



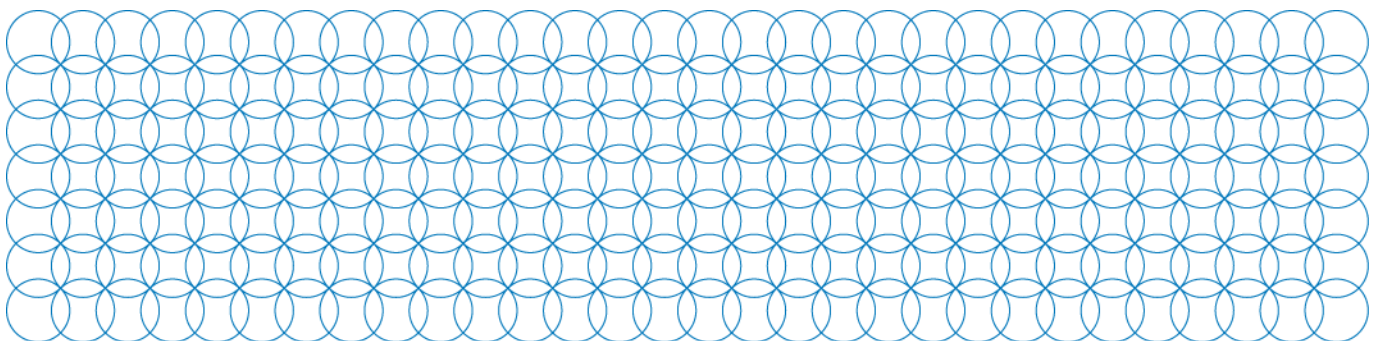
Ministry of  
**JUSTICE**

# Proposed closure of Leigh County Court

**Consultation Paper CP38/09**

Published on 13 October 2009

This consultation will end on 5 January 2010







Ministry of  
**JUSTICE**

## **Proposed closure of Leigh County Court**

**A consultation produced by Her Majesty's Courts Service, part of the Ministry of Justice. It is also available on the Ministry of Justice website at [www.justice.gov.uk](http://www.justice.gov.uk)**

HER MAJESTY'S  
COURTS SERVICE  
**hmcs**



## Contents

Executive summary	2
Introduction	4
The proposals	5
Questionnaire	8
About you	9
Contact details/How to respond	10
The consultation criteria	12
Consultation Co-ordinator contact details	13

---

## Executive summary

This document outlines the issues surrounding the future provision of county court services in the Leigh area of Greater Manchester and the proposals for the closure of Leigh County Court. Greater Manchester is made up of ten local authority districts with all but Rochdale having a County Court presence within its boundaries. Wigan is the only local authority within Greater Manchester with more than one County Court presence with one at Wigan and another at Leigh.

Leigh County Court currently deals with the civil court requirements from Astley, Atherton, Culcheth, Glazebury, Golborne, Leigh, Lowton, Mosley Common, Tyldesley and Westleigh.

Leigh County Court has county court and divorce jurisdiction. There is a full time administrative function dealing with processing claims for debt or damages, requests to issue enforcement process (warrants, attachments of earnings, etc.), divorce petitions, financial settlements in divorce, and general interlocutory applications. The court also deals with certain applications in respect of children (section 8 applications), with hearings taking place at Wigan, Warrington and Liverpool County Courts.

Other matters, such as Bankruptcy and District Registry (High Court) are under the jurisdiction of Wigan County Court.

In order to achieve a more efficient service delivery to the public in this area, it is proposed to close this court and include it, in the main, within the jurisdiction of Wigan County Court. The exception would be civil court business from the Culcheth and Glazebury locality which would be dealt with by Warrington County Court. Customers can choose where the matter is dealt with for some aspects of civil court business. It is anticipated, therefore, that in the event of Leigh County Court's closure, some customers will choose to deal with other courts such as Bolton, Salford or Manchester if they regard it as more convenient to do so.

In May 2008 Leigh County Court was extensively damaged by fire in an arson attack, resulting in the building's closure. The extent of the damage is such that it is not cost effective to reinstate the County Court in this building as this would cost in the region of £600,000.

The principal reasons for this proposal are as follows:

- To improve operational effectiveness and provide improved service provision which better meets the needs and expectations of court users.
- Current court usage is low and has reduced significantly in recent years.
- The court deals with a limited workload due to its jurisdiction and operational capability.

- To achieve better value for money and cost savings by transferring the provision of services to Wigan County Court (c. 7 miles away).
- Service provision could be more efficiently delivered from surrounding county courts, with a reduced effect on accessibility for local residents and businesses.

## Introduction

This paper sets out for consultation the provision of court services in the Leigh area of Greater Manchester and the proposals for the closure of Leigh County Court. The consultation is aimed at people who may be affected by the change including court users, stakeholders, public authorities, charities and businesses in Leigh and the surrounding area.

This consultation is being conducted in line with the Code of Practice on Consultation issued by the Cabinet Office and falls within the scope of the Code. The consultation criteria, which are set out on page 12 have been followed.

A preliminary Impact Assessment has been completed and is available at [www.justice.gov.uk](http://www.justice.gov.uk). We will be developing the Impact Assessment during the consultation period.

A draft Equality Impact Assessment (EIA) screening has been completed and indicates that the proposals are unlikely to lead to differential impacts in terms of race, disability, gender or sexual orientation. If you disagree with this conclusion you are invited to send your reasons as part of your overall response to this paper.

A copy of the initial Impact Assessment and the initial screening for an Equality Impact Assessment are available at [www.justice.gov.uk](http://www.justice.gov.uk)

Copies of the consultation document have been sent to:

- Andy Burnham, MP for Leigh
- Courts Board
- District Council
- CAFCASS
- Criminal Defence Service
- Association of District Judges
- High Sheriff/Lord Lieutenant
- Judiciary and staff at Leigh County Court
- Designated Family and Civil Judges for Leigh County Court
- TUs (PCS and Prospect)
- Senior Presiding Judge

This list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest on this proposal.

This consultation document is also available on the Ministry of Justice website at [www.justice.gov.uk](http://www.justice.gov.uk)

## The proposals

To close Leigh County Court and include it, in the main, within the jurisdiction of Wigan County Court located 7 miles away – civil court business from the Culcheth and Glazebury locality which would transfer to Warrington County Court.

The proposal to close Leigh County Court is being made as part of the HMCS Estate Strategies for Greater Manchester, designed to improve overall service within the area, by the provision of improved, centralised facilities.

The Greater Manchester Courts Board, in approving the Estates Strategy, endorsed the need to consider the future of Leigh County Court in terms of offering value for money as a stand-alone court. This follows the recent co-location of county and magistrates' courts resulting in single courthouse operations in Trafford, Tameside and Bury as part of a programme which was completed by the co-location in Wigan in early 2009.

HMCS considers it reasonable and appropriate to propose the closure of county court services in Leigh and transfer the jurisdiction to Wigan County Court. The reasons for doing so are:

- To provide a level of service which better meets the needs and expectations of court users, including better facilities than were available at Leigh County Court.
- Court usage of Leigh County Court was low and had reduced significantly in recent years. Due to decreasing workloads in its limited jurisdiction.
- Closing Leigh County Court would allow HMCS to make efficiency improvements and provide a county court service within Greater Manchester that offers better value for money to court fee payers and the tax payer.
- The proximity to surrounding county courts means that there would still be a county court service within close proximity to Leigh.
- Following the arson attack, there is no current accommodation for a county court in Leigh and, given the above, investing in alternative accommodation does not seem sensible.

Leigh County Court currently deals with the civil court requirements from the locations of Astley, Atherton, Culcheth, Glazebury, Golborne, Leigh, Lowton, Mosley Common, Tyldesley and Westleigh. Court users from these locations are most likely to be affected by the proposed closure.

Business delivered in Leigh includes county court and divorce jurisdiction. The administrative work consists of processing claims for debt or damages and children applications (section 8), requests to issue enforcement processes, petitions and financial settlements in divorce, and general interlocutory applications. It also includes applications to suspend warrants for the possession of property in rent or mortgage cases.

Until the arson attack a District Judge sat at Leigh for two or three days a week. The workload consisted of a mixture of civil and divorce work normally consisting of short appointments dealing with such matters as possession of property, claims for recovery of debt or damages, enforcement of court orders and applications to withdraw monies held in court on behalf of minors.

Court users and their representatives wishing to proceed with the above matters and attend hearings relating to them would be affected by the closure of a County Court presence in Leigh.

Business not delivered in Leigh includes Bankruptcy and District Registry (High Court) matters which are under the jurisdiction of Wigan County Court. Contested private law family matters are also dealt with there. Small claims of up to two hours' in length have normally been listed and heard at Wigan, which can accommodate a back-to-back list, i.e. where more than one District Judge is sitting to deal with a heavier list of such cases. This arrangement uses judicial time more efficiently because when a small claim settles before, or even on the morning of the hearing, there will be another case in the list which the judge can hear instead.

There are presently 6.57 staff (full time equivalent) allocated to Leigh County Court. In addition, 2 Bailiffs are based at Leigh. There are no permanent judiciary on site.

For the last three years the complement of District Judge sitting days has been 131 days. These sitting days have, in the main, been provided by three full-time District Judges, based at Wigan.

In the event of the court's closure, consideration will be given to staff requesting transfers to other courts in the Greater Manchester area. Otherwise staff will be redeployed to neighbouring courts which have the capacity between them to house all the staff required to carry out Leigh's work. No redundancy scheme is considered necessary. Staff and relevant trade unions have been aware of these proposals for some time and are kept informed of developments.

### **Accessibility**

A survey, commissioned as part of this consultation process, found that all 53 court users came from Leigh or nearby and had travelled for less than 20 minutes. Travelling by public transport to an alternative County Court is likely to take a little longer at between 30 and 45 minutes depending on mode of transport and time of day.

A Day-Saver return bus ticket costs between £3.30 and £4.00 depending on the service provider. Some customers such as those aged over 60 and disabled people receive free or reduced rate travel.

An Adult "Rail Ranger" ticket costs £4.00 and entitles the holder to unlimited rail travel within Greater Manchester after 9.30am. This could apply to customers with access to Atherton rail station and the service to Wigan takes around 15 minutes.

Many people attending a County Court do, however, attend only once or infrequently. Of those indicating in the above survey, around one third regarded their visits to the County Court as often or more frequent. Two-thirds responded in that they attended only once, rarely or occasionally.

This indicates that a change of business location impacts on some court users more than others.

The surveys show that many court users attended court to conduct business that could be dealt with by other means; for example, a telephone call, on-line or by post. This includes making general enquiries, collecting information, lodging documents and making payments. It is estimated that this accounts for around 85 to 95% of business.

Court users involved in hearings do need to attend court in most cases so these instances would involve travelling with the associated costs.

Court users needing to swear an affidavit in relation to divorce proceedings need to do this in person, either at a County Court or at a local solicitors. Solicitors will, however, generally charge (a fee of around £5) for this, so these court users will incur additional costs either in travel to court or in solicitor's fees.

Some users making a payment, particularly if they do not have a bank account or are subject to an administrative order may prefer to attend the court in person to do this.

## Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

**Question 1. What comments would you like to make on the proposal to close Leigh County Court.**

**Question 2. Please describe any particular impacts that should be taken into account and why.**

**Question 3. Will the closure of Leigh County Court have a direct impact on you? If so, please provide additional details which will help in reviewing the equality impact assessment.**

**Thank you for participating in this consultation exercise.**

## About you

Please use this section to tell us about yourself

<b>Full name</b>	
<b>Job title</b> or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
<b>Date</b>	
<b>Company name/organisation</b> (if applicable):	
<b>Address</b>	
<b>Postcode</b>	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

**If you are a representative of a group**, please tell us the name of the group and give a summary of the people or organisations that you represent.

---



---



---



---

## Contact details/How to respond

Please send your response by 5 January 2010 to:

**Brendan Beckett**  
**HMCS Area Director's Office**  
**Level 13, Civil Justice Centre**  
**1 Bridge Street West**  
**MANCHESTER**  
**M60 1TE**

**Tel: 0161 240 5956**

**Email: [Brendan.beckett@hmcourts-service.gsi.gov.uk](mailto:Brendan.beckett@hmcourts-service.gsi.gov.uk)**

### Extra copies

Further paper copies and alternative format versions of this consultation can be requested from this address and are available on-line at <http://www.justice.gov.uk/index.htm>.

### Publication of response

A paper summarising the responses to this consultation will be published within 3 months of the closure of this consultation exercise. The response paper will be available on-line at <http://www.justice.gov.uk/index.htm>.

### Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

### Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

## The consultation criteria

The seven consultation criteria are as follows:

1. **When to consult** – Formal consultations should take place at a stage where there is scope to influence the policy outcome.
2. **Duration of consultation exercises** – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. **Clarity of scope and impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. **Accessibility of consultation exercises** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. **Responsiveness of consultation exercises** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

**These criteria must be reproduced within all consultation documents.**

## Consultation Co-ordinator contact details

If you have any complaints or comments about the consultation **process** rather than about the topic covered by this paper, you should contact Julia Bradford, Ministry of Justice Consultation Co-ordinator, on 020 3334 4492, or email her at [consultation@justice.gsi.gov.uk](mailto:consultation@justice.gsi.gov.uk).

Alternatively, you may wish to write to the address below:

**Julia Bradford**  
**Consultation Co-ordinator**  
**Ministry of Justice**  
**102 Petty France**  
**London SW1H 9AJ**

If your complaints or comments refer to the topic covered by this paper rather than the consultation process, please direct them to the contact given under the **How to respond** section of this paper at page 10.





© Crown copyright  
Produced by the Ministry of Justice

Alternative format versions of this report are available on request from  
0161 240 5956.