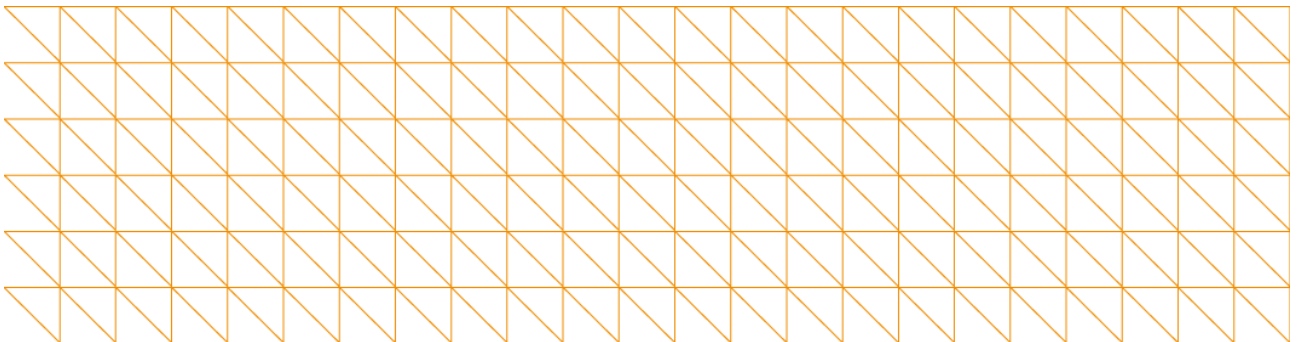




Ministry
of Justice

Response to the proposal on the future of Knutsford Crown Court

Date 21 October 2014



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Ministry
of Justice

Response to the proposal on the future of Knutsford Crown Court

Response to consultation carried out by the Ministry of Justice.

**This information is also available on the Ministry of Justice website:
www.justice.gov.uk**

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Introduction and contact details

This is the response to the consultation paper, 'Proposal on the future of Knutsford Crown Court', which was published on the 25 June 2014.

It will cover:

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

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

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

Alternative format versions of this publication can be requested from;

Email: ann.elliott@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.

Background

The consultation paper; 'Proposal on the future of Knutsford Crown Court' was published on 25 June 2014. It invited comments on the proposed future of Knutsford Crown Court.

The court has two courtrooms and is one of three Crown Courts in the County of Cheshire. The building requires significant upgrade work which HM Courts & Tribunal Service is unable to justify, given that the Court has not been used for any Crown Court hearings since May 2010. All Crown Court hearings for Cheshire are held at Chester Crown Court or Warrington Combined Court.

The consultation period closed on 6 August 2014 and this report summarises the responses and the next steps.

The Impact Assessment accompanying the consultation was updated to take account of evidence provided by stakeholders during the six-week consultation period. The updated Impact Assessment is attached at **Annex B**.

Summary of responses

A total of fourteen responses to the consultation document were received. Of these;

- Two were from Criminal Justice Agencies;
- One was from the Police and Crime Commissioner
- One was from the Judiciary
- One was from the Departmental Trade Union Side
- One was from Knutsford Town Council
- One was from Knutsford Town Planning Group
- One was from a Defence Lawyer; and
- Six were from members of the public

A full list of respondents can be found at **Annex A**.

The responses were analysed for any possible impact on customers and service providers.

There were no objections to the proposal to close Knutsford Crown Court. In fact, the more specific comments received were in relation to the future use of the building if the court were to be closed and the building sold. While these points have been noted, they were not specifically within the scope of this consultation which focused on the future of the Crown Court and the recommendation that it should close. That said all comments on future use have been submitted to Ministry of Justice estates who will lead on the next steps (see conclusion section on page 9).

All the consultation responses have been fully reviewed and, following careful consideration, the Lord Chancellor has decided to close Knutsford Crown Court.

Responses to specific questions

1. What comments would you like to make about the proposed closure of Knutsford Crown Court

“The court has been closed for criminal business for a number of years now, so I have no objections to its closure.” **(Claire Lindley Chief Crown Prosecutor)**

“I have considered the business case for closure set out in the paper and it is clear this particular court has not been used for the past four years. Its closure has no adverse impact either on staff or the delivery of justice and thus seems consistent with good business management practice.” **(Mohammed Farooq Head of Stakeholder Engagement – National Probation Service North West)**

“Happy to support the proposal in that it does not have an adverse effect on victims or operational policing and that capacity within the Crown Court's system in Cheshire will increase in the very near future with the appointment of a new Judge and that there will be sufficient courts available for the judges to sit.” **(John Dwyer Police and Crime Commissioner for Cheshire)**

“Fully support closure, as at time of reducing budgets it makes sense to save on a facility that is no longer in use. Closure would provide revenue savings of approximately £50,000 and a capital return potentially in excess of £700,000, which leads to a more efficient use of the Estate and makes a contribution towards meeting budgetary constraints anticipated in 2014/15.” **(Mrs Moira Chapman – Chair of West Cheshire Bench)**

“Makes eminent sense, I am a Knutsford resident and have been concerned for a while about the costs and waste of such a large building that is unused. There is the potential to use the site for much needed housing, particularly social housing.” **(Joe Godden – Member of the Public)**

Should have been done years ago- what a waste of money over the past 4 years.” **(Caroline Wynne – Defence Solicitors)**

“As it is not used and hasn't been for 4 years it should be closed immediately and put up for sale.” **(Peter Rose Knutsford Town Planning Group)**

“Knutsford Town Council raises no objections to the permanent closure of the court service but request the Estates department discuss the future of the building with residents.” **(Adam Keppel-Garner, Knutsford Town Council)**

“KCHG welcomes the potential ending of uncertainty as to MoJ's future requirement for this building and land. For too long the site has been left vacant or underused, threatening the structural state of the building for example through wet or dry rot, with limited basic maintenance undertaken. KCHG notes that the MoJ consultation refers to damp affecting part of the building.” **(Paul Webster Vice Chair - Knutsford Conservation and Heritage Group)**

“Selling off to the highest bidder is not necessarily the best way forward. The community might like to formulate a plan for its use and secure funding. By the way, it is Grade II* listed, not Grade II - there is quite a difference. Perhaps you could amend your consultation document accordingly.” **(Sarah Ganczarski – Member of the public)**

“I am responding on behalf of South Knutsford Residents Group [SKRG]. SKRG accepts the logic of closing The Sessions House, built when Knutsford was an important centre in Georgian and early Victorian times. It is clearly no longer fit for justice purposes. Sessions House is Grade 2* [not just Grade 2] listed which gives its internal and external appearance a greater degree of protection. SKRG presume that MoJ has examined the possibility of retaining the North courtroom for judge, counsel, juror training purposes with Law Society etc. and leasing the other areas for income generating purposes. The building is of crucial importance to the historic and architectural heritage of the town and therefore deserves a role that reflects its past significance but also enables it to play a meaningful part in the community as it enters its third century of existence.” **(Brian Chaplin, Co-ordinator South Knutsford Residents Group)**

The consultation document itself incorrectly referred to the court as a Grade II listed building only. The court is in fact a Grade II* building, as pointed out in the above responses. Grade II* buildings are particularly important buildings of special interest – 5.5% of listed buildings are Grade II*. This does not however have any direct impact on the proposals contained within the consultation paper and the outcome of the consultation. One response suggests that the building could be retained for training purposes or be leased to generate income. HM Courts & Tribunals Service has not, however, identified any possible alternative uses for the courthouse that would justify the cost of bringing it back into commission.

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

“Arguably the greatest impact of the Court’s closure is on residents, businesses and other stakeholders in Knutsford, and the areas served by the town and by the previous judicial function. Justice will be served at some distance from Knutsford if the proposed closure of the Court takes effect. Sale at less than best price would recognise tangibly these impacts”. **(Paul Webster - Vice Chair of Knutsford Conservation and Heritage Group)**

Following a reduced workload across the county of Cheshire, Knutsford Crown Court has not been used for hearings since May 2010. Work has since been transferred to Chester Crown Court or Warrington Combined Court, an arrangement which has so far received no recorded complaints. There are good and affordable transport links between Knutsford and Chester Crown Court and Warrington Combined Court.

“As the court is no longer used it is imperative that it is kept maintained until further use is found and it should be of benefit to the town and in character with the building. Impact - The listed building and conservation area status so that this Georgian building in a prominent position is not lost to development.” **(Viviane Davis – Member of the public)**

“So long as crime figures continue to reduce there will be no impact, if of course the Police and CPS start charging cases as they used to do 10 years ago we will not have courts to deal with the increase workload, however, I suspect this is unlikely and the CPS and Police don’t have the resources to prosecute crime in the way the used to.” **(Caroline Wynne – Defence Solicitor)**

“I take no issue with the closure of the service; but believe the building's future should be vested in the Town Council for them to put it to use for the good of the Knutsford community - not sold for profit internal.” **(Anonymous)**

"This building is of such significance to Knutsford that closure should be carefully considered...it could easily be a county court if it wasn't a crown court." (**Sarah Ganczarski – Member of the public**)

A significant proportion of the points raised in the responses received related to the future use of the site should the Crown Court be disposed of. These fall outside of the specific scope of this consultation on the future of the Crown Court although they have been submitted for consideration to Ministry of Justice Estates who will lead on the next steps. On the suggestion that the building could be utilised as a County Court – there is already sufficient County Court capacity across the County and bringing the Sessions House back into commission as a court of any jurisdiction would require significant additional maintenance costs which HM Courts & Tribunals Service could not justify.

3. Will the closure of Knutsford Crown Court have a direct impact on you? If yes please provide further details

"Unlikely impact to the Cheshire West Bench." (**Mrs Moira Chapman – Chair of West Cheshire Bench**)

"It is not so much the closure of the Sessions House that will have an impact on the whole of Knutsford because it has in fact been closed for legal purposes for many years. The impact will be on what happens to it after it has closed and passed from MoJ's hands. Inappropriate use will negatively affect Knutsford and its setting as a visitor destination of historical and architectural significance [Mrs Gaskell, for example would have passed The Sessions House every day]." (**South Knutsford Residents Group**)

4. Do you agree that we have correctly identified the full range and extent of equality impacts for the proposals set out in this consultation paper?

No respondents suggested that the consultation paper did not include the full range and extent of equality impacts for the proposal to close Knutsford Crown Court.

Conclusion and next steps

This document provides a summary of the points raised by respondents to the consultation. These have been fully analysed and following careful consideration the Lord Chancellor has decided to close Knutsford Crown Court.

The main reasons:

- Due to reduced workload across the County of Cheshire, it has not been used for hearings since May 2010, and given the workload forecasts for Cheshire there is no prospect of Knutsford Crown Court being utilised in the future;
- All Cheshire Crown Court matters have since been heard at either Chester Crown Court or Warrington Combined Court, an arrangement which has not received any recorded complaints;
- Knutsford is approximately 14 miles away from Warrington Combined Court and 27 miles from Chester Crown Court. The good transport links between the locations mean that there has been no significant impact on court users i.e. defendants and witnesses since the court ceased to be operational in May 2010;
- Bringing Knutsford Crown Court back into commission would demand significant additional maintenance costs (c. £300,000) and require a full review of the facilities for jurors and witnesses, which are currently inadequate for use; and
- The cell area is unfit for purpose due to damp, and parts of the ceiling are falling down.

No objections to the recommendation of closure of the courthouse have been made.

A significant proportion of the points raised related to the future use of the site should the Crown Court be disposed of. As addressed in the responses to specific questions, these fall outside of the scope for this consultation on the future of the Crown Court, although they have been submitted for consideration to Ministry of Justice Estates who will lead on the next steps.

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.

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/Consultation-Principles.pdf>

Annex A – List of respondents

Claire Lindley	Crown Prosecution Service
Mohammed Farooq	National Probation Service
Sarah Ganczarski	Member of the Public
John Dwyer	Police & Crime Commissioner for Cheshire
Viviane Davies	Member of the Public
John Gleeson	Departmental Trade Union
Mrs Moira Chapman	Chair of West Cheshire Bench
Mr David Bryant	Member of the Public
Joe Godden	Member of the Public
Caroline Wynne	Wynne and Gray Solicitors
Peter Rose	Knutsford Town Planning Group
Brian Chaplin	South Knutsford Residents Group (SKRG)
Adam Keppel-Garner	Knutsford Town Council
Paul Webster	Knutsford Conservation and Heritage Group

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