

Appendix 2

Halton Borough Council does not agree with the proposals for the reasons set out below:

The impact of increased travel on Halton residents.

- It is understood that the proposal is for all public law work to transfer to the Liverpool Civil Justice Centre. Often, parents/single parent families are facing the prospect of having their children removed from them and placed into care or put up for Fostering/Adoption.
- They are also likely to be on benefits, struggling to make ends meet and reliant on public transport.
- Court Orders require family members to be present at Court by 9.30 a.m. for pre-Hearing discussions, and travelling to and from Liverpool may well involve journeys between home and the bus/train station to the Court. At a time of great stress, the proposals would subject them to additional expense and prolonged travelling times for Hearings. Every effort should be made to afford parents the opportunity to engage fully with the Court proceedings in their own locality rather than burden them with additional transport problems. The current provision within the Warrington Combined Courts is conveniently situated for access by bus and train services.
- There are concerns for individual Halton residents and/or their solicitors. There are already significant issues around the Legal Aid system, and many persons concerned will be the poorest in what is already a deprived area.

Impact on Court Business

- It is understood that the statistics show that North Cheshire is the busiest in the county and more people choose to lodge private law cases there than anywhere else in Cheshire. It is further understood that Liverpool is the busiest Family Court outside of London, and therefore the already busy workload would be significantly added to.
- Warrington Combined Court appears to be underused and the Court House could readily accommodate both the Family Court and Magistrates Court..
- Any current underuse in the County Court would appear to be due in part to a reduction in Legal Aid. If that were to change it would be anticipated the Court usage would increase. Furthermore, on the other hand, should the likely further reduction in solicitors undertaking Criminal Legal Aid occur, then this could result in an increased number of unrepresented defendants which would in turn cause longer hearings and thereby reduce any current spare capacity.

- There is already concern about the capacity of receiving Courts to cope with the increased workload. It is felt that Warrington Combined Court is not big enough to handle the workload if the closures are agreed and the proposed transfer takes place. Also, there is the issue that the closures may impact on the work of the Probation Service, making it difficult for them to deal with and assist their clients
- Runcorn (Halton) Magistrates Court operates at 66% of its capacity which is the highest rate of capacity use amongst all those North West Courts now proposed for closure, and it cannot be accepted that it should be included within the proposals. The proposals significantly impact upon Cheshire, reducing the potential to deal in the county with criminal business in adults and youth Courts. As Runcorn has four Hearing rooms and a Court room usage at a much higher level compared to the other Courts listed, it is argued that the Court has capacity to absorb a greater workload from Warrington and other places. It should be noted that eight Courts in the region are utilised less than 45% of capacity with usage as low as 12% recorded.
- Social Workers, CAFCASS Officers, Solicitors and other professionals would have to spend more time travelling out of the Borough and using valuable resources in this way would reduce the amount of time professionals are available to work with families, and other areas of their professional duties.
- It is not clear that the scale of savings anticipated can be achieved, given, for example, the necessity of funding an alternative venue for Tribunal sittings which currently take place at Runcorn. Members have also raised concerns about potential job losses caused by the proposals.
- There would be longer travelling times for both Council staff and residents.
- A reduction in the amount of Court time results in available slots being used up very quickly – the Court diary in Warrington for private prosecutions is already full except for 30 December 2015.
- Liverpool Court is already extremely busy for family matters, with long waiting times to get into the building, into Court, limited consultations rooms, no refreshments and a feeling that more cases will only make things worse.
- Halton has 26% of residents living in the top 10% deprived areas nationally compared with 9% of Warrington residents. This includes low levels of income and higher crime rates.
- 27% of households in Halton do not have cars or vans compared to just 19% of households in Warrington.
- Car travel time estimates contained in the document are correct. However, this does not account for traffic delays which can make journey times significantly longer than 25 minutes which could be exacerbated yet further by

the major infrastructure project.

- Car parking in Warrington costs around £5 for 4 hours plus, whereas it is free in Halton.
- Travel via public transport in Halton costs £3.80 daily. To travel from Halton to Warrington using bus only is £5.20. To travel from Halton to Warrington using train/bus is approximately £9.00.
- Return travel from Warrington to Halton is an issue in the evening with the last bus services returning between 1800 to 1820. Buses run throughout the evening, however, there are no bus services connecting to Runcorn East Train Station after 1800 hours and a limited bus service connecting near to Widnes Train Station throughout the evening.

County Court Proposals

- Halton residents can access Civil Consumer Advice to help them enforce their legal consumer rights through the Consumer Advice Helpline operated by the Citizens Advice Bureau.
- Most consumers will receive sufficient advice to resolve the issue themselves. However, clients with complex problems or consumers who are unable to resolve the matter themselves will be referred to the Trading Standards Service to receive enhanced advice. This Service is mainly provided to elderly and vulnerable consumers and may include helping clients to prepare cases for Court and providing assistance at court hearings. Examples of Civil cases include: Breach of Contract, Securing Remedy from Rogue Traders, Refunds for Costs of Repairs or Defective Goods or Substandard Service. There is concern about the impact of the closure of Warrington Court and the transfer of Civil cases to Manchester or Liverpool. Consumers have had waiting times of approximately 3 months before Hearing dates, even with Warrington County Court being utilised to 66% capacity last year. A reduction in the number of Courts is therefore likely to cause further delays. Warrington County Court offers excellent facilities to the residents of Halton who wish to pursue a Civil claim in the County Court and it is felt the additional travelling time and cost associated with hearings taking place in Liverpool or Manchester Courts will cause vulnerable adults a considerable amount of inconvenience and could potentially put them off taking an action at all, thereby by reducing their access to legal redress. In addition, the amount of time and resource cost of Officers travelling to Liverpool or Manchester to support or represent vulnerable adults would cost more money in travelling expenses, and cost time in terms of Officers being out of the office for at least half a day on each occasion.

Magistrates Courts Proposals

- In respect of scheduled Court appearances, the impact of the proposed closure is likely to be minimal as some criminal cases are already heard at Warrington Magistrates Court. However, there are concerns that Hearings

may be delayed if the changes result in a reduction of available court time. There will also inevitably be increased time and travel costs where Officers are attending Hearings.

The main concern, however, is access to Magistrates for urgent/emergency applications e.g. warrants to enter premises for RIPA surveillance. Examples of these emergency applications will also include Food Hygiene, Emergency Prohibition Orders, Condemnation of Food Orders, Part 2A Orders – Public Health Control of Diseases Act (most commonly for illegal tattooists), Warrants to attend premises under the Environmental Protection Act, etc. Such applications are usually made before or after the main Court session. Halton is currently the only local authority using Runcorn Magistrates Court for this purpose. The proposals do not seem to adequately address provision for emergency applications. There is concern that the reduced number of Court sessions and the increased competition from neighbouring authorities and other agencies using the single regional Court facility will mean emergency/urgent access to Magistrates is significantly reduced. The convenience of the Court to Runcorn facilitates access to Magistrates. However, even with the Court in such a convenient location it can be a challenge to secure an audience before a Magistrate at short notice. It is felt that there is already limited Court time and that the Court is not served by adequate administration resource to service the frontline Court activities and facilitate emergency hearings. In most cases, to facilitate urgent Hearings, Officers will lodge papers by hand at the Court for the attention of the Clerk hearing the case a few hours in advance of the Hearing. The transfer of cases to Warrington will delay applications and will significantly increase the time it takes to make such an application, particularly in relation to travelling time.

Halton Borough Council therefore does not agree with the proposals, and urges reconsideration.