

BRIERLEY HILL AREA COMMITTEE: 5TH JUNE 2003
CENTRAL DUDLEY AREA COMMITTEE: 9TH JUNE 2003
STOURBRIDGE AREA COMMITTEE: 9TH JUNE 2003
NORTH DUDLEY AREA COMMITTEE: 17TH JUNE 2003
HALESOWEN AREA COMMITTEE: 18TH JUNE 2003

MAGISTRATES' COURTS

REPORT OF THE DIRECTOR OF LAW AND PROPERTY

1. PURPOSE

- 1.1. To consider proposals from the West Midlands Magistrates' Courts Committee with regard to Courthouses in Dudley, Halesowen and Stourbridge.

2. BACKGROUND

- 2.1. In March 2002, the Area Committee considered a report setting out proposals from The West Midlands Magistrates' Courts Committee (WMMCC) for the provision of Courthouses in the West Midlands. So far as the Borough is concerned, the WMMCC proposed that the three existing Courthouses in Dudley, Halesowen and Stourbridge should close and be replaced by a new courthouse at an appropriate location in the Borough.
- 2.2. The views of all Area Committees were reported to the then Policy Committee who lodged a formal objection to the proposal for a number of reasons, including the principle that it is fundamental to local justice that this is dispensed by Magistrates sitting in the locality where the matter has arisen. However, the Council also proposed an alternative suggestion that, should a reduction in provision be unavoidable, two Courthouses, one in the north of the Borough and one in the south, would be preferable to the single courthouse proposal.
- 2.3. The Council's objection was submitted to the Lord Chancellor's Department in March 2002 and there has not yet been a formal adjudication.
- 2.4. In the meantime, there has been an important development which has been recently reported to me by the WMMCC. In essence, there is a significant shortage of Crown Court accommodation in the West Midlands. The long-term solution will be to develop additional Crown Court space at Wolverhampton Combined Court, and at the Queen Elizabeth II Courthouse in Birmingham. However, a quicker and temporary solution is being looked at and it is being proposed that the Halesowen Magistrates'

Courthouse should be adapted and extended to provide five Courtrooms to be used as a Crown Court subject, of course, to planning permission. The Government has apparently made it clear that there would be funding available for this.

2.5. Should planning permission be granted, it is envisaged that the five Courtrooms at Halesowen will accommodate some continued use of the Courthouse for Magistrates' Courts. The following are the consequences of such a proposal:-

- Halesowen Courthouse would have to be vacated for the build period of approximately one year. This will require the relocation of the staff based at Halesowen to Dudley.
- The Dudley and Halesowen and Stourbridge Benches would have to work closely together during the build period and the period of usage of the Halesowen Courthouse by the Crown Court.
- There will be an increased use of Stourbridge during this period.

2.6. The WMMCC state that the benefits of the proposal are that:-

- It guarantees investment in the Courthouse estate in the short term.
- In the medium term, refurbished Courthouse accommodation will be returned to the Magistrates' Court.

2.7. In the long term, it will secure the future of two Courthouses in the Borough, i.e. Dudley and Halesowen. The Dudley Courthouse would be refurbished and brought up to modern Courthouse expectations and standards. However, Stourbridge would have no long-term future when Halesowen reverts to being a Magistrates' Courthouse only. The expectation is that the closure of Stourbridge will be delayed, probably until 2008 because of the need to retain overall capacity across the West Midlands during the period of major building works.

2.8. The revised proposals represent a significant advance on the original proposition submitted by the WMMCC and, to a large extent, reflect the alternative position suggested by the Council in March 2002. The key issue is whether planning permission will be granted for the development of the Halesowen Courthouse, bearing in mind its proximity to residential property. Furthermore, whilst Stourbridge would not have a long-term future, the revised proposals envisage that it would be retained for five years and that, in the short-term, its workload would be considerably increased.

2.9. All Area Committees are being consulted regarding these revised proposals and their views will be reported to the Executive at its meeting on the 2nd July 2003.

3. PROPOSAL

- 3.1. It is proposed that members consider the revised proposals submitted by the WMMCC for the provision of Courthouses in the Borough as set out in paragraph 2 of this report.

4. FINANCE

- 4.1. The WMMCC has submitted a bid of just under £1m for capital spending approval for refurbishment of the Dudley Courtroom and extra space for Dudley to accommodate staff from Halesowen. If approved, the revenue implications of this spend would be met by the WMMCC, part of whose costs are financed on a pooled basis by the West Midlands Districts.
- 4.2. The cost of any work at Halesowen would be met by the Lord Chancellors Department.

5. LAW

- 5.1. Under Section 55 of the Justices of the Peace Act 1997, local authorities are primarily responsible for providing Magistrates' Courts Committees with the resources necessary for the running of the local court service, including courthouses and other accommodation.

6. EQUAL OPPORTUNITIES

- 6.1. Improved facilities at the Dudley and Halesowen Magistrates' Courts will assist the WMMCC in complying with its statutory obligations under the Disability Discrimination Act 1995, to improve disabled access to these courthouses.

7. RECOMMENDATION

- 7.1. It is recommended that members consider the revised proposals submitted by the WMMCC for the provision of Courthouses in the Borough as set out in paragraph 2 of this report.

JOHN POLYCHRONAKIS
DIRECTOR OF LAW AND PROPERTY

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LIST OF BACKGROUND PAPERS

1. Correspondence with the West Midlands Magistrates' Courts Committee.