

AGENDA ITEM 11

HIGH PEAK BOROUGH COUNCIL

Report to Council

25th February 2016

TITLE:	Proposal on the Provision of Court and Tribunal Estate in the Midlands Region
EXECUTIVE COUNCILLOR:	Councillor Emily Thrane – Finance and Corporate Services
CONTACT OFFICER:	Rachel Rourke – Member Services Officer

Appendices Attached

Appendix A: Response of High Peak Borough Council to the consultation
Appendix B: Response of High Peak Borough Council officers to the consultation
Appendix C: Response from HM Courts and Tribunal Service to the proposal in respect of Buxton Magistrates' and County Court

1. **Reason for the Report:** To update Councillors on the response to the proposal on the provision of court and tribunal estate in the Midlands Region.
2. **Recommendations**
 - 2.1 Council is invited to consider and comment on the response to the consultation document issued by HM Court and Tribunal Service.
3. **Executive Summary**
 - 3.1 Corporate Select Committee considered a consultation issued by the HM Courts and Tribunal Services around proposals on the provision of court and tribunal estate within England and Wales on 14 September 2015. The meeting was attended by Lucy Garrod (Delivery Director Midlands Region) and Amanda Lowndes (Head of Midlands Regional Support Unit). A link to the original consultation is attached here <https://consult.justice.gov.uk/digital-communications/proposal-on-the-provision-of-court-and-tribunal-es>

- 3.2 The consultation proposed that Buxton Magistrates' and County Court be closed and that its work be moved to Chesterfield Magistrates' Court, County Court and Family Court hearing centre, now known as Chesterfield Justice Centre. Other courts proposed for closure in the region included Tameside, Macclesfield and Stockport.
- 3.3 A response to the consultation was submitted on behalf of High Peak Borough Council by the Executive Councillor for Finance and Corporate Services and the Chair of Corporate Select Committee (Appendix A). The response outlined the strong opposition to the proposed closure of Buxton Courthouse due to the "inaccurate assessment of the court premises and the lack of evidence that the geography of the High Peak or its transport arrangements had been taken into account which had resulted in disproportionate weight being accorded to the unsuitability of the Buxton premises and inadequate weight to the unsuitability of the transport arrangements to Chesterfield."
- 3.4 A separate response outlining the impact of the proposals on the day to day running of council services was also submitted (Appendix B)
- 3.5 A response to the consultation has now been issued, and is available via this link https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/499518/national-consultation-document.pdf and at appendix C (specific to Buxton Court). The response advises that the Lord Chancellor has decided that Buxton Magistrates' and County Court will be closed and its work moved to Chesterfield Justice Centre and Stockport Magistrates' and County Court. Consideration will also be given to some family public law being moved to Manchester Civic Justice Centre. It is stated that it is the cases generated from the north of the Borough such as Glossop, Hadfield, New Mills and Whaley Bridge that will be heard in the North West Region. It is noted that this is a change to the original proposal and has been implemented without any further consultation as requested in the consultation response attached at Appendix A.
- 3.6 This closure of Buxton courthouse is due to take place within the first tranche, namely by June 2016. Both Macclesfield and Tameside Courts are also to close, Tameside by June 2016 and Macclesfield by September 2016.
- 3.6 Some of the reasons put forward for the decision are:
- Longer journeys may incur increased costs but these will be outweighed by the savings and efficiencies achieved by locating our resources and reducing the size of the HM Courts and Tribunals Services estate
 - The building is not compliant with the Equality Act 2010
 - The consultation rooms fall short of the standard required by HM Courts and Tribunals Services and of those provided in court buildings across the country
 - The building is underused (27%) and the receiving courts can absorb the work from Buxton without any enabling works
 - Financial savings in the form of fixed and semi-variable costs and from the efficiencies in operating from fewer sites

Mark Trillo
Executive Director – People and Monitoring Officer

**Web Links and
Background Papers**
As set out in the report

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2 October 2015

Shailesh Vara
Parliamentary Under-Secretary of State for Courts and Legal Aid
HMCTS Consultation
Ministry of Justice
Post point 1.13
102 Petty France
London
SW1H 9AJ

BY POST AND BY EMAIL(estatesconsultation@hmcts.gsi.gov.uk)

Dear Shailesh Vara,

Proposal on the provision of court and tribunal estate in England and Wales – Midlands - Buxton Magistrates' and County Court

This letter sets out the response of High Peak Borough Council (the Council) to the proposal to close Buxton Magistrates' and County Court. The consultation documents were considered at a meeting of the Corporate Select Committee on 14 September 2015 which was attended by Lucy Garrod (Delivery Director Midlands Region) and Amanda Lowndes (Head of Midlands Regional Support Unit). A relevant extract of the draft minutes of that meeting is attached as an annexe. In addition, the Chair of the Corporate Select Committee and the Executive Councillor for Corporate Services visited the court premises on Tuesday 22 September 2015. The response has been endorsed by the Leader of the Council and other group leaders. The Council is strongly opposed to the closure of Buxton Magistrates' Court and the transfer of the work to Chesterfield.

Introduction

The Council welcomes the opportunity to contribute to the consultation. The Council understands very well the pressures on publicly-funded bodies to make the most efficient use of resources, adopt modern technology and respond to citizens' expectations. The Council supports the government's overall aims for reform. However, there are some significant substantive factors which militate against the consultation proposal to close the Buxton Court, aspects of which also appear to be procedurally flawed.

Inaccuracies in the description of the premises

The detailed inaccuracies in the description of the premises (public lift, number and configuration of waiting and consultation rooms, Equality Act compliance and usage) have been set out in detail both by the magistrates themselves and by the High Peak Member of Parliament, Andrew Bingham, in the House of Commons on 17 September 2015. During our visit we verified for ourselves that the magistrates' description was the accurate one. We understand that HMCTS has acknowledged one of the inaccuracies, that there is no public lift, but we are concerned that the exchange of correspondence in which this was corrected was not put forward for consideration alongside the consultation documentation before the committee and does not appear as an addendum to the material on the HMCTS website. In our view both the errors themselves and the seeming unwillingness of the service openly to admit to and correct them undermines the procedural credibility of the consultation.

In substantive terms, although they are not purpose-built, the characteristics of the premises do not deserve the disproportionate negative weight accorded to them in proposing a move to Chesterfield as set out in the consultation document.

Incomplete information about travelling distances and times in the case of closure

One option is provided in the case of closure – transfer to Chesterfield. The narrative on travelling arrangements provides information exclusively relating to distances and times from Buxton to Chesterfield, excluding any mention of the more distant catchment area for the court's business in the north west of High Peak, i.e. the significant communities of Glossop, New Mills and Hayfield. The magistrates informally estimate that two-thirds of the court's business comes from those areas following the closure of the court in Glossop some years ago. The volume of business undertaken by the court is increasing but this is not acknowledged in the consultation document. HMCTS were requested both in advance of and at the meeting to provide a postcode analysis of those needing to visit the court premises but were unwilling or unable to do so. The table on travelling times and distances in the consultation document shows that 73% of journeys by public transport (it is not clear how this figure has been calculated) would exceed two hours. Comparison with the figures for other closure proposals shows this to be unusual and extreme – yet no attention is drawn to this information which would clearly be accorded positive weight in retaining the provision in Buxton.

In substantive terms, there appears to be no understanding that Chesterfield is not a frequent or usual destination for residents of High Peak for other purposes. Data clearly shows the predominant employment and social travelling patterns are to and from Stockport and elsewhere in Greater Manchester – hence the expensive, convoluted, lengthy and inconvenient public transport arrangements to and from Chesterfield. No consideration or weight was accorded to the weather conditions that often prevail in the winter months. Not only are the suggested arrangements totally unacceptable in themselves, many councillors who work with and represent potential witnesses, particularly the more vulnerable, commented that the travelling

arrangements would act as a disincentive to their attending court, thus impeding or delaying the delivery of justice.

'Moving the goal posts' during the consultation

During the committee meeting on 14 September queries were raised about the closure proposals in neighbouring areas in the North West such as Macclesfield and Stockport. HMCTS representatives appeared to acknowledge the close links between High Peak and Greater Manchester and indicated that the proposals for the area could be considered together, despite this not being identified as a potential option in any of the consultation proposals for either the Midlands or North West areas. The Council would welcome an assurance that such a course of action would not be taken without further consultation.

Conclusion

The Council is strongly opposed to the closure of Buxton Magistrates' Court and the transfer of the work to Chesterfield. The assessment of the court premises is inaccurate; there is no evidence that the geography of the High Peak or its transport arrangements have been properly taken into account. This has resulted in disproportionate weight being accorded to the unsuitability of the Buxton premises and inadequate weight to the unsuitability of the transport arrangements to Chesterfield.

The Council also considers the consultation process in relation to the proposal is flawed and potentially subject to legal challenge if a decision is taken to implement the proposal.

Copies of this letter go to Andrew Bingham MP and Michael Hilton JP.

Yours sincerely,



Alan Barrow
Chair
Corporate Select Committee



Emily Thrane
Executive Councillor
Corporate Services

ANNEXE

EXTRACT FROM THE DRAFT MINUTES OF THE CORPORATE SELECT COMMITTEE HELD ON 14 SEPTEMBER 2015

16/19

CONSULTATION ON THE PROPOSAL ON THE PROVISION OF COURTS AND TRIBUNAL SERVICES IN THE MIDLANDS REGION

(Agenda item 8)

Lucy Garrod and Amanda Lowndes representing HM Courts & Tribunal Services (HMCTS) were in attendance to outline the consultation proposals to the Committee.

HMCTS is undergoing a significant programme of reform over a 5 year period, with investment being made in modernising IT and the estate. The overall aim was to offer a more efficient service and to increase the number of interactions made electronically to reduce the requirement of people to attend court in person. This consultation was the early part of the estates reform in terms of right sizing the estate, and would not be addressing future reduction requirements. Buxton Court had been identified as being underused, but still needed to be maintained. Formal responses to the consultation were invited, which would be reviewed prior to a response documents formulated and submitted to Ministers for decision. It was anticipated that the response document and decision would be published in December / January.

The consultation document indicated that should Buxton Court close, then the workload would be moved to Chesterfield. In response to concerns expressed by members regarding the proposed move to Chesterfield, it was acknowledged by HMCTS that other locations could more sensibly link with Buxton, such as Macclesfield, Stockport, Manchester City Centre and Glossop, and that there would be no objection to where postcodes would be directed to. This confirmation was welcomed although there was concern that this was not set out in the consultation document. Members also expressed concerns that Stockport, Macclesfield and Tameside were also all subject to this consultation which had not been noted within the consultation document.

Concerns were expressed regarding the average journey times between High Peak and Chesterfield, particularly on public transport, where the journey time could be up to 2.5 hours for over 73% of

people, according to the consultation document. Reference was also made to the inclement weather of the Peak District where roads were often impassable in the winter months. The effect of the longer journey times on participants was discussed, and the possibility that it may affect the vulnerable being able to put their views forward.

HMCTS advised that it was anticipated that the increased use of IT would reduce the need for people to attend court in person, including increased use of video and telephone links and online pleas for motoring offences. In response to a query regarding the response of the police to the consultation, particularly, as in Derbyshire, road traffic police are based in Ripley, HMCTS made reference to the increased use of live link from police stations to enable the police to give evidence without having to attend court in person.

Members of the Committee commented that the factual information within the consultation document about Buxton Court was flawed, particularly in respect of the disabled access, the number of consultation rooms and the utilisation data. HMCTS confirmed that the utilisation data was correct, but acknowledged that an error had been made regarding the description of the public lift which had been corrected and communicated to all those who received the original consultation, which was queried by members. The view was expressed by members however, that the statement of facts regarding the court should have been agreed prior to the consultation taking place, and suggested that the information should be re-drafted and re-circulated.

In response to a suggestion that Buxton Court should be upgraded, members were advised that the use of courts were dictated by the workload, and that the workload was diminishing due to changes in the way things were being dealt with.

In response to a query regarding the potential for joint working with DCC and other partnership opportunities available, HMCTS advised that contact would be made.

With reference to the impact on the staff should Buxton court close, members were advised that there would be re-deployment or redundancy options for staff, depending on individual circumstances. It was noted that to date, no compulsory redundancies had been made by the HMCTS.

RESOLVED:

1. That the representatives of HMCTS be thanked for their attendance;
2. That the Chief Executive and the Executive Councillor for Corporate Services be requested to submit a response to the consultation on behalf of Corporate Select Committee;
3. That a further response be submitted from the Council detailing how the proposals could affect the daily business of the Council.

APPENDIX B

Subject: PROPOSAL ON THE PROVISION OF COURT AND TRIBUNAL SERVICES IN THE MIDLANDS REGION

Dear Sirs,

Please find below, High Peak Borough Council's response to the above consultation. Please note that reference is also made within this response to the effect of the proposed closure of Tameside Court on staff and residents of High Peak Borough, which is where cases based in the north of the borough are heard. A separate response to this consultation has also been submitted by High Peak Borough Councillors.

The views of High Peak Borough Council are as follows:

The proposals would result in vastly increased travel times for our officers and residents. The consultation states that travel time by train between Buxton and Chesterfield takes approximately two hours and 15 minutes. The approximate cost of an Anytime Day Return is £32.30 and trains run at least hourly, and require one to two changes. A bus service operates between Buxton and Chesterfield which takes on average an hour and 20 minutes. For those residents who have their cases moved from Tameside to Manchester, the costs of a train return from Glossop to Manchester is £7.80 and the journey to the Court would take an hour, and include a half an hour walk from the train station in Manchester. Additional time would also have to be factored into journey times if the timetables do not coincide with court times.

The changes make this very prohibitive for people on low incomes or who may have mobility issues, to be able to represent themselves at Court. This could easily lead to inequitable access to justice for people with protected characteristics as defined by the Equalities Act.

Furthermore High Peak Borough Council will have to resource the additional travel costs incurred by its staff to be able to attend court. Obviously these staff will also be out of the office for longer periods of time travelling to and from court which would otherwise be spent on actual duties. This seems to be one area of the public sector saving money at the expense of another which could be seen as a false economy, particularly when multiplied across the tens of thousands of local authority staff across the country attending court each year.

As High Peak makes in the region of 110 applications to court each year in relation to possession proceedings concerning the management of its housing stock, as well as through numerous other areas of the council's work, the effect of High Peak Borough Council and its residents is significant, and therefore the Council is opposed to the closing of Buxton County and Magistrates Court.

Response to the proposal on the provision of court and tribunal estate in the Midlands region

Buxton Magistrates' and County Court

The Lord Chancellor has decided that Buxton Magistrates' and County Court should be closed and its work moved to Justice Centre and Stockport Magistrates' and County Courts. Consideration will also be given to some family public law (care work) being moved to Manchester Civil Justice Centre.

A total of 77 responses were received which related to Buxton Magistrates' and County Court. Of these:

- 35 were from magistrates
- 22 were from members of the public
- five were from other public sector bodies
- five were from professional users
- three were from criminal justice partners
- two were from members of the judiciary
- two were from others
- one was from a Member of Parliament
- one was from a member of staff
- one was from a union or staff group

Of these responses three were in support of the proposals, whilst 71 were opposed and three were neutral responses.

Access to Justice

Buxton Magistrates' and County Court is located in the town centre and has good train and bus links. The court is approximately 25 miles from the originally proposed receiving court, Chesterfield Magistrates', County and Family Court (Chesterfield Justice Centre). The journey time by car is approximately 50 minutes. However bus and train journeys are much longer. For many court users, particularly in and around Glossop and the north of Buxton, Stockport represents a better alternative as a receiving court.

A number of responses commented upon access to justice issues and the increase in travel times and cost if cases were to be transferred from Buxton to Chesterfield Justice Centre. Comments included:

"Such a journey would be especially difficult for anyone travelling from the Glossop area. The significant cost of the journey would disproportionately affect those on low incomes." (Volunteer for Victim Support)

"The time to travel from Buxton to Chesterfield is indeed about 50 minutes by car, however this does not take into consideration the fact that a good proportion of Buxton's work comes from the North West of the county - Wharley Bridge, New Mills, Hayfield and Glossop. Neither does it take into consideration that many court users (and that includes defendants, victims and witnesses) do

not own cars and are on limited resources." (Chairman of the Northern Derbyshire Bench)

"The Chesterfield Magistrates Court and Family Court is within reasonable proximity on roads which are not unduly busy. There is a convenient bus service running at comparatively regular intervals and at a reasonable cost." (The Osbourne Group)

HM Courts & Tribunals Service appreciates that the closure of Buxton Magistrates' and County Court could impact on those court users that reside in the more remote areas. While it is true that there may be some difficult public transport journeys from those areas to Chesterfield, this is not a reason on its own for the retention of the court at Buxton. Although the travel time could be more than an hour from the more remote areas, regard has to be given to the infrequency that those residents attend court and the proportion of people that would use public transport. Attending court is rare for the majority of society, compared to other services which they use and travel to more regularly such as places of further education and employment, airports and hospitals.

Buxton Magistrates' Court is situated approximately 25 miles away from Chesterfield Justice Centre; a travel time by car of 50 minutes each way and a bus journey of 60 minutes each way. The travel cost by bus is £6.30 return. The journey time by train is approximately two hours and 15 minutes each way. This does not include any additional journey time or expense for court users travelling from the more remote catchment areas of the court.

Adverse weather conditions were also raised. This can affect all parts of the country and on occasion prevent travel. On these occasions court cases are adjourned and re-listed when the weather conditions subside.

There is no evidence to support the opinion that longer journeys would be a disincentive to victims and witnesses attending court. To ensure that access to justice is maintained, particularly in the more rural locations, we are committed to providing alternative ways for users to access our services. The video link facility will remain in the Buxton Citizens Advice Bureau and can be used by victims and witnesses to prevent the requirement of a physical presence in court.

Litigants and witnesses involved in civil matters have been travelling from Buxton and the surrounding catchment areas for many years to attend hearings in Chesterfield, Derby and Nottingham. Parties arrive on time and HM Courts & Tribunals Service has received no complaints about start times or travel difficulties caused by this listing practise.

In addition to the above, public law family cases from Buxton and the surrounding catchment areas are also heard in Chesterfield, Derby and Nottingham as well as Buxton. These cases involve some of our most vulnerable people who are in receipt of benefits and who can have mental health, drink and drug related problems. This type of case also requires solicitors and numerous linked agencies to attend court for example, CAF/CASS, Local Authorities and voluntary support workers. Parties generally arrive on time and HM Courts & Tribunals Service has had no complaints or issues raised.

HM Courts & Tribunals Service accepts that the journey to Stockport and Manchester from the northern areas of High Peak is direct and therefore quicker and less convoluted. Stockport Magistrates' Court and County Court was included in the North West regional proposals and following the consultation the court will remain open and will receive some work from Buxton Magistrates' and County Court.

HM Courts & Tribunals Service will, where possible, consider on a case by case basis requests for more flexible start and end times for court hearings and continue to explore the possible use of video links for those court users for whom increased journey times may be problematic. There are video link facilities installed within the Citizens Advice Bureau in Buxton, and HM Courts & Tribunals Service will continue to support the provision of this service.

It is accepted that longer journeys may incur increased costs but these will be outweighed by the savings and efficiencies achieved by locating our resources and reducing the size of the HM Courts & Tribunals Service estate.

Inaccurate information in the consultation paper

HM Courts & Tribunals Service received numerous responses regarding inaccuracies within the consultation paper.

"the court building is not fully compliant with the Equality Act 2010....access to the courtrooms is via two flights of stairs -this is incorrect as a new service lift was installed six years ago and the building is fully compliant with the Equality Act."
(Chairman of the Northern Derbyshire Bench)

"there are two consultation rooms...the overall condition of these rooms is poor-The two consultation rooms were rebuilt three years ago and are of a high standard." (Magistrate)

"there is one waiting room....so desired segregation of parties cannot be achieved"-this is incorrect as a separate entrance and room for witnesses was installed three years ago." (Chairman of the Northern Derbyshire Bench)

"The utilisation of the court house is quoted as 27%- but details are given of 12 sessions a week out of a possible 20, with additional fortnightly and monthly sessions." (Magistrate)

"...although there is in fact a publically accessible lift, this is provided to the rear of the building. The prospect on entering through the main entrance to the court is a flight of stairs and the information desk is several flights up and, from recollection, inaccessible from the lift. In our view this is not an acceptable provision. We are also aware that areas of the premises stand permanently empty and others are severely underutilised. Clearly there is the need for some action." (Members of the public)

HM Courts & Tribunals Service has stated that the court has no public lift, when in fact it does. There are two lifts at the court, one is a public lift which takes parties to the first floor court rooms; and another smaller "platform" lift which is used by our magistrates. We did not state that there was no access for our disabled users; but did state that wheelchair users can access the building using the magistrates lift, as opposed to the public lift. As soon as we identified the error had been made HM Courts & Tribunals Service wrote to the MP and to recipients of the consultation and apologised for making this mistake. HM Courts & Tribunals Service regrets this error however this is not a reason to keep the court open.

The building is not compliant with the Equality Act 2010. A fully compliant building allows access to all floors and all public facilities to all disabled people. Our disabled court users cannot access the second floor, where the court counter and office are located. Whilst not solely for this reason, it does mean that the building is not compliant with the Equality Act 2010.

The consultation document does describe the consultation rooms as 'poor'. In financial year 2011-12 HM Courts & Tribunals Service made improvements to the facilities at Buxton by converting a utility area into a witness waiting room and the cell area into consultation rooms. However the rooms are very small and cramped. They fall short of the standard required by HM Courts & Tribunals Service and of those provided in court buildings across the country.

There is only one designated witness waiting room in the building so when there is more than one party for example, in a family matter, the desired segregation of parties cannot be achieved.

The utilisation figures in the consultation paper are correct. The consultation document explains how the utilisation figure is calculated. Utilisation figures are calculated using 2014-15 sitting hours data as a proportion of the total courtroom capacity. Capacity is based on 248 sitting days per annum and five hours per day per courtroom. Inevitably utilisation figures will be lower than the average scheduling would suggest as sittings reduce at certain times of the year and sitting hours can often fall short of five hours per day. Buxton Magistrates' and County Court does sit every day, but not always for full days and not using both court rooms.

The building is under used (approximately 27%) and the workload currently generated does not require increased sittings.

Value for money

The operating costs for Buxton Magistrates' and County Court for 2014-15 were approximately £90,000.

Some responses raised concerns about value for money.

"Closure of the court may save a relatively small amount of money each year, however, the result would be yet another public building standing empty in a town which is trying to regenerate." (Crown Prosecution Service, East Midlands)

"If the Magistrates' and County Courts are to be released, then there is a real prospect that, working with DCC and its museum service and with local community groups, an entire building block could be brought into reuse." (The Osbourne Group)

"You point out correctly that the building is held on a lease which is due to expire 2030. That means that HM Courts & Tribunals Service will not make a capital sum by selling the building and I understand that the rent is nominal so there will be little saving there." (Member of the public)

Any increase in magistrates' expenses would be offset by better listing arrangements and maintaining magistrates' competencies. The magistrates who are booked will be better used and will frequently sit full sessions as opposed to short sittings; and hear a more varied caseload.

HM Courts & Tribunals Service acknowledges that the tenure on Buxton Magistrates' and County Court is leasehold and therefore no capital gain would be achieved by closing the court. Financial savings will be found in fixed and semi-variable costs listed above; and from the efficiencies in operating from fewer sites.

A national programme is underway to renew the department's video link equipment and related infrastructure and this will lead to a more reliable system being available to court users. HM Courts & Tribunals Service will explore using modern technology, not just to make the justice system more accessible but to reduce the costs of the whole justice system. This will be achieved 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. 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 under way.

The proposals contained in the consultation provide for an opportunity to enhance service delivery, improve performance and provide staff development opportunities. HM Courts & Tribunals Service regularly assesses and adjusts available resources to meet the ever changing business demands.

HM Courts & Tribunals Service has to have due regard to make sure its estate is used to deliver justice efficiently and effectively while providing value for money to the public purse.

Operational efficiency

The current utilisation rate at Buxton Magistrates' and County Court is very low (approximately 27%) and does not justify keeping the court open. The receiving courts can absorb the workload from Buxton without any enabling works. Chesterfield Justice Centre is a modern private finance initiative (PFI) purpose built court building, which offers excellent quality facilities.

"Any cases currently at Buxton where defendants are found guilty and sentenced to custodial sentence are ably dealt with by the current and long standing partner arrangement with the local Derbyshire Police service attending and removing the prisoner to their upgraded cell facilities very close to the Buxton Court house to be detained whilst the PECS provider progresses to a suitable detention facility as ordered by the court. On average utilised once per month." (Buxton Court Staff)

"Members of the courts in Buxton both Magistrates and County will find it very difficult to continue in employment if the courts are closed. It is a remote location the magistrates court at Glossop closed some years ago so a large area has no court... Members live locally and would find it impossible to travel to Derby or Chesterfield. Roads are often difficult in winter and public transport disrupted some members have caring responsibilities which will make long days travelling difficult." (Public and Commercial Services union)

"The principals behind the proposals contained in the consultation paper are ones which should be supported in the interests of efficiency and financial economy." (The Osbourne Group)

"The court is massively underused; I'm in full favour of the court being closed in The High peak in Buxton Derbyshire." (Member of the public)

Larger buildings can facilitate more flexible and efficient listing of cases and give users more certainty of when their case will be heard.

Our staff and judiciary are one of our most valuable resources. By locating them in fewer sites we will create listing flexibility and improve efficiency and productivity. All this will lead to an improvement in service delivery - reducing delay, providing swifter access to justice and speedier case conclusion. This also reduces the impact on our linked agencies such as

Prisoner Escort Custody Services (PECS) and Police, who are not normally in attendance, but are currently required to attend Buxton to collect defendants that have been given a custodial sentence.

The impact upon any staff will, as always be closely managed by HM Courts & Tribunals Service. Impact assessments will be completed for all staff, and will include the assessment of impacts on equalities, which will highlight any issues that may require further consideration. These procedures are fundamental standard practices carried out by HM Courts & Tribunals Service when managing any organisational or business change.

Alternative provision of services

We have received several suggestions for alternative provision of services.

"A video link in Buxton and Glossop for witnesses and perhaps some defendants who are not at risk of custody, would be a good idea." (freelance journalist)

"By using a civic building as a courthouse in Buxton, then the obvious solution is to continue to use the existing court building, which is leased at a peppercorn rent from Derbyshire County Council already. The total cost, of any alternative local scheme would be far higher than staying in the existing, well equipped building!" (Magistrate, Northern Derbyshire Bench)

"There may be other possibilities in the High Peak area by working with the Local Authority to provide a movable facility that could operate in different areas of the High Peak." (Member of the public)

"County Court hearing rooms are not difficult to set up. No secure facilities are required. All that is needed by way of accommodation is an adequately sized and arranged room with appropriate entrances and exits. There would need to be provision for recording and security which should not be beyond the wit of man. Judges would require an internet connection for online access to legal materials – which the imminent new judicial laptops should make much easier." (Designated Civil Judge for Nottinghamshire, Derbyshire and Lincolnshire)

HM Courts & Tribunals Service has already established alternative ways in which users can access our services. We are looking to expand these provisions to provide more choice than is currently available, through making better use of technology, including video conferencing and exploring use of civic buildings to progress towards a more modern, flexible service.

HM Courts & Tribunals Service appreciates that not all members of the public have personal access to IT. However, these facilities are available in local libraries, internet cafes and Citizen Advice Bureaus.

A number of responses commented to the effect that Stockport or other courts in the North West would provide a better alternative for users, particularly in and around Glossop, than Chesterfield.

"If Buxton court has the close then it would be better if court users were able to access Stockport or Tameside Magistrates courts as these are much closer to Buxton than Chesterfield." (Magistrate, Northern Derbyshire)

"Given that all High Peak train lines run into Manchester – it would make sense to look at a North West option, specifically either Stockport or Manchester."
(Director of Legal Services, Derbyshire County Council)

"if you do proceed with the closure, then I ask that a proper study is done into the alternatives. The suggestion of Chesterfield simply will not work! A more workable solution would be to abandon the closure of Stockport and then use that facility to service both Buxton and Macclesfield where closures are also proposed, and indeed Tameside." (Member of Parliament)

In the light of the Lord Chancellor's decision to retain Stockport Magistrates' and County Court, cases generated from the north of the county such as Glossop, Hadfield, New Mills and Whaley Bridge will be heard in the North West Region to enable less expensive and more direct, shorter journeys.

Stockport Magistrates' and County Court is a purpose built building opened in 1989, has 11 court/hearing rooms and the building complies with the Equality Act 2010. During the financial year 2014-15 Stockport Magistrates' and County Court was utilised at approximately 54% of its capacity and had also been considered for closure within this consultation in the North West Region.

Decision

All the points raised by respondents to the consultation have been analysed and following careful consideration, the Lord Chancellor has decided to close Buxton Magistrates' and County Court and move the workload to Chesterfield Justice Centre and Stockport Magistrates' and County Courts. Consideration will also be given to some family public law (care work) being moved to Manchester Civil Justice Centre.

Across the Civil and Family jurisdictions, cases from Buxton and the surrounding catchment areas are already being heard at Chesterfield, Derby and Nottingham. We will expand on this current practise to achieve essential improvements to our service.

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 Buxton Magistrates' and County Court can. Attached with this document is an indicative timetable for implementation. Please note this timetable is subject to change as the programme progresses.