

STOURBRIDGE AREA COMMITTEE: 13TH SEPTEMBER 2004

STOURBRIDGE MAGISTRATES' COURT

REPORT OF THE AREA LIAISON OFFICER

1. PURPOSE

- 1.1. To consider the future of the Stourbridge Magistrates' Court.

2. BACKGROUND

- 2.1. The Area Committee has previously been made aware of the proposals of the West Midlands Magistrates' Courts Committee (WMMCC) to close Stourbridge Magistrates' Court. The principal reasons given for the closure are that the building cannot provide custody facilities and cannot comply with the requirements of the Disability Discrimination Act 1994. Over recent years the number of cases dealt with by the Court has reduced with more cases being referred to Halesowen.
- 2.2. In March 2002, the Council submitted a formal objection to the closure to the Government. The grounds for the objection included the principle that it is fundamental to local justice that this is dispensed by Magistrates sitting in the locality where the matter has arisen.
- 2.3. Consideration of the Council's objection coincided with a change in the WMMCC's proposals for the Borough as a whole. Originally, the WMMCC had planned to close all of the existing Magistrates' Courts in Dudley, Halesowen and Stourbridge, and build a single new Courthouse in a central location within the Borough. However, this proposal was subsequently abandoned and, instead, the WMMCC proposed that the Dudley and Halesowen Courts should be retained and refurbished but that the Stourbridge Court should still close.
- 2.4. The Government eventually decided in July 2004 to dismiss the Council's appeal against the closure of the Stourbridge Court, which means that the WMMCC is able to proceed with its plans.
- 2.5. The view of the WMMCC is that the Stourbridge Courthouse continues not to be suitable and very few cases are being heard there. Their preference would be for an early closure with the caseload moving to Halesowen as previously planned. A supplementary reason for closing the building before April 2005 is that, under the Courts Act 2003, there would have to be negotiations with the West Midlands Police Authority (who own the building and lease it to WMMCC) for an extension of the current lease beyond the 31st March 2005. The WMMCC query whether this would be appropriate for what would be a maximum of two years to 2007, which was the date originally planned for closure.

- 2.6. However, the WMMCC does accept that, as their original plan was for a closure around 2007, they are prepared to consider a closure in March 2006 if a closure in March 2005 would create a great deal of difficulty. However, they believe that this would simply be delaying the inevitable.
- 2.7. WMMCC point out that the first part of the work to improve the ground floor at Halesowen will be completed by the end of September, and they will then be able to carry out the limited works on the first floor to provide the extra courtroom which should be available by the 31st March 2005.

3. PROPOSAL

- 3.1. It is proposed that the Area Committee note this report and comment upon the WMMCC's decision to close the Stourbridge Magistrates' Court.

4. FINANCE

- 4.1. As West Midlands Police Authority own the building, there are no direct financial implications for the Council arising from this report.

5. LAW

- 5.1. The Council's appeal against the closure of the Stourbridge Magistrates' Court was determined by the Minister under Section 56 of the Justices of the Peace Act 1997.

6. EQUAL OPPORTUNITIES

- 6.1. This report complies fully with the Council's policies with regard to equal opportunities and diversity.

7. RECOMMENDATION

- 7.1. It is recommended that the Area Committee note this report and comment upon the WMMCC's decision to close the Stourbridge Magistrates' Court.

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JOHN POLYCHRONAKIS
Area Liaison Officer.

Contact Officer: John Polychronakis, Ext. 5300.

LIST OF BACKGROUND PAPERS

1. Correspondence with the West Midlands Magistrates' Courts Committee.
2. Correspondence with the Department for Constitutional Affairs.