Ministry of JUSTICE

Proposed closure of Widnes Magistrates' Court

Response to Consultation

CP(R) 27/09

18 March 2010

HER MAJESTY'S COURTS SERVICE

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Ministry of JUSTICE

Proposed closure of Widnes Magistrates' Court

Response to consultation carried out by Her Majesty's Courts Service, part of the Ministry of Justice. This information is also available on the Ministry of Justice website at www.justice.gov.uk

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Introduction and contact details

This document is the post-consultation report for the consultation paper, 'Proposed closure of Widnes Magistrates' Court'.

It covers:

- the background to the report;
- a summary of the responses to the report;
- a detailed response to the specific questions raised in the report; and
- the next steps following this consultation.

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

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This report is also available on the Department's website: www.justice.gov.uk.

Alternative format versions of this publication can be requested from 0151 471 1078 or geoffrey.appleton@hmcourts-service.gsi.gov.uk.

Background

The consultation paper 'Proposed closure of Widnes Magistrates' Court' was published on 13 October 2009. It invited comments on the proposal to close Widnes Magistrates' Court because it is not currently used and all work is currently heard at Runcorn Law Courts within the same Local Justice Area.

In order to achieve a more efficient service delivery to the public it is proposed to permanently close this under used court and continue with the arrangements to list cases at Runcorn Law Courts.

The principal reasons for this proposal are as follows:

(i) The court was under utilised and dealt with a limited workload.

(ii) The building is no longer suitable for the provision of court services.

Maintaining the court at Widnes is not cost effective. Significant savings and better value for money could be achieved by transferring the services to Runcorn.

The consultation period closed on 5 January 2010 and this report summarises the responses, including how the consultation process influenced the proposal consulted upon.

A list of respondents is at Annex A.

Summary of responses

1. A total of nine responses to the consultation paper were received from:
   - Cheshire Probation Area;
   - Halton and Warrington Youth Offending Service;
   - Cheshire Crown Prosecution Service;
   - The Chairman of the Halton Bench;
   - National Bench Chairmen's Forum;
   - Legal Services Commission;
   - Halton Borough Council;
   - Law Society of England and Wales; and
   - Magistrates' Association.
2. The responses were analysed for both levels of support for the proposal from court users and evidence of impact of the proposals on court users.
3. Five of the responses supported the proposal. Their responses noted:
   - I understand the rationale for this proposal and would support this proposal for closure.
   - The proposal makes sound economic sense. It is a cost effective step that should not adversely affect the delivery of justice in Cheshire.
   - Our analysis has shown that the proposed closures are in courts where there is currently little legal aid activity.
   - These courts are no longer in regular use by the magistrates and suitable alternative arrangements have been made.
4. Three responses, whilst not objecting to the proposal made the following observations:
   - The cost saving from the closure will be at the expense of local access to justice.
   - The issue of traffic congestion on the bridge across the River Mersey between Widnes and Runcorn.
   - A lack of sufficient work should not be a reason to deprive a community of its court.
5. One response objected to the proposal, highlighting the potential adverse effects on local residents, but also noted the possibility of using the land upon which the courthouse is currently situated for regeneration purposes.

Responses to specific questions

1. What comments would you like to make on the proposal to close Widnes Magistrates' Court?

The majority view, expressed by five of the nine respondents, is that the proposal should be adopted.

Below is a selection of the comments supporting the proposal:

> "I understand the rationale for this proposal and would support the proposal for closure." – *Cheshire Probation Area*
>
> "The proposal makes sound economic sense and is a cost effective step that should not adversely affect the delivery of justice in Cheshire." – *Cheshire Crown Prosecution Service*
>
> "Our analysis has shown that the proposed closures are in courts where there is currently little legal aid activity." – *Legal Services Commission*
>
> "These courts are no longer in regular use by the magistrates and suitable alternative arrangements have been made." – *National Bench Chairmen's Forum*

A selection of comments from the other four respondents is below:

> "The cost saving from the closure of Widnes Magistrates' Court will be at the expense of access to justice." – *The Law Society of England and Wales*
>
> "[The Magistrates' Association] firmly believe that a court has to serve a community…many who find themselves in our courts…are neither the most wealthy nor adaptable in society…[and] a lack of sufficient work should not be a reason to deprive a community of its court." – *Magistrates' Association*
>
> "[Halton Borough Council] does not believe that Widnes Magistrates' Court should be closed…residents who may be potentially disadvantaged and already have problems with transport are being asked to go to Warrington, Runcorn or Northwich in order to access the judicial system which was hitherto easily reached…[The] consultation document does not provide sufficient financial information." – *Halton Borough Council*

In addition to the comments above, reassurance was sought that the Runcorn Law Courts are capable of taking additional work on a permanent basis and that sufficient capacity would remain in Cheshire in the event that maintenance work or an emergency closed one of the courthouses.

The Chairman of the Halton Bench noted that whilst "it is very difficult to oppose the closure of the courthouse" there were a number of points that should be raised. In particular, the Chairman noted the problems of traffic congestion on the bridge across the River Mersey between Widnes and Runcorn and the additional time that this can add to the journey. The potential severe disruption if a second bridge crossing is constructed was also highlighted.

The HMCS responses to the specific issues raised are:

(i) Access to justice

We believe that this proposal will not reduce access to justice because Widnes Magistrates' Court is not currently used and all work is heard in Runcorn, in the same Local Justice Area, which is approximately five miles away and accessible via frequent direct bus links taking approximately 30 minutes.

Regular listing of criminal cases has not occurred at Widnes Magistrates' Court for ten years and there has been no evidence to suggest that this has caused any difficulties to court users.

(ii) Traffic congestion

We note the issue of traffic congestion, raised by the Chairman of the Halton Bench, and accept that it may increase the estimated travelling time for car users of 16 minutes between Widnes Magistrates' Court and Runcorn Law Courts. However, this issue would be equally applicable if cases were listed at Widnes Magistrates' Court and parties from the Runcorn side of the River Mersey were attending that court.

HMCS, through local Court User meetings and meetings with the Halton Bench, will be able to take appropriate action to overcome any issues of traffic congestion. This will be easier at Runcorn Law Courts because centralising all work at one site generates sufficient case volume to enable efficient listing and to run specialised, dedicated courts.

(iii) Courtroom capacity

We are able to confirm that sufficient courtroom capacity would remain in Cheshire in the event that maintenance work or an emergency situation closed one of the courthouses.

(iv) Reasons for transferring work to Runcorn

We believe that the community of Halton will continue to be served well from the Runcorn Law Courts given its proximity to Widnes Magistrates' Court. Regular listing of criminal cases has not occurred at Widnes for ten years and there has been no evidence to suggest that this has caused any difficulties to court users. There are frequent bus links taking approximately 30 minutes, without the need to change, between Widnes Magistrates' Court and Runcorn Law Courts.

In addition, we are able to offer easier access to court users with a disability at Runcorn Law Courts and HMCS refurbished the public areas in 2005 to create a well lit, light and airy waiting area with good interview facilities.

(v) Financial information in the consultation document

The consultation paper was published alongside a draft impact assessment (available on the Ministry of Justice website) which considered the potential financial impact of closure. Following the responses to the consultation, including that from Halton Borough Council, we have revised and finalised the Impact Assessment.

(vi) Capacity of Runcorn Law Courts

We are able to confirm that the Runcorn Law Courts are capable of taking additional work on a permanent basis.

In addition to the points above, we were pleased to observe that Halton Borough Council had highlighted the possibility of using the land upon which the courthouse is currently situated for regeneration purposes if the building were to close. We were also pleased to note that Halton Borough Council would be "keen to ensure that its own buildings are utilised to a greater extent by the Criminal Justice/Court service."

A positive meeting has already taken place between HMCS, the Chairman of the Courts Board and the Chief Executive and Leader of Halton Borough Council to explore ways in which use may be made of local authority accommodation in Widnes.

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2. Please describe any particular impacts that should be taken into account and why.

Of the nine responses received, there were three replies to this question:

"As Widnes Magistrates' Court has not sat as a criminal court for some considerable time, impact on this activity will be minimal." – *Cheshire Crown Prosecution Service*

"The closure would have particular impact on members of the community who may be disadvantaged and less able to access transport." – *Halton Borough Council*

"The additional time for members of the public to travel to Runcorn." – *Law Society*

The HMCS responses to the specific issues raised are:

(i) Increased travel to court

The responses to these points are set out above in the commentary to Question 1.

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3. Will the closure of Widnes Magistrates' Court have a direct impact on you? If yes, please provide further details.

Of the nine responses received, there were four replies to this question:

> "The closure will have a direct impact on a substantial number of residents of the borough." – *Halton Borough Council*
>
> "Solicitors will also have to travel further in order to represent their clients." – *Law Society*

The other 2 replies to this question said "No".

The responses to these points are set out above in the commentary to Question 1.

Conclusion and next steps

This proposal has been subject to a full public consultation. A mix of electronic and hard copies of the document were distributed to local stakeholders and court users. The document was also published on the Ministry of Justice website.

Nine responses were received to this consultation and we are very grateful to those who responded to the consultation, including those who raised potential impacts, concerns or objections.

We have considered each of the concerns, objections, and potential impacts raised by the respondents and have provided a detailed response to these in the content of this paper.

The Impact Assessment and Equality Impact Assessment have been revised in order to take account of the responses to this consultation, in particular the comments raised by Halton Borough Council on the financial impact.

We have examined our proposal to close Widnes Magistrates' Court and have concluded that it remains the best option to close this building which is not used and is no longer suitable for the provision of court services.

Consultation Co-ordinator contact details

If you have any complaints or comments about the consultation **process** rather than about the topic covered by this paper, you should contact Julia Bradford, Ministry of Justice Consultation Co-ordinator, on 020 3334 4492, or e-mail her at consultation@justice.gsi.gov.uk.

Alternatively, you may wish to write to the address below:

Julia Bradford
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Ministry of Justice
102 Petty France
London SW1H 9AJ

If your complaints or comments refer to the topic covered by this paper rather than the consultation process, please direct them to the contact given under the **Introduction and contact details** section of this paper at page 3.

The consultation criteria

The seven consultation criteria are as follows:

1. **When to consult** – Formal consultations should take place at a stage where there is scope to influence the policy outcome.

2. **Duration of consultation exercises** – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

3. **Clarity of scope and impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

4. **Accessibility of consultation exercises** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

5. **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

6. **Responsiveness of consultation exercise** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

7. **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

These criteria must be reproduced within all consultation documents.

Annex A – List of respondents

Cheshire Probation Area

Halton and Warrington Youth Offending Service

Cheshire Crown Prosecution Service

The Chairman of the Halton Bench

National Bench Chairmen's Forum

Legal Services Commission

Halton Borough Council

Law Society of England and Wales

Magistrates' Association

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