

MINISTRY OF JUSTICE CONSULTATION PAPER – PROPOSAL ON THE PROVISION OF COURT SERVICES IN HMCS CUMBRIA AND LANCASHIRE

LEAD MEMBER(S): Councillors G Garrity

REPORT AUTHOR: Jessica Hall, Overview and Scrutiny Support Officer

Summary: The report asks Members to consider the consultation document with a view to responding to the proposals on behalf of the Council, in consultation with the group leaders

RECOMMENDATIONS:

That the Overview and Scrutiny Committee consider the proposals outlined in the consultation paper and agree to make recommendations and prepare a response on behalf of the Council.

1. BACKGROUND

The Ministry of Justice published a Consultation Paper on 23 June 2010 entitled Proposal on the provision of court services in HMCS Cumbria and Lancashire (HMCS CP05/10). Please note a copy of the report is available in the Member's Room or from the Overview and Scrutiny Support Officer.

The paper proposes to close the Whitehaven Magistrates Court and Whitehaven County Court and relocate the court services provided by both courts to Workington Magistrates Court.

At its meeting on Monday 5 July 2010, the informal co-ordinating board agreed to include this matter on the External Overview and Scrutiny Committee (OSC) agenda on the basis that it met the Work Programme Prioritisation Protocol. It was felt that it did on the basis that the proposals would impact on a wide part of the Borough, would be a key issue of concern for the public and could lead to an inequality in service provision.

2. RESPONDING TO THE CONSULTATION

The deadline for responding to the consultation is 15 September 2010. Under such circumstances the OSC would normally report its findings and recommendations to Council. However there will not be another meeting of Council between the 19 August 2010 and 15 September 2010 deadline.

Council will be asked to approve a report at its meeting on 17 August 2010. The report asks Council for approval for the OSC to respond to the consultation on the Council's behalf, in consultation with the Group Leaders.

3. PROGRESS UPDATE

At the time of writing the OSC has started to undertake work which will inform their findings and final response to the consultation. The Chairman has written to a number of bodies and organisations which may be affected by the proposals. Feedback has also been invited through the local press and the Council's website.

The committee membership will also be carrying out a site visit to both courts on the afternoon of the 19 August 2010. Members will be able to view the facilities at the courts and meet HMCS Area Director who will be answering their questions.

A meeting is also to be scheduled with the Chair of the Whitehaven Magistrate's bench and representatives from West Cumberland Law Society have confirmed they will be attending the meeting of the OSC on 19 August 2010.

4. CONCLUSION

The OSC is asked to consider the proposals and based on its findings, make recommendations and prepare a response to the consultation.

5. CONSULTEES

Copeland Borough Council Corporate Team and Officers, Borough Councillors, County Councillors, Parish and Town Councils, West Cumberland Law Society, Citizen's Advice Bureau, Chair of the Whitehaven Magistrates Bench, Probation Service, Cumbria County Council Children's Services, Copeland Disability Forum, Age Concern, Member of Parliament, Cumbria Police. Wider public consultation through local press and Council website.

Background papers:

Ministry of Justice Proposal on the provision of court services in HMCS Cumbria and Lancashire – Consultation Paper HMCS CP05/10

OSC Member Briefing on the proposals – circulated to External OSC on 4 August 2010.