

# COUNCIL

8 SEPTEMBER 2015

## REPORT OF MANAGEMENT AND MEMBERS' SUPPORT MANAGER

### A.4 CONSULTATION: PROPOSAL ON THE PROVISION OF COURT AND TRIBUNAL ESTATE IN ENGLAND AND WALES

(Report prepared by Karen Neath)

#### PART 1 – KEY INFORMATION

##### **PURPOSE OF THE REPORT**

To advise Members of a consultation entitled Proposal on the provision of court and tribunal estate in England and Wales.

##### **EXECUTIVE SUMMARY**

- HM Courts and Tribunals Service, an agency of the Ministry of Justice, have launched a consultation paper entitled Proposal on the provision of court and tribunal estate in England and Wales.
- The consultation makes proposals for the closure of some court buildings and offices and for the modernisation of and increased use of technology in the delivery of the justice system.
- The full consultation paper is attached at appendix A. The closing date is 8 October.
- For the purposes of the consultation Tendring falls within the South East region where it is proposed that Colchester County Court and Family Court and Colchester County Court Offices are closed with the work being moved to Chelmsford County Court and Family Court and Colchester Magistrates Court and Family Court.
- Appendix B contains the extract from the consultation document on the South East region that pertains to Colchester.
- It is pertinent to consider the impact of the proposed closures at Colchester on:-
  - The Council in terms of the requirement to access the court system in delivery of its functions;
  - Residents in terms of their right to have access to justice; and
  - Other agencies within the district that may also have a need to use the courts and to ensure that they are aware of the consultation and that responses are co-ordinated.

##### **RECOMMENDATION(S)**

- (a) That Members note the consultation and provide any comments to the Management and Members' Support Manager.
- (b) That the agencies detailed in the report be contacted to ensure that they are aware of the consultation and responses can be co-ordinated.
- (c) That the Council's response to the consultation be agreed by the Leader.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The Council's role as a community leader means that it must ensure that the needs of its residents are supported in responding to the consultation. It must also ensure that its legal arrangements are robust.

### FINANCE, OTHER RESOURCES AND RISK

#### Finance and other resources

There is no direct cost involved in responding to the consultation. In the longer term, if the proposals go ahead, there may implications in terms of travel costs for the Council.

#### Risk

It is important to ensure that the Council is able to properly fulfil its legal responsibilities and that its resident have adequate access to justice. There is a risk that increasing the travel time and cost of attending the County Court could provide a barrier to some residents to accessing the justice system. The wider proposals seek to increase the use of technology to reduce the time and need for people to physically attend court.

### LEGAL

As a user of the court system the Council is able to respond to the consultation.

In a wider context changes to court facilities could have a longer term impact on the way that Legal Services specifically and legal arrangements throughout the Council are organised. If the proposals are agreed then a wider review of how legal provision might be affected would need to be undertaken.

### OTHER IMPLICATIONS

#### Wards Affected

All.

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

#### National Consultation

HM Courts and Tribunals Service, an agency of the Ministry of Justice, have launched a consultation paper entitled Proposal on the provision of court and tribunal estate in England and Wales. Overall the paper proposes the closure of:

- 57 magistrates courts
- 19 county courts
- 2 crown courts
- 4 tribunal hearing centre
- 9 combined courts

The rationale for the proposed closures is based on:-

- Increased use of technology within the court system
- Evidence of under utilisation of hearing rooms
- A desire to rationalise the courts estate and to remove buildings that provide poor facilities or are expensive to maintain.

The full consultation paper is attached at appendix A. Specific questions to be responded to are set out on page 17. The closing date is 8 October.

## **South East Region**

The consultation is divided into seven sections, one for each of the seven HM Courts and Tribunals Service regions in England and Wales. Tendring falls within the South East region. Of the closures proposed in this region the one most significant for the District is the proposed closure of Colchester County Court and Family Court and Colchester County Court Offices. It is proposed that the work be moved to Chelmsford County Court and Family Court and Colchester Magistrates Court and Family Court.

Appendix B contains the extract from the consultation document on the South East region that pertains to Colchester.

## **Impact on the Council**

In the course of discharging its functions the Council does need to access court facilities. Colchester is currently the nearest County Court. The types of cases going to court include debt recovery, enforcement action, council house repossessions and benefit fraud cases. Many of these matters are dealt with through the magistrates court and therefore will be unaffected by the closure of Colchester County Court. There would be an impact on housing services such as possessions and breach of tenancy as well as any injunctions across all services as these are dealt with by the County Court. In these case officers may need to travel to Chelmsford County Court or would need to look at alternative methods of communicating with the court.

## **Impact on Residents**

One of the key principles behind the national review is to ensure access to justice. HM Courts and Tribunals Service are keen to hear views, through the consultation, on the impact of the proposals on travel times of user groups and individual users. They are keen to ensure continuing access to justice for those living in rural communities. This could be through technology or digital means.

The regional consultation considers the impact on travelling times of the proposals. The consultation sets out that the journey by car from Colchester to Chelmsford is around 25 minutes. The travel time by train is also around 25 minutes with a return train ticket costing £12.50. The consultation does not provide comparative times for travelling from Tendring but some background figures are as follows:-

<b>Transport</b>	<b>From</b>	<b>To</b>	<b>Approximate Time (minutes)</b>	<b>£</b>
Car	Clacton	Colchester	31	-
Car	Harwich	Colchester	29	-
Car	Manningtree	Colchester	23	-
Car	Clacton	Chelmsford	53	-
Car	Harwich	Chelmsford	51	-
Car	Manningtree	Chelmsford	46	-
Train	Clacton	Colchester	26	11.30
Train	Harwich	Colchester	34	9.90
Train	Manningtree	Colchester	10	5.60
Train	Clacton	Chelmsford	49	20.50
Train	Harwich	Chelmsford	53	21.90
Train	Manningtree	Chelmsford	42	15.40

Car travel times based on AA Route Planner

Train information from [www.abelliogreateranglia.co.uk](http://www.abelliogreateranglia.co.uk) Prices based on anytime day return.

## **Other Agencies**

There are other agencies and bodies within the Tendring area that will also be affected by the proposed closures in Colchester. It is therefore proposed that liaison be had with the following to ensure that they are aware of the consultation and that responses are co-ordinated:-

- Police
- CVST
- CAB
- Chambers of Commerce
- Town and Parish Councils

## **BACKGROUND PAPERS FOR THE DECISION**

There are no background papers.

## **APPENDICES**

Appendix A – Proposal on the provision of court and tribunal estate in England and Wales  
Appendix B – Extract from Proposal on the provision of court and tribunal services in the South East region



Ministry  
of Justice

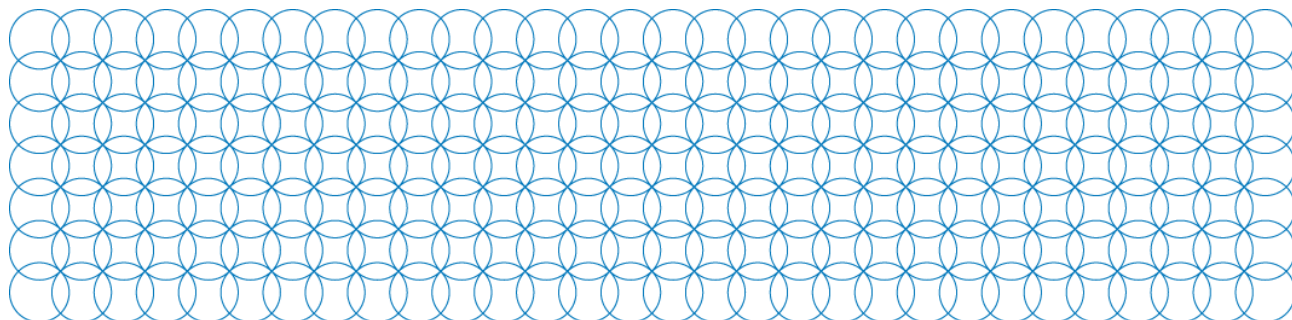


HM Courts &  
Tribunals Service

# Proposal on the provision of court and tribunal estate in England and Wales

This consultation begins on 16 July 2015

This consultation ends on 8 October 2015







Ministry  
of Justice



HM Courts &  
Tribunals Service

## **Proposal on the provision of court and tribunal estate in England and Wales**

**A consultation produced by the Ministry of Justice. It is also available at  
<https://consult.justice.gov.uk/>**

## About this consultation

- To:** The consultation is aimed at court users, magistracy, judiciary, and anyone else with an interest in the provision of justice arrangements in England and Wales.
- Duration:** From 16/07/2015 to 8/10/15
- Enquiries (including requests for the paper in an alternative format) to:** HMCTS Consultation  
Ministry of Justice  
Post point 1.13  
102 Petty France  
London  
SW1H 9AJ
- Tel: 0161 240 5021  
Fax: 0870 761 7768  
Email: [estatesconsultation@hmcts.gsi.gov.uk](mailto:estatesconsultation@hmcts.gsi.gov.uk)
- How to respond:** Please send your response by 8/10/15 to:
- HMCTS Consultation  
Ministry of Justice  
Post point 1.13  
102 Petty France  
London  
SW1H 9AJ
- Fax: 0870 761 7768  
Email: [estatesconsultation@hmcts.gsi.gov.uk](mailto:estatesconsultation@hmcts.gsi.gov.uk)
- Additional ways to feed in your views:** For further information please use the “Enquiries” contact details above.
- Response paper:** A response to this consultation exercise is due to be published at: <https://consult.justice.gov.uk/>



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## Foreword

On 23 June 2015 the Lord Chancellor and Secretary of State for Justice announced his intention to work with the judiciary to reform the courts and tribunals in England and Wales. Reform will bring quicker and fairer access to justice and create a justice system that reflects the way people use services today.

Progress towards a modernised service is already being made. Wi-Fi and digital screens have been introduced into many court buildings and a digital case management system for the administration of criminal cases is well underway.

This is encouraging progress, but more needs to be done. There is a broad consensus that the current system is unsustainable and that we have an opportunity to create a modern, more user-focused and efficient service.

Increased use of technology such as video, telephone and online conferencing will help drive these improvements. Straightforward, transactional matters, such as paying a fine and obtaining probate can be dealt with using digital technology to make the processes as straightforward as filing a tax return. Many straightforward cases do not need face to face hearings which should be reserved for the most sensitive or complex cases.

We can only provide better access to justice if we take difficult decisions to reduce the cost of our estate and reinvest the savings. As the Secretary of State told Parliament on 23 June, this means “a significant number of additional courts will have to close”.

Her Majesty’s Courts and Tribunals Service operates 460 courts and tribunal hearing centres across England and Wales. The estate costs taxpayers around half a billion pounds each year, and at present, it is underused. Last year over a third of all courts and tribunals were empty for more than fifty per cent of their available hearing time.

This consultation puts forward proposals that aim to reduce surplus capacity by closing those courts and tribunals that are unused or underused, or that are simply unsuitable for the services we need to provide from them.

The buildings being consulted on represent 16% of hearing rooms across the estate which are, on average, used for only a third of their available time. That is equivalent to fewer than 2 out of 5 days in a week.

The majority of these courts are not used for at least two thirds of their available time, and one in three are not used three quarters of the time.

Attending court is rare for most people. It will still be the case that, after these changes, over 95% of citizens will be able to reach their required court within an hour by car. This represents a change of just 1 percentage point for Crown and magistrates’ courts and 2 percentage points for County Courts. The proportion of citizens able to reach a tribunal within an hour by car will remain unchanged at 83%.

To ensure that access to justice is maintained, even in more rural locations, we are committed to providing alternative ways for users to access our services. That can mean using civic and other public buildings, such as town halls, for hearings instead of underused, poorly-maintained permanent courts.

We are reforming the courts and tribunal service so that it meets the needs of modern day users. As we bring in digital technology for better and more efficient access to justice, fewer people will need to physically be in a court. This means that we will need fewer buildings, and with many already underused and in poor quality, now is a good time to review the estate.

I welcome views from all interested parties on the consultation.

**Shailesh Vara**

Parliamentary Under-Secretary of State for Courts and Legal Aid

## **Estates Change in the context of court and tribunal reform**

HM Courts & Tribunals Service is an agency of the Ministry of Justice (MoJ). It is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales<sup>1</sup> and non-devolved tribunals in Scotland and Northern Ireland. It operates as a partnership between the Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals.

In March 2014, the Lord Chancellor, the Lord Chief Justice of England and Wales and the Senior President of Tribunals announced details of a programme of reform for the courts and tribunals. At the heart of this programme are the use of technology and the principle of proportionality. Straightforward, transactional matters (such as the administration of probate or pleading guilty and paying a fine) can be dealt with using digital technology to make the processes as straightforward as filing a tax return, or renewing car tax online. Straightforward cases do not necessarily need face to face hearings; judges will be able to reserve the full proceedings of a court hearing for the more sensitive or complex cases. Modern technology can be used not just to make the justice system more accessible but also to reduce the costs of the whole justice system by not requiring extensive transportation of prisoners for bail hearings, or the police to take full days off their priority work to sit in a court room.

Ahead of full implementation of the reform programme, we are seeking views on the closure of courts and tribunals which we believe do not meet our ideas of how best to deliver justice in the future.

### **Access to justice**

HM Courts & Tribunals Service acknowledges that users should not have to make excessively long or difficult journeys to attend hearings, but we also know that, in an increasingly digital age, users do not always need to attend hearings in person in order to access the justice system. Delivering effective access to justice does not therefore necessarily mean providing physical access to a building or require us to have a purpose-built court or tribunal in every local area. We already have well established alternative ways that users can interact with our services. There are examples of this: enabling police officers to give evidence over a live link; processes to enable victims, witnesses and defendants to attend hearings over video link; and users in some jurisdictions having cases progressed or considered through telephone hearings or on papers meaning that they don't need to attend a hearing in person at all. Where attendance at a hearing is needed a purpose-built hearing centre is only one option. Other public buildings could be used for hearings where security requirements are low.

We are fully committed to providing alternative provision to make sure that access to justice is maintained and the regional consultations include further proposals for establishing these alternatives. We know that some council buildings are used for hearings that take place outside of the legal system, for example school admission and exclusion appeals. This may provide a particular opportunity to use common equipment and hearing spaces. We are

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<sup>1</sup> Some tribunals which are part of HM Courts & Tribunals Service in England are devolved to the Welsh Government in Wales.

very keen to hear from consultees on alternative provision, through civic or other public buildings is required and, if so, what form it might take to meet their needs.

### **The consultation**

This is a national consultation on the provision of the court and tribunal estate in England and Wales. HM Courts & Tribunals Service manages the operation of courts and tribunals through seven regions in England and Wales and the consultation includes annexes covering London, the South East, the South West, the Midlands, the North East, North West and Wales.

The consultation covers the proposed closure of:

- 57 magistrates' courts
- 19 county courts <sup>2</sup>
- 2 crown courts
- 4 tribunal hearing centres
- 9 combined courts

Abergavenny Magistrates' Court and Caerphilly Magistrates' Court were subject to a separate public consultation in June 2014. Closure of Abergavenny Magistrates' Court and Caerphilly Magistrates' Court was announced on 9 July 2015.

The closure of Rhyl County Court was announced in 2010 as part of the Court Estate Reform Programme. If the proposed closure of Prestatyn Magistrates' Court is taken forward, the work would be moved to Llandudno Magistrates' Court and the Prestatyn Magistrates' building would be retained as a civil, family, and tribunals centre enabling work to be transferred from Rhyl and the building closed.

To provide users with an overview of all proposed change to the estate, the consultation also includes information on where we plan to relocate courts within the same town or city. Local stakeholders will be notified of these changes when they take place. We are not consulting on our plans to integrate courts. This is where we move the location of a court to another court building in the same local area and where there is limited impact on service provision. Integration plans cover 31 buildings, comprising of:

- 2 magistrates' courts
- 11 county courts
- 2 crown courts
- 15 tribunal hearing centres
- 1 combined court

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<sup>2</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.

This represents the following reductions in purpose-built hearing room capacity:

- 257 magistrates' court rooms, representing 23% of the current total of magistrates' court rooms
- 21 crown court rooms, representing 4% of the current total of crown court rooms
- 139 county court rooms, representing 17% of the current total of county court rooms
- 63 tribunal rooms, representing 13% of the current total of tribunal rooms

### **The requirement for estate reform**

HM Courts & Tribunals Service currently relies on a paper-based system. Cases are largely resolved through physical attendance at hearings. A network of courts and tribunals remains a key component of the service provided.

The estate is made up of a complex picture of freehold, leasehold and casual hire arrangements occupying 460 court and tribunal buildings. In addition there are a number of administrative and support buildings. These were inherited when the organisation was formed in 2011 from the merger of HM Courts Service and the Tribunals Service. Ownership and use of court and tribunal buildings has developed piecemeal over many years. This is an opportunity to stand back and reconsider the existing arrangements and to rationalise the estate so that best value for money is provided for users and taxpayers alike. The courts and tribunals estate costs taxpayers approximately £500 million each year.

There is a significant variation in the standard of our current court and tribunal estate. The estate ranges from historic, listed buildings to rented floors in modern office blocks. Some new builds were completed to a high standard, but many older buildings are unfit for purpose because of shortcomings in the original design, dilapidations, a backlog of maintenance or changes in the way in which our courts and tribunals now operate.

These proposals will provide the organisation with a reduced and sustainable estate from which to deliver our business, increase efficiency, and improve our services. Disposal of surplus estate would provide potential opportunities for development of residential and commercial space benefiting local communities.

### **Utilisation of the courts and tribunals estate**

There is evidence to suggest that the hearing rooms within our estate are significantly under-utilised.

At a national level in the financial year 2014/15, recorded utilisation levels by jurisdiction were:

- Crown courts 71%
- County courts 53%
- Magistrates' courts 47%
- Tribunal hearing rooms 71% [2013/14 data]

HM Courts & Tribunals Service calculates utilisation by assessing the workload (in hours) as a proportion of the maximum capacity of the estate. The maximum capacity is calculated by multiplying the number of courtrooms per jurisdiction by five hours per day and 248 working days in the year. The utilisation levels of individual courts are included in the regional annexes attached to this consultation.

Compared to the financial year 2013/14 there has been a small increase in utilisation levels in the Crown Courts (from 70%), and a decrease in the utilisation levels in the county courts (from 56%) and magistrates' courts (from 55%).

Overall, court utilisation levels remain unacceptably low and, while some initiatives have reduced the workload dealt with in our courts, in general our estate contains too many courtrooms, many of which cannot be used flexibly or are in poor condition. As we increasingly adopt digital ways of working, and reduce the requirement on the part of users physically to attend hearings in person, the need for courtrooms will diminish further.

In the regional annexes we set out how we can ensure that work from any site that could close can be accommodated in another site or sites.

### **Deciding which courts to include in the proposals**

To ensure we deliver business effectively and meet our future strategic requirements, HM Courts & Tribunals Service has applied a set of principles against which the proposals in this consultation were developed.

The principles are:

#### **Ensuring 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).

#### **Delivering 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.

#### **Enabling Efficiency in the longer term**

- 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

These principles differ from those used in the Court Estate Reform Programme (CERP) in 2010. CERP ran from 2010 to 2014 and resulted in the closure of 140 court buildings. The principles have been updated to align with the strategic intentions of wider court and tribunal reform, current requirements for the administration of justice, and financial constraints. Crown courts and tribunal hearing centres were not included in CERP.

The proposal is for workload from surplus sites to transfer to existing courts and tribunals or to take place in civic or other public buildings. The regional annexes set out the proposed site where the work could transfer to, in the event of that court or tribunal hearing centre closing.

In order to achieve a radical transformation of the justice system, any investment must be targeted and sequenced across all three key areas of ICT, estates and business processes to create the efficiencies that will allow HM Courts & Tribunals Service to modernise its current practices and to adopt more streamlined ways of working. We are therefore, as a first priority, addressing the current surplus capacity within the HM Courts & Tribunals Service estate. This will enable us to use the remaining estate more intelligently and flexibly, to reduce our running costs, to focus our investment on improving the estate we need for the future and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. The intention is that capital receipts from the sale of any surplus assets would be reinvested as part of the funding for the reform programme.

### **The impact of these proposals**

The consultation includes a summary of the initial assessment of the impact on travel times (see regional consultation documents and the Impact Assessment). These have been modelled on the catchment area of the court being proposed for closure and the travel times, by car and public transport, to the alternative court(s). The model makes an assessment for all potential court users and includes the additional travel time from rural or suburban areas into town centres. It will, therefore, often show longer travel times than the direct journey between the two court locations.

Through this consultation, we are seeking views on the impact of the proposals on the travel times of user groups and individual users. In particular, we are keen to ensure continuing access to justice for those who live in rural communities and we would welcome hearing from such users with their ideas of how they might, in future, better and more easily access the justice system. This might be by digital means or by, for instance, the occasional use of public buildings other than present day court or tribunal buildings.



This consultation is accompanied by an Impact Assessment of the proposals. It includes an assessment of the equality impact of the proposals, including at a regional level. We will work with the Departmental Trade Unions throughout the consultation period to understand the potential impact on our staff, which will feed into the decision making process. At the same time, our staff will also have the opportunity to put forward their views through the formal consultation process. HM Courts & Tribunals Service complies fully with equality legislation and codes of practice.

### **Improving the Estate**

We recognise that for many of these proposals there may be a requirement to invest in some of the buildings which would be receiving work from a closing court or tribunal. This investment may be required to create space for the public, for our staff and for additional hearings.

We are also committed to investing in those sites that will provide an ongoing service to the public. For example, by improving access for any users with a disability, or by improving general upkeep and addressing outstanding maintenance issues; and by seeking to improve the sustainability of the retained estate. Whilst this investment is part of our reform plans, each case will need to be assessed to make sure it delivers value for money.

### **Local justice areas and listing changes**

Local justice areas were created by the Courts Act (2003) and are used to determine which magistrates' court should hear a particular case. They do not apply to any other court or tribunal jurisdiction.

This consultation does not include any proposals for changes to local justice areas (LJA). Where the proposal to close a court relates to the only magistrates' court in a LJA, then this is noted in the consultation. Any changes to LJA boundaries required as a result of changes in the magistrates' court estate will be subject to separate local stakeholder engagement by the appropriate Judicial Business Group (JBG)<sup>3</sup>.

Changes to court estate may also require a review of listing arrangements. The JBG will undertake local stakeholder engagement exercises proportionate to any proposed change.

### **Responding to the consultation**

Responses to the questions in the consultation will allow us to ensure that courts and tribunals continue to be aligned to workload; that communities continue to have access to court buildings where they need to attend or through alternative methods; and that cases are heard in buildings with suitable facilities.

The consultation seeks the views of everyone with an interest in local justice arrangements. The Lord Chancellor will take all views expressed into account before making any decision on which courts or tribunals ought to be closed and when.

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<sup>3</sup> The Judicial Business Group is a body made up of judges, magistrates, justices' clerks and court administrators with responsibility for ensuring that the judicial business of the court is conducted in a speedy and efficient manner in the interests of justice. Further information can be found at <https://www.judiciary.gov.uk/wp-content/uploads/JCO/Documents/Protocols/protocol-responsibilities-judicial-leadership-management-mcs.pdf>

This consultation is being conducted in line with the Consultation Principles issued by the Cabinet Office in 2012 and falls within the scope of the Guidance. The consultation criteria, which can be viewed at <https://www.gov.uk/government/publications/consultation-principles-guidance>, have been followed. It will run for 12 weeks to enable effective consultation due to the scale of change proposed. In order to respond quickly to changes in operational requirements, future consultations regarding smaller scale proposals are likely to run for a shorter period and focus on known court users.

This consultation and the consultation stage Impact Assessment are also available at [www.gov.uk/moj](http://www.gov.uk/moj).

## **The Proposals**

The courts and tribunals proposed for closure are listed below.

The consultation is divided into seven sections, one for each HM Courts & Tribunals Service region in England and Wales. Details of the proposed closures are included in the regional annexes (A-G) that accompany this document. We welcome comments on individual courts and tribunals, regions or on the consultation overall. A questionnaire is included in this document on page 21 and in each regional annex.

The list below sets out all the courts covered in this consultation because closure is proposed and integration is planned.

### **London**

Bow County Court

Feltham Magistrates' Court

Greenwich Magistrates' Court

Hammersmith County Court (formerly West London County Court)

Lambeth County Court

Pocock Street Tribunal Hearing Centre

Richmond-upon-Thames Magistrates' Court

Tottenham Magistrates' Court

Waltham Forest Magistrates' Court

Woolwich County Court

### **Midlands**

Birmingham Youth Court

Burton-upon-Trent Magistrates' Court

Buxton Magistrates' and County Court

Corby Magistrates' Court

Grantham Magistrates' Court

Hinckley Magistrates' Court

Kettering County Court

Kettering Magistrates' Court

Sandwell Magistrates' Court

Shrewsbury Magistrates' Court

Skegness Magistrates' Court

Solihull Magistrates' Court

Stafford Magistrates' Court

Worksop Magistrates' Court

### **North East**

Consett Magistrates' Court

Halifax County Court and Family Court

Halifax (Calderdale) Magistrates' and Family Court

Hartlepool Magistrates' Court and County Court

Morpeth County Court

Rotherham Magistrates' Court, County Court and Family Court

Scunthorpe Magistrates' Court, County Court and Family Court

Wakefield Magistrates' Court

### **North West**

Accrington County Court

Accrington Magistrates' Court

Bolton County Court and Family Court

Bury Magistrates' Court and County Court

Kendal Magistrates' Court and County Court

Macclesfield County Court

Macclesfield Magistrates' Court

Oldham County Court

Oldham Magistrates' Court

Ormskirk Magistrates' Court and Family Court

Runcorn (Halton) Magistrates' Court

St Helens Magistrates' Court and County Court

Stockport Magistrates' Court and County Court

Tameside County Court

Trafford Magistrates' Court and Altrincham County Court

Warrington County Court

West Cumbria Magistrates' Court and County Court

**South East**

Aylesbury Magistrates' Court, County Court and Family Court

Basildon Social Security and Child Support Tribunal (Acorn House)

Bedford and Mid Beds Magistrates' Court and Family Court and Bedford County Court and Family Court

Bicester Magistrates' Court and Family Court

Bury St. Edmunds Magistrates' Court and Family Court and Bury St. Edmunds Crown Court

Chichester Combined Court (Crown and County)

Chichester Magistrates' Court

Colchester County Court and Family Court

Colchester County Court Offices

Dartford Magistrates' Court

Dover Magistrates' Court

Eastbourne Magistrates' Court, County Court and Family Court

Harlow Magistrates' Court

Kings Lynn County Court and Family Court

Lowestoft Magistrates' Court, County Court and Family Court

Redhill Magistrates' Court and Family Court and Reigate County Court and Family Court

St Albans County Court

Tunbridge Wells County Court and Family Court

Watford Magistrates' Court and Family Court

West Berkshire (Newbury) Magistrates' Court

**South West**

Barnstaple Crown Court

Bath Magistrates' Court, County Court and Family Court or North Avon (Yate) Magistrates' Court

Bournemouth Magistrates' Court

Cheltenham Rivershill House Tribunal

Chippenham Magistrates' Court, Civil Court and Family Court

Dorchester Crown Court

Fareham Magistrates' Court

Gloucester Magistrates' Court

North Avon (Yate) Magistrates' Court or Bath Magistrates' Court, County Court and Family Court

Stroud Magistrates' Court

Torquay Magistrates' Court

### **Wales**

Brecon Law Courts

Bridgend Law Courts

Carmarthen Civil, Family, Tribunal and Probate Hearing Centre

Carmarthen Law Courts (The Guildhall)

Dolgellau Crown and Magistrates' Court

Holyhead Magistrates' Court

Llangefni Civil and Family Court

Neath and Port Talbot Civil and Family Court

Pontypridd Magistrates' Court

Prestatyn Magistrates' Court

Wrexham Tribunal (Rhyd Broughton)

In addition to proposed closures in this consultation the following integrations will be taking place.

### **Midlands**

Chesterfield County Court to be integrated within Chesterfield Magistrates' Court (Chesterfield Justice Centre)

Chesterfield Tribunal (St Mary's Court) to be integrated within Chesterfield Magistrates' Court (Chesterfield Justice Centre)

Hereford County Court and Family Court to be integrated within Hereford Magistrates' Court

Telford County Court and Family Court to be integrated within Telford Magistrates' Court

### **North East**

Doncaster County Court to be integrated within Doncaster Magistrates' Court

Doncaster Tribunal (Portland Place) to be integrated within Doncaster Crown Court

Durham Elvet House Tribunal to be integrated within other tribunal sites within the County Durham estate, including Durham County and Family Court

East Parade Sheffield Tribunal to be integrated within Sheffield Combined Court

Harrogate County Court to be integrated within Harrogate Magistrates' Court

Middlesbrough Tribunal Hearing Centre to be integrated within Teesside Magistrates' Court

Quayside House Newcastle Tribunal to be integrated within North Shields (Kings Court) Tribunal

Wilberforce Court (Hull Employment Tribunal Centre) to be integrated within Hull Magistrates' Court and Hull Combined Court

### **North West**

Bolton Magistrates' Court to be integrated within Bolton Combined Court

Lancaster County Court to be integrated within Lancaster Magistrates' Court

Warrington Magistrates' Court to be integrated within Warrington Combined Court

### **South East**

Aylesbury Crown Court to be integrated within Aylesbury Magistrates' Court, County Court and Family Hearing Centre building

Bury St Edmunds Employment Tribunal (Government Buildings) to be integrated within Bury St Edmunds County Court

Cambridge Social Security and Child Support Tribunal (Eastbrook House) – Cambridge Tribunal to be integrated within Cambridge Civil Justice centre and Cambridge Magistrates' Court

Cambridge Residential Property Tribunal Service to be integrated within Cambridge Civil Justice Centre

Norwich Employment Tribunal (Eliot House) integrated within Norwich Magistrates' Court

Southend County Court and Family Court to be integrated within Southend Crown and Magistrates' Court

### **South West**

Aldershot and Farnham County Court to be integrated within Aldershot Magistrates' Court

Arcade Chambers (Aldershot Tribunal) to be integrated within Aldershot Magistrates' Court

Plymouth St Catherine's House (Plymouth Tribunal) to be integrated within Plymouth Combined and Plymouth Magistrates' Court

Southampton Western Range and Barrack Block to be integrated within Southampton Magistrates' Court

Taunton Blackdown House (Taunton Tribunal) to be integrated within Taunton Deane Magistrates' Court

The Crescent Centre (Bristol Tribunal) to be integrated within Bristol Civil Justice Centre

Weymouth and Dorchester Combined Court offices to be integrated within Weymouth Magistrates Court

Yeovil County Court to be integrated within South Somerset and Mendip Magistrates Court (Yeovil)

**Wales**

Caernarfon Civil and Family Court to be integrated within Caernarfon Criminal Justice Centre

Swansea Crown Court (Guildhall) to be integrated within Swansea Crown Court (St Helens)



## Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

**Question 1: Do you agree with the proposals? What overall comments would you like to make on the proposals?**

**Question 2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.**

**Question 3: Are there other particular impacts of the proposals that HM Courts & Tribunals Service should take into account when making a decision? Please provide details.**

**Question 4. Our assessment of the likely impacts and supporting analysis is set out in the Impact Assessment accompanying this consultation. Do you have any comments on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.**

**Question 5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.**

**Question 6: Please provide any additional comments that you have.**

**Thank you for participating in this consultation exercise.**

## About you

Please use this section to tell us about yourself

<b>Full name</b>	
<b>Job title</b> or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
<b>Date</b>	
<b>Company name/organisation</b> (if applicable):	
<b>Address</b>	
<b>Postcode</b>	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

**If you are a representative of a group**, please tell us the name of the group and give a summary of the people or organisations that you represent.

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## Contact details/How to respond

Please send your response by 8 October 2015 to:

**HMCTS Consultation  
Ministry of Justice  
Post point 1.13  
102 Petty France  
London  
SW1H 9AJ**

**Fax: 0870 761 7768**

**Email: [estatesconsultation@hmcts.gsi.gov.uk](mailto:estatesconsultation@hmcts.gsi.gov.uk)**

### Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Ministry of Justice at the above address.

### Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available on-line at [www.gov.uk/moj](http://www.gov.uk/moj)

Alternative format versions of this publication can be requested from the Ministry of Justice (please see details above).

### Publication of response

The response to this consultation exercise will be available on-line at [www.gov.uk/moj](http://www.gov.uk/moj).

### Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

### Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry.

The Ministry will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

## **Impact Assessment**

Impact Assessment for proposals likely to affect businesses, charities, voluntary sector or the public sector – see guidance on: (<https://www.gov.uk/government/publications/impact-assessment-template-for-government-policies>)

## **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>



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on request [estatesconsultation@hmcts.gsi.gov.uk](mailto:estatesconsultation@hmcts.gsi.gov.uk)**



## **Colchester County Court and Family Court (Falkland House)**

### **Proposal**

Colchester County and Family Court deals with civil, bankruptcy, private law and divorce. It is one of four county courts in the County of Essex with the others being located in Chelmsford, Basildon and Southend (please see separate integration proposal for Southend County and Family Court). The court has a relatively low level of utilisation.

The accommodation at Colchester County Court and Family Court is not ideal for court users as it is spread between two adjoining buildings over three floors. There are some security issues as there is no CCTV. It does not have sufficient interview rooms to allow for private consultation required by court and tribunal users. The courthouse is not fully compliant with the Equality Act 2010.

It is proposed that Colchester County Court and Family Court is closed and the existing civil workload transferred to Chelmsford County and Family Court, whilst the family work would be allocated primarily to Chelmsford County and Family Court and Colchester Magistrates' and Family Court depending on the appropriate judicial tier.

Should Colchester County Court and Family Court close the existing family workload would be issued and allocated in accordance with the principles of the Single Family Court.

These proposals will enable the receiving courts and tribunals to be more responsive and flexible with the throughput and listing of cases, meeting user and workflow demands more effectively. An improved and more efficient service could be delivered with courts and tribunals being utilised more efficiently and effectively. Chelmsford County and Family Court and Colchester Magistrates' Court and Family Court offer good facilities for HM Courts & Tribunals Service users.

### **Workload**

During the 2014/15 financial year, Colchester County and Family Court was utilised at approximately 58% of its capacity.

### **Accommodation**

Colchester County and Family Court was built in 1979, and has three courtrooms and two hearing rooms. The accommodation is spread between two buildings, with an adjoining door on the first floor. The courthouse has three interview rooms available for private consultation. There are no video link facilities. The accommodation is split over three floors in both buildings and is not fully compliant with the Equality Act 2010. There are some security issues as it does not have a CCTV system.

Colchester Magistrates' and Family Court is a purpose built courthouse which opened in 2011. It has a total of five courtrooms. As a new building it offers an excellent standard of accommodation and facilities for courts and tribunals users. The courthouse has a designated witness suite on the ground floor and eight interview rooms available for private consultation. The building is fully compliant with the Equality Act 2010 and there are no security or maintenance issues.

Chelmsford County and Family Court has four courtrooms and four hearing rooms. It offers good facilities for court and tribunals users. It has large and comfortable waiting

areas for parties and witnesses, including a designated child witness waiting room, and has 15 interview rooms, available for private consultation. There are three external and one internal video link facilities for witnesses to give evidence via video link in all four courtrooms. The accommodation is fully compliant with the Equality Act of 2010 and there are no security or maintenance issues.

### Location

Colchester County and Family Court is situated close to the town centre and is approximately ten minutes walk from the nearest train station.

Colchester is located 24 miles from Chelmsford and the journey by car is approximately 25 minutes.

There is a regular train service from Colchester to Chelmsford. The travel time by rail is approximately 25 minutes. The cost of a return train ticket is £12.40. Chelmsford County and Family Court is approximately a ten minute walk from the station.

There is a regular coach service from Colchester to Chelmsford, with a travel time of approximately 50 minutes. The cost of a return ticket is £4.50.

Chelmsford County Court and Family County Court is situated close to the town centre.

Travel time data for this court pre and post closure is shown below:

Before	Time	%	After	Time	%
By Car	0-30min	71%	By Car	0-30min	16%
	30-60min	28%		30-60min	82%
	60-120min	1%		60 - 120min	1%
	>120min	0%		>120min	0%
	no data	0%		no data	1%
By Public Transport	0-30min	31%	By Public Transport	0-30min	0%
	30-60min	36%		30-60min	11%
	60-120min	31%		60-120min	84%
	>120min	2%		>120min	5%
	no data	0%		no data	0%

### Staff implications

There are 12 staff based at Colchester County and Family Court.

### Other information

The operating costs for the financial year 2014/15 for Colchester County and Family Court were approximately £159,000.

The building is leasehold and the lease is due to expire in September 2018.

## **Colchester County Court Offices (Norfolk House)**

### **Proposal**

Colchester County Court Offices are currently mainly used as a hearing venue for Social Security and Child Support Tribunal (SSCS) work. The building is also occasionally used for civil hearings. It is an adjoining building to Colchester County and Family Court (Falkland House). There are issues with the accommodation which are outlined in the proposal for Colchester County Court and Family Court.

It is proposed that Colchester County Court Offices (Norfolk House) are closed and the existing workload moved to Chelmsford County Court and Family Court and Colchester Magistrates' and Family Court. Further details of the accommodation and location of these courthouses are set out in the proposal for Colchester County and Family Court.

During the 2014/15 financial year Colchester County Court Offices was utilised at approximately 26% of its capacity.

The building is leasehold and the lease is due to expire in September 2018.

