will be a need for some additional lists at Burnley Combined Court which has the capacity to accommodate the work.

There is a regular train from Blackburn to Burnley which takes up to 28 minutes at a cost of £6.40 for an anytime day return. Travel by car is approximately 12 miles and takes around 23 minutes without delays. HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour, however 94% of potential court users can travel from Accrington to Burnley on public transport in under an hour and 60% of potential court users are able to travel from Blackburn to Burnley in under an hour. We are also mindful of the infrequency with which people need to attend court.

HM Courts & Tribunals Service is looking to modernise practices and adopt more streamlined ways of working, using its estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. HM Courts & Tribunals Service will consider making alternative arrangements for those court users who are unable to travel for exceptional reasons.

### **Value for money**

During the 2014-15 financial year, operating costs for Accrington County Court were approximately £124,000. The building is generally in a poor condition and does not provide adequate accommodation for court users, staff and judiciary.

One of the responses raised concerns about value for money.

“We are a charity and the further travel will impact further on our time.” (Professional user)

HM Courts & Tribunals Service accept that for some court users there will be an impact on time, although concentrating work at one venue also enables greater efficiency. However, we have to have due regard to ensure its estate is utilised to deliver justice efficiently and effectively while providing value for money. HM Courts & Tribunals Service needs to reduce the current and future cost of running the estate and to maximise the capital receipts from surplus estate for reinvestment.

### **Operational efficiency**

During the 2014-15 financial year, Accrington County Court had very low courtroom utilisation and does not justify keeping the court open. Burnley Combined Court is able to absorb the work from Accrington County Court without any enabling works. Combining the workload to one location will improve efficiency and enable savings to be made.

A concern was raised about the capacity of Burnley Combined Court to absorb the additional work. However, HM Courts & Tribunals Service is confident that there is sufficient capacity to accommodate the increased workload.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Accrington County Court will close and its workload will move to Burnley Combined Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Accrington County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Accrington Magistrates' Court**

The Lord Chancellor has decided that Accrington Magistrates' Court will close and its workload will move to Blackburn Magistrates' Court.

A total of 12 responses were received in relation to Accrington Magistrates' Court. Of these:

- two were from members of the public
- two were from Members of Parliament
- two were from other public sector bodies
- two were from professional users
- one was from a criminal justice system partner
- one was from a magistrate
- one was from an uncategorised stakeholder
- one was from a union/staff group

Of these responses two were in support of the proposals, whilst nine were opposed and one was neutral.

## **Access to justice**

Accrington Magistrates' Court is located six miles from the proposed receiving court, Blackburn Magistrates' Court. There are good direct public transport links connecting the area. There are regular bus and trains from Blackburn to Accrington.

Some of the responses referred to access to justice issues.

"The consultation indicates that if the closures go ahead, 95% of citizens will be able to reach their required court within an hour by car. This does not take into account the fact many court users will need to utilise public transport which would take significantly longer." (Kate Hollern MP)

"Hyndburn is an area of some 80,000 people and as such is clearly entitled to its own court." (Local individual)

HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour. However 83% of potential court users from Accrington are able to travel to Blackburn by public transport within an hour. We are mindful of the infrequency with which people need to attend court.

One respondent suggested retaining the historic Accrington Magistrates' Court building and transferring the workload of the county court to it.

Combining the magistrates' court and county court in one building would fail to address the underuse of the courts in Accrington, as the utilisation would remain very low.

Accrington Magistrates' Court is in a poor state of repair and does not provide value for money for the public purse. The workload from Accrington Magistrates' Court can be absorbed by Blackburn Magistrates' Court.

### **Value for money**

The operating costs for Accrington Magistrates' Court for 2014-15 were approximately £81,000. The building is in a poor state of repair with leaks to the roof causing damage to public and court areas. There are five cells available to the magistrates' court however these are in poor condition.

Some responses commented on value for money.

"In times of austerity, it is necessary to make changes to practices to provide a cost effective service to the public. Accrington is in a poor state of repair and not fully utilised by HM Courts & Tribunals Service." (Lancashire Constabulary Criminal Justice Dept)

"I realise lack of use is a natural result of transferring the cases to other courts outside the area, as a result this must create expense for both plaintiffs and witnesses and even if these expenses are reimbursed that in itself increases cost for the public purse." (Hyndburn Borough Council)

HM Courts & Tribunals Service recognises that there may be increased costs for others, however, our estate is both costly and underused. There are 460 buildings in England and Wales, costing taxpayers £500m per year. Last year, a third of those buildings sat empty for more than half their available hearing time. HM Courts & Tribunals Service has to have due regard to ensure its estate is utilised to deliver justice efficiently and effectively whilst providing value for money.

### **Operational efficiency**

The current utilisation rate is very low (approximately 2%) and does not justify keeping the court open. Blackburn Magistrates' Court can absorb the workload from Accrington Magistrates' Court without any enabling works. Combining the workload to one location would improve efficiency and enable savings to be made.

Some responses commented on operational efficiency.

"When cases were previously transferred to Blackburn Magistrates' Court in early 2014 there were long delays at court with cases listed in the morning not being heard until the afternoon. If Accrington Magistrates' Court does close then Blackburn Magistrates' Court must be given adequate resources to be able to handle the influx of work there." (Hyndburn Borough Council)

HM Courts & Tribunals Service is committed to working with its customers to ensure the most efficient use of court sittings. Accrington Magistrates' Court current workload consists of non-police matters and only sits one day per week and there are adequate resources at Blackburn Magistrates' Court to absorb this workload. Accrington Magistrates' Court is already administered from Blackburn Magistrates' Court.

The underuse of the receiving site at Blackburn Magistrates' Court offers the opportunity to make efficiencies while still providing access to justice.

### **Alternative provision of services**

There were no alternative venues for hearings identified in the consultation responses.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that Accrington Magistrates' Court will close and its workload will move to Blackburn Magistrates' Court.

### **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Accrington Magistrates' Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Kendal Magistrates' Court and County Court**

The Lord Chancellor has decided that Kendal Magistrates' Court and County Court will close once suitable local alternative provision is established. After taking into account all the responses received some of its criminal work will move to Lancaster Magistrates' Court instead of Barrow-in-Furness Magistrates' Court as originally proposed. The remainder of the magistrates' work, and the civil and family work, will move to Barrow-in-Furness Magistrates' Court and County Court.

HM Courts & Tribunals Service will identify alternative arrangements for dealing with the longer tribunal hearings currently listed in Kendal.

A total of 42 responses were received which related to Kendal Magistrates' Court and County Court. Of these:

- 13 were from members of the public
- 12 were from other public sector bodies
- five were from professional users
- four were from members of the judiciary
- three were from criminal justice system partners
- two were from magistrates
- one was from HM Courts & Tribunals Service staff
- one was from a Member of Parliament
- one was from a union/staff group

Of these responses one was in support of the proposals, whilst 41 were opposed.

There was significant press interest in this proposal due to concerns for access to justice. This included a petition from The Westmorland Gazette, which was submitted in response to the consultation and contained over 300 'coupons' in opposition to the closure.

### **Access to justice**

Kendal Magistrates' Court and County Court is located 37 miles from Barrow-in-Furness Magistrates' Court and County Court and 25 miles from Lancaster Magistrates' Court.

Travel between Kendal Courthouse and Barrow-in-Furness Magistrates' Court and County Court by car takes approximately 55 minutes. There is an hourly bus service from Kendal to Barrow which takes approximately one hour forty minutes. A train journey from Kendal to Barrow would require two changes and takes between one and a half hours and two and a half hours.

Many of the responses referred to access to justice issues and in particular the impact on rural and semi rural communities.

“As the second largest county in England, Cumbria faces a range of challenges in terms of issues associated with rurality – access to services being one of the most significant. 54% of Cumbria’s residents live in rural areas compared to just 18% nationally. This means that Cumbria residents will have longer than average travel times to access services.” (Cumbria County Council)

“The options are limited and for the train, both costly and time consuming. A significant number of people involved in this relocation will potentially have mental health problems and the stress of a prolonged journey does not appear to have been considered.” (South Lakeland Community Safety Partnership)

“Not only does the journey from Kendal to Barrow take considerable time but the cost for those attending court is also considerable, with the price of a bus ticket being £10.50. However this journey pales in comparison to the trek that would occur for an individual from Dent which by public transport would be a shocking two hours and twenty nine minutes.” (Tim Farron MP)

“The majority of those attending courts in Cumbria (over 80%) travel by public transport.” (Police and Crime Commissioner for Cumbria)

HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for many the journey, if made by public transport, will be over an hour. We are mindful of the infrequency with which people need to attend court and the low number of cases emanating from the outlying areas of Kendal. In an increasingly digital age, users will not always need to attend hearings in person in order to access the justice system. We have already established alternative ways users can interact with our services and are looking to expand these provisions to provide more choice than is currently available; for example, through making better use of technology, including video conferencing, and exploring whether we can appropriately make use of civic buildings for certain types of hearing.

The consultation paper proposed that the workload of Kendal Magistrates’ Court is moved to Barrow-in-Furness Magistrates’ Court. However, included in the responses was a suggestion to consider re-locating some of the magistrates’ court work to Lancaster.

Full consideration to this alternative proposal has been given and, also taking into account the number of concerns in relation to travel, the Lord Chancellor has decided that some criminal work will move from Kendal to Lancaster Magistrates’ Court instead of Barrow-in-Furness.

The journey by car between Kendal Courthouse and Lancaster Magistrates’ Court takes approximately 32 minutes. There is a regular train and bus service between Kendal and Lancaster. The journey by train takes approximately 26 minutes and by bus up to an hour and 12 minutes. HM Courts & Tribunals Service does not consider this journey time to be excessive and is mindful of the high level of car ownership in the area.

HM Courts & Tribunals Service recognises that for some potential court users Barrow-in-Furness Magistrates’ Court is nearer and will ensure that work from Kendal Magistrates’ Court is re-located to the most appropriate court bearing in mind travel distances and public transport.

The Lord Chancellor has decided that the civil and family work from Kendal County Court will move to Barrow-in-Furness County Court as originally proposed. HM Courts & Tribunals Service are looking to modernise practices and adopt more streamlined ways of

working, using our estate more intelligently and flexibly to reduce running costs and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. This also includes giving consideration to the use of civic buildings, where appropriate and practical, for those court users who may have exceptionally difficult journeys.

### **Value for money**

The operating costs for Kendal Magistrates' Court and County Court for 2014-15 were approximately £244,000.

Some responses raised concerns about value for money.

“As the emergency service of last resort, police officers are already involved in transporting victims of sexual assault to Preston and dealing with those who have mental health issues..... This drift towards a state funded taxi service will increase as a result of court closures. This will involve the escorting of prisoners over greater distances with commensurate increase in demand on officer time.” (PCC Cumbria)

“The cell area in the Court was modified in recent years specifically to allow for disabled access, it is understood that these works cost a very significant amount of money, money that will have proved wasted if the building is closed.” (Milne Roser Solicitors)

Modifications were made to the custody suite in Kendal in 2009. However, this does not detract from the low utilisation of Kendal Courthouse and the need for HM Courts & Tribunals Service to reduce the size of its estate and reinvest the savings.

HM Courts & Tribunals Service accepts that the closure of Kendal Magistrates Court and County Court may increase the cost for some other agencies as well as delivering efficiencies. However, we must have due regard to ensure our estate is utilised to deliver justice efficiently and effectively whilst providing value for money.

### **Operational efficiency**

The current utilisation rate of Kendal Magistrates' Court and County Court is very low at approximately 13% and does not justify keeping the court open.

Some responses raised concerns about operational efficiency.

“The criteria used by HMCTS to calculate the utilisation of the building does not reflect the full use of the Kendal Courthouse. Tribunals now use courthouse and are not included in the figures.” (South Cumbria Magistrates Bench)

“Kendal is used as a hearing venue for longer (Tribunal) cases only because neither Carlisle Magistrates nor the Carlisle Civil Justice Centre could accommodate such hearings.”(Judicial Office Holder)

The utilisation figure quoted in the consultation document relates to the period 2014-15. These figures did not include tribunal sittings as none took place in Kendal during this period. HM Courts & Tribunals Service acknowledge that since June 2015 tribunal sittings have taken place in Kendal, however, despite this utilisation at the courthouse remains low. HM Courts & Tribunals Service will identify alternative arrangements for dealing with longer tribunal hearings in Cumbria and this may include reviewing the use of Carlisle.

Both receiving courts are able to absorb the workload from Kendal Magistrates' Court and County Court without enabling work. The underuse of the receiving sites offers the opportunity to make efficiencies whilst still providing access to justice.

A number of responses raised concerns about the loss of the designated disability court for Cumbria. This facility has had very little use over the last six years. Preston Magistrates' Court will now become the designated disability court for Cumbria and Lancashire.

A number of alternative proposals for the use of Kendal Magistrates' Court and County Court were made. These included retaining the courthouse and converting the building into a community justice centre; using the courthouse as a venue for Crown Court hearings and to use the spare capacity for use by other bodies such as the coroner's court.

Careful consideration has been given to these proposals and the possible options to increase the utilisation of the Kendal Magistrates' Court and County Court, however, HM Courts & Tribunals Service does not consider that these options are viable. There is insufficient Crown Court work in Cumbria to increase the utilisation to an acceptable level. HM Courts & Tribunals Service needs to reduce the current and future cost of running the estate and to maximise the capital receipts from surplus estate for reinvestment, the creation of a justice centre in Kendal will not achieve this.

### **Alternative provision of services**

A number of responses proposed the use of the South Lakeland District Council chamber in Kendal Town Hall (which has in the past been used as a courtroom) and the council have indicated that they are prepared to consider this. HM Court & Tribunals Service is committed to exploring this alternative proposal further and as a result of the recent flooding in Cumbria has used the town hall and other buildings in Kendal for business continuity purposes. This experience will inform the decisions made around alternative provision. The court will not close until suitable local alternative provision is established.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that:

- Kendal Magistrates' Court will close once suitable local alternative provision is established and its workload will move to Lancaster Magistrates' Court and Barrow-in-Furness Magistrates' Court.
- Kendal County Court will close once suitable local alternative provision is established and its workload will move to Barrow-in-Furness County Court.
- Suitable alternative arrangements will be made for Tribunal hearings currently listed in Kendal.

HM Courts & Tribunals Service will work with South Lakeland District Council to explore further options for alternative local access to justice. Further announcements will be made as and when any firm proposals are identified.

## **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Kendal Magistrates' Court and County Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **Ormskirk Magistrates' Court and Family Court**

The Lord Chancellor has decided that Ormskirk Magistrates' Court and Family Court will close. Some of its criminal work will move to Wigan Magistrates' Court, instead of Preston Magistrates' Court as originally proposed. The remainder of the magistrates' work will move to Preston Magistrates' Court and the family work will move to Leyland Magistrates' Court.

A total of 19 responses were received in relation to Ormskirk Magistrates' Court and Family Court. Of these:

- four were from professional users
- three were from members of the judiciary
- three were from magistrates
- two were from Members of Parliament
- two were from other public sector bodies
- two were from was union/staff groups
- one was from a criminal justice system partner
- one was from a member of the public
- one was from an uncategorised stakeholder

Of these responses, one was in support of the proposals whilst 18 were opposed.

### **Access to justice**

Ormskirk Magistrates' Court and Family Court is located in Ormskirk town centre and is approximately 18 miles from Preston Magistrates' Court and approximately 14 miles from Leyland Magistrates' Court.

The majority of responses to the consultation referred to access to justice issues, and in particular the impact on the residents of Skelmersdale and the rural and semi rural communities.

"I would particularly highlight the difficulties in using public transport between Skelmersdale and Preston to reach the suggested alternative location for some court hearings." (Borough Councillor, West Lancashire Borough Council)

"The analysis based on LSOAs concludes that 59% of West Lancashire residents would face public transport journeys of 60 – 120 minutes to reach Preston. We strongly believe that this, if correct, would have an unacceptable impact on access to justice." (Ormskirk Magistrates Bench)

"It used to be that the mainstay of local justice was that local individuals would be dealt with in their local areas. This of course would no longer be the case if Ormskirk court was closed and individuals were being dealt with at a court jurisdiction some 25 miles or more from their local areas." (David Lacide & Co Solicitors)

HM Courts & Tribunals Service acknowledge and accept that some people will need to travel further to reach their nearest court and for some the journey, if made by public transport, may be over an hour. However, for family public law (care) cases where the hearing is before a circuit or district judge, court users from Ormskirk are already required to travel to either Preston or Leyland for their hearing with little reported difficulty or impact. We are also mindful of the infrequency with which people need to attend court.

The Ormskirk Bench commented that travel from Skelmersdale was easier to courts in Wigan and Liverpool than to Preston and Leyland. Having taken into account the responses, the Lord Chancellor has decided to move the majority of the criminal workload emanating from Skelmersdale to Wigan instead of Preston. Skelmersdale is approximately eight miles from Wigan and there is a regular bus service between the two towns which takes approximately 40 minutes. The journey by car takes approximately 22 minutes without traffic.

Magistrates are valued members of the judiciary and work well together for the benefit of the communities they serve, wherever they are delivering justice. In future, magistrates may cover larger areas than at present but their collective knowledge of the communities and their judicial experience will enhance the quality of judicial decision making.

### **Value for money**

The operating costs for Ormskirk Magistrates' Court and Family Court for 2014-15 were approximately £147,000.

Some responses raised concerns about value for money.

"Given the planning constraints, the size of the buildings and its listed status, it is hard to see an alternative use which would be both permissible and commercially viable. The result is that there is a high risk of no commercial return to HMCTS in respect of the site coupled with continuing maintenance liabilities." (Rosie Cooper MP for West Lancashire)

"The custody suite has undergone major refurbishment in recent years. In addition, over the past 5 years HMCTS has confirmed that the building has benefited from £193,000 in capital expenditure of which some £163,000 will be attributable to the replacement of the roof in 2012." (Ormskirk Magistrates Bench)

In 2011, approximately £193,000 was spent on essential maintenance work and to address some health and safety issues at Ormskirk Magistrates' Court. Despite this expenditure, the building is still of a poor standard and does not meet the requirements of the Equality Act 2010. HM Courts & Tribunals Service needs to reduce its reliance on poor facilities and reduce the cost of its estate to allow savings to be made for reinvestment.

Last year the Ormskirk Magistrates' Court and Family Court sat empty for more than half of its available hearing time. The associated running costs of the building does not justify keeping the building open as a court. In disposing of its surplus property assets as expeditiously as possible, HM Courts & Tribunals Service will follow central government guidance.

## **Operational efficiency**

The current utilisation rate is very low (approximately 29%) and does not justify keeping the court open. The receiving courts - Preston Magistrates' Court, Wigan Magistrates' Court and Leyland Magistrates' Court - can absorb the workload from Ormskirk Magistrates' and Family Court without any enabling works.

“Court utilisation data for Ormskirk has been calculated assuming the three court rooms are available Monday to Friday each week. This is not and never has been possible due to Family and Youth work prohibiting the use of the other court rooms for adult work on the same day.” (Magistrate)

Ormskirk Magistrates' Court has three courtrooms available for use but one of these is seldom used. However, even if this courtroom was disregarded, the utilisation levels would still be low. HM Courts & Tribunals Service has to have due regard to ensure its estate is utilised to deliver justice efficiently and effectively while providing value for money. The receiving sites have capacity to absorb the workload and offer the opportunity to make efficiencies while still providing access to justice.

## **Alternative provision of services**

West Lancashire Borough Council have stated they may be able to offer alternative accommodation. HM Courts & Tribunals Service is grateful to West Lancashire Borough Council for their offer, however as provision has been made at Wigan Magistrates' Court the future use of alternative accommodation will not be necessary.

## **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided that:

- Ormskirk Magistrates' Court will close and its workload will move to Wigan Magistrates' Court or Preston Magistrates' Court.
- Ormskirk Family Court will close and its workload will move to Leyland Magistrates Court.

## **Implementation**

Consultation with the Departmental Trade Union on staffing impacts will take place over the coming months. There are a number of factors to consider before Ormskirk Magistrates' Court and Family Court can close. An indicative timetable of implementation is attached to this document. Please note this timetable is subject to change as the programme progresses.

## **West Cumbria Magistrates' Court and County Court**

The Lord Chancellor has decided that West Cumbria Magistrates' Court and County Court will remain open. Tribunal hearings will continue to be listed in West Cumbria Courthouse.

A total of 57 responses were received which related to West Cumbria Magistrates' Court and County Court. Of these:

- 17 were from professional users
- nine were from other public sector bodies
- eight were from members of the judiciary
- seven were from members of the public
- seven were from magistrates
- three were from HM Courts & Tribunals Service staff
- three were from the criminal justice system partners
- two were from was union/staff groups
- one was a joint response from two Members of Parliament

Of these responses, two were in support of the proposals whilst 55 were opposed.

There was significant press interest in this proposal due to access to justice issues, including a petition from a local Member of Parliament and the Times & Star local newspaper which attracted over 3000 signatures.

### **Access to justice**

West Cumbria Magistrates' Court and County Court is located in Workington town centre and is 32 miles from Carlisle Magistrates' Court and Carlisle Combined Court and 52 miles from Barrow-in-Furness Magistrates' Court and County Court, the proposed receiving courts. There are train and bus services between Workington and Carlisle, with the train journey taking approximately 55 minutes and the bus approximately one hour and 25 minutes.

The majority of responses referred to access to justice issues, in particular the impact on rural communities. The Cumbria Police and Crime Commissioner stated "these proposals will leave Cumbria, as the second largest county in England with two Magistrates Courts." Other comments include:

"West Cumbria is a unique area due to its geographical and demographic makeup. It is a large County with a limited infrastructure and limited public transport. A large number of Court Users are likely to be on benefits and to rely upon public transport to attend Court." (H.F.T Gough & Co)

"There is also a more significant probability that both defendant and witness could be on the same transport between Workington and Carlisle. This could easily have

the effect of potential witness intimidation or the failure of a witness to attend court.”  
(High Sheriff of Cumbria)

“The travel time to Carlisle or Barrow-In-Furness exceeds an hour in each direction. The typical return journey time is 3-4 hours and there are particular issues in relation to connectivity by public transport.” (West Cumbria Law Society)

HM Courts & Tribunals Service consider that access to justice is not just about proximity to a court and having a courthouse in your local community, and it is reasonable to expect that some people may need to travel further to reach their nearest court. However, a significant number of responses referred to the difficulties of travelling due to the rural nature of the area, in particular, the length of the journey and the lack of availability and infrequency of public transport from the more isolated areas of West Cumbria.

HM Courts & Tribunals Service has explored the possibility of alternative provision in this area, and has concluded that a viable option cannot be identified at the current time. Having reviewed all the responses, the Lord Chancellor has decided to retain West Cumbria Magistrates’ Court and County Court.

### **Value for money**

The operating costs for West Cumbria Magistrates’ Court and County Court for 2014-15 were approximately £241,000.

A number of respondents expressed the view that the facilities of West Cumbria Courthouse had been undersold in the consultation document. Other concerns were raised in respect of the increased costs to other agencies, and the money spent refurbishing the courthouse.

“The West Cumbria Courthouse has a relatively low running cost compared to the other courthouses named in the proposed closure list. This is despite housing four areas of work for HMCTS, these being Criminal, Civil, Tribunals and Family.”  
(HMCTS staff member)

“We would like to highlight that the closure will undoubtedly have a significant impact, both directly and indirectly on Cumbria Constabulary. Additional travel costs e.g. fuel are not considered and given the distances involved would incur significant additional costs.” (Cumbria Constabulary)

“When a decision was made to close Whitehaven Court in 2011 funds were made available to extend the Workington building to provide a specialist family court as well as county court facility and an extra courtroom which is used by the Magistrates as well as the District Judge for family work.” (District Judge)

HM Courts & Tribunals Service needs to reduce the cost of its estate and reinvest the savings, however, we recognise that the closure of West Cumbria Magistrates’ Court and County Court would have a significant impact on our court users and partner agencies. The decision to retain the courthouse will ensure that HM Courts & Tribunals Service and its customers continue to benefit from the investment made in 2011. It will also eliminate the need for enabling works at Carlisle Magistrates’ Court.

### **Operational efficiency**

The current utilisation rate of West Cumbria Courthouse is approximately 42%.

Some responses commented on operational efficiency.

“Consolidation of two court houses without additional court rooms becoming available we would say is bound to have a detrimental impact on timeliness and create pressure on listing to overbook trials which would lead to more ineffective trials.” (Staff Member)

“The Council believes the court usage figures quoted in the Department of Justice proposal are not accurate and do not include the Family Court and Tribunals.” (Copeland Borough Council)

HM Courts & Tribunals Service can confirm that the utilisation rate quoted does include family and tribunals work. Whilst we are confident that the work from West Cumbria Magistrates’ Court and County Court can be accommodated in Carlisle Magistrates’ Court and Carlisle Combined Court, on this occasion, the Lord Chancellor has concluded that the access to justice argument outweighs any efficiencies to be gained.

### **Decision**

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided to retain West Cumbria Magistrates’ Court and County Court. Tribunal hearings will also continue to be heard in West Cumbria Courthouse.

## **Consultation principles**

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<https://www.gov.uk/government/publications/consultation-principles-guidance>

## Annex A – List of respondents

In addition to the 119 members of the public who responded to the consultation, the following named individuals and organisations provided a response:

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| AFG Law Solicitors – Jill Parratt                             | Bolton Council – Jean Aspinall,<br>Community Housing Services  |
| Alfred Newton Solicitors – Anthony<br>Penman                  | Bolton Law Society – Carol Alston  |
| Andrew Wilson & Co - Group Director                           | Branch Chair Lancashire Magistrates<br>Association – Mike Hallett  |
| Ann Coffey, Member of Parliament for<br>Stockport             | Brockbank’s Solicitors – Ryan Foley  |
| Ashley Taylors Legal – Clive Entwistle,<br>Senior Advocate    | Bury & Rochdale Magistrates Bench  |
| Assistant Chief Constable, Merseyside<br>Police               | Bury Community Safety Partnership,<br>Department of Communities and<br>Wellbeing                               |
| Associate Solicitor, for and on behalf of<br>SAS Daniels LLP  | Bury Council - Councillor Mike Connolly  |
| Authorised High Court Enforcement<br>Officer - Martin Leyshon | Carlisle and District Citizens Advice<br>Bureau  |
| Bench Chairman of South Cumbria<br>Magistrates Bench          | CCM Section Oldham County Council  |
| Bench Chairman of the Oldham<br>Magistrates Bench             | Chair, Family Sub Committee of the<br>Liverpool Law Society – Adele Schofield                                  |
| Bench Chairman of the Stockport<br>Magistrates Bench          | Ormskirk Residents Group – Michael<br>Forth, Chair   |
| Bench Chairman on behalf of Ormskirk<br>Magistrates           | Chairman of Bolton Women's Refuge<br>and JP, member of the Bolton Bench and<br>GM Family Panel – Diane Hawkins |
| Bleasdale & Co. Solicitors – John<br>Wilson, Senior Partner   | Chairman of the Crown and Magistrates<br>Court Committee of Manchester Law<br>Society – Gwyn Lewis             |
| BLM Law   | Chairman of the Lancashire Family<br>Panel   |
| Bolton at Home – Hilary Lewis, Senior<br>Lawyer               | Chairman of the North and West<br>Cumbrian Family Panel  |
| Bolton Citizens Advice Bureau                                 | Chairman, Cumbria North Branch<br>Magistrates' Association   |
| Bolton Council – Helen Gorman                                 |  |

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| Chairman, Greater Manchester Family Panel              | Copland Citizens Advice Bureau  |
| Chairman, North and West Cumbria Magistrates Bench     | Coroners & Registrars Manager, Rochdale Borough Council                               |
| Chairman, South & East Cheshire Magistrates Bench      | Councillor for Marple South   |
| Cheshire East Youth Offending Team                     | Cumbria County Council  |
| Chief Constable, local Police                          | Cumbria Law Centre  |
| Chief Executive Blackburn with Darwen Council          | Cumbria Police Constabulary   |
| Chief Executive of Rochdale Borough Council            | Cumbria Victims Charitable Trust  |
| Chief Executive, Bury Council                          | David Lacide & Co Solicitors  |
| Chief Inspector, local Police                          | David Rutley, Member of Parliament for Macclesfield                                   |
| Chris Green, Member of Parliament for Bolton West      | Deputy Bench Chairman of the Stockport Magistrates Bench                              |
| Christians against poverty                             | Derek Twigg, Member of Parliament for Halton  |
| Circuit Judge, Carlisle                                | Director HFT Gough & Co Solicitors  |
| Citizens Advice Allerdale                              | Director, for & on behalf of Wiseman Solicitors Ltd                                   |
| Citizens Advice Bureau                                 | District Judge Ball, Tribunal Judge   |
| CJS partners   | District Judge Broughton, Tribunal Judge  |
| Clerk to Preston Patrick Parish Council                | District Judge Clarke   |
| Clifford James Consultants                             | District Judge Dodd, Cumbria courts   |
| Cobden House Chambers                                  | District Judge Durance, Tribunal Judge (North West) (Social Security and Immigration) |
| Colin J Davidson Isherwood & Hose Solicitors           | District Judge Dwyer, Tribunal Judge  |
| Conor McGinn, Member of Parliament for St Helens North | District Judge Evans  |
| Contour Homes  | District Judge Fitzgerald   |
| Copeland & Workington Liberal Democrat Party           | District Judge Gray   |
| Copeland Borough Council                               | District Judge Loring Tribunal Judge  |
|  | District Judge Manasse, Bolton & Bury   |

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| District Judge Neary, Tribunal Judge                                 | Halton Borough Council                                     |
| District Judge Osborne   | Halton Housing Trust                                       |
| District Judge Sanders   | Haygarth Jones Solicitors                                  |
| District Judge Smith, Lead Family District Judge for Cumbria         | HCB Berry & Berry Solicitors                               |
| District Judge Swindley, Bolton in the County Court and Family Court | Head of Legal & Mutual Services Rochdale                   |
| District Judge Westwood-Smith  | Head of Legal Services, St. Helen's Borough Council        |
| District Judge Wheeler   | Helena Partnerships Limited                                |
| District Tribunal Judges   | HFT Gough & Co Solicitors                                  |
| Edge Hill University   | HH Judge De Haas QC  |
| Editor, The Westmorland Gazette                                      | HH Judge Duggan, Leyland Family Hearing Centre             |
| Education Welfare Service, Rochdale Borough Council                  | HH Judge Forrester, Designated Family Judge for Cumbria    |
| Elected Mayor Copeland Borough Council                               | HH Judge Gore QC, DCJ for Greater Manchester               |
| Elected Member of South Lakeland District Council                    | HH Judge Gray, St Helen's County Court                     |
| Ex-leader of Cumbria County Council                                  | HH Judge Holroyde, Presiding Judge of the Northern Circuit |
| Family Legal Adviser   | HH Judge Hughes QC Circuit Judge, Carlisle                 |
| Family Section, Bolton County Court                                  | HH Judge Knowles QC  |
| FDR Law  | HH Judge Leyland Family Hearing Centre                     |
| Fiona Bruce, Member of Parliament for Congleton                      | HH Judge Rawkins, Designated Family Judge for Lancashire   |
| GEOAmey Prison Escort Custody Service UK Ltd                         | HH Judge Wood QC   |
| Graham Brady, Member of Parliament for Altrincham and Sale West      | Higgins Miller Solicitors                                  |
| Great Places Housing Association                                     | High Court Enforcement                                     |
| Greater Manchester Councils  | High Sheriff of Cumbria                                    |
| Greater Manchester Housing Providers Group                           | High Sherriff of Greater Manchester                        |

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| HMCTS staff members  | Lancashire Constabulary   |
| Honorary Secretary, West Cumberland Law Society            | Lead Family District Judge for Cumbria  |
| Housing Caseworker, Citizens Advice Allerdale              | Legal and Democratic Governance, Corporate and Support Services                       |
| Housing Supervisor (Legal Aid), Citizens Advice Bureau     | Legal Controller, TNT UK  |
| Hyndburn Borough Council                                   | Legal Secretary   |
| Income Management Officer, Riverside Group                 | Legal Service Team Manager Cheshire East Council                                      |
| Incomes Team Leader Peaks & Plains Housing Trust           | Liberal Democrat Group  |
| Isherwood & Hose Solicitors                                | Linskills Solicitors  |
| Ivan Lewis, Member of Parliament for Bury South            | Liverpool City Council  |
| Jamie Reed, Member of Parliament for Copeland              | Local Councillors   |
| South Cumbria Magistrates Bench Chairman                   | Local Magistrates   |
| Judge Clarke, Regional Tribunal Judge                      | Local practicing Barristers   |
| Judge Forster, Tribunal Judge                              | Local Solicitors firms  |
| Judge Fox  | Lord Lieutenant of Cumbria, Chairman of Advisory Committee                            |
| Judge Robertson, North West Regional Employment Judge      | Lord Shuttleworth, Chairman of the Lord Chancellors Advisory Committee for Lancashire |
| Julie Cooper, Member of Parliament for Burnley and Padiham | Lucy Powell, Member of Parliament for Manchester Central                              |
| Kate Hollern, Member of Parliament for Blackburn           | Macclesfield Civic Society  |
| Kendal Town Council  | Magistrates' Association  |
| Keogh Nicholls Lindsell & Harris Solicitors                | Managing Director of Morton's Solicitors Ltd  |
| Kirkby Lonsdale Town Council                               | Managing Solicitor – Bury Law Centre  |
| Knowsley Housing Trust                                     | Manchester Law Society  |
|  | Manchester Youth Justice  |
|  | Marie Rimmer, Member of Parliament for St Helens South and Whiston                    |

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| Mary Radcliffe, Bench Chair, North Cheshire Bench  | Police and Crime Commissioner for Greater Manchester             |
| Mary Robinson, Member of Parliament for Cheadle  | Police and Crime Commissioner for Lancashire                     |
| Medical Member of Tribunal Service   | Police and Crime Commissioner for Merseyside                     |
| Michael Meacher, Member of Parliament for Oldham West and Royton                         | Police and Crime Commissioners for Cheshire                      |
| Milne Moser Solicitors   | Poynton/ Worth Town Council                                      |
| Minuteman Press, Stockport   | President, Trafford Law Society                                  |
| Mortons Solicitors – Managing Director   | Retired Speech and Language Therapist                            |
| David Nuttall Member of Parliament for Bury North, on behalf of Councillor Iain Gartside | Rochdale Borough Council   |
| National Probation Service   | Rosie Cooper, Member of Parliament for West Lancashire           |
| Neighbourhood Watch  | Safer Cumbria  |
| New Charter Housing Trust Limited  | Salford City University - Principal Officer                      |
| North Ainley Solicitors  | Salford Independent Domestic Abuse Support Service               |
| North Cheshire Magistrates Bench   | Salvation Army   |
| Office of the Police and Crime Commissioner  | SAS Daniels LLP  |
| Oldham Citizens Advice   | Scott Doyle Molyneux Solicitors                                  |
| Oldham County Council  | Sedbergh Parish Council  |
| Oldham Law Association   | Senior Crown Prosecutor, Pamela Fee, Crown Prosecution Service   |
| Oldham Magistrates Bench Chairman  | Senior Policy and Performance Officer, Allerdale Borough Council |
| O'Neill Patients Solicitors  | Senior Solicitor, Cumbria Law Centre                             |
| PCS, Union / staff group   | Services for Young People  |
| Peaks & Plains Housing Trust   | Shelter  |
| Pearson Solicitor and Financial Advisers LLP   | South & East Cheshire Magistrates Bench                          |
| Police and Crime Commissioner for Cumbria  |  |

South Lakeland Community Safety Partnership

South Lakeland District Council Legal Services

Southway Housing Trust

St Helen's Magistrates Bench

Stainton Parish Council

Stephenson's solicitors LLP

Stockport Borough Council

Stockport Labour Group

Stockport Legal Providers

Stockport Magistrates Bench

Stockport Metropolitan Borough Council

Stockport without abuse

Sue Hayman, Member of Parliament for Workington MP

Symphony Housing Group

Team Practice Manager, Cumbria

The Mayor of Macclesfield

The Probation Service

The Worshipful the Mayor of Macclesfield

Tim Farron, Member of Parliament for Westmorland and Lonsdale

TNT UK

Town Clerk, Workington Town Hall

UK Association of Part Time Judges

Union Branch Secretary for Cumbria & Lancashire Cluster

University of Manchester

Vice Chancellor Edge Hill University

Warrington Borough Council

Warrington Law Society

WBT Solicitors LLP

Weaver Vale Housing Trust

West Lancashire Council

Westfield Housing Association

William Wragg, Member of Parliament for Hazel Grove

Wiseman Solicitors Ltd

Workington Town Councillor



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