

## Summary: Intervention & Options

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|--|--|----------------------------|
| <b>Department /Agency:</b><br><b>Ministry of Justice</b> | <b>Title:</b><br><b>Impact Assessment of the closure of Dorking Magistrates' Court</b> |                            |
| <b>Stage:</b> Final Proposal                             | <b>Version:</b> 1.0  | <b>Date:</b> 15 March 2010 |
| <b>Related Publications:</b>                             | Proposed closure of Dorking Magistrates'   |                            |

**Available to view or download at:**

<http://www.justice.gov.uk>

**Contact for enquiries:** Julia Eeles

**Telephone:** 020 333 45137

**What is the problem under consideration? Why is government intervention necessary?**

Maintaining a Court at Dorking has become operationally unviable and is no longer cost effective. Further, Dorking Magistrates' Court no longer provides service levels that fully meet the expectations of court users. The Court is housed in a building which is no longer suitable for the provision of Court services. Further, Dorking Magistrates' Court is considered to be under-utilised and generates insufficient workload.

**What are the policy objectives and the intended effects?**

The objective is to improve service provision for the South East Surrey area by transferring jurisdictional responsibility for the Dorking area to the nearby Redhill and Guildford Courts. Closure of Dorking Magistrates' Court would generate savings for HMCS.

**What policy options have been considered? Please justify any preferred option.**

Excluding the do nothing base case, the only option considered is the closure of Dorking Magistrates' Court and the transfer of its current work to the nearby Redhill and Guildford Courts.

**When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?**

If implemented, the policy will be reviewed within three years.

**Ministerial Sign-off** For final stage Impact Assessments:

*I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.*

Signed by the responsible Minister:

..... Date:

## Summary: Analysis & Evidence

|                         |   |
|-------------------------|---|
| <b>Policy Option: 1</b> | <b>Description: Closure of Dorking Magistrates' Court and transfer of work to Redhill and Guildford Courts.</b> |
|-------------------------|---|

|  |   |  |  |
|--|---|--|--|
| <b>COSTS</b>   | <b>ANNUAL COSTS</b>   | Description and scale of <b>key monetised costs</b> by 'main affected groups'<br>It is anticipated that there will be additional travel costs for users of Dorking Magistrates' Court who under Option 1 will have to travel to Redhill or Guildford Courts. |  |
|  | <b>One-off</b> (Transition) <span style="float: right;"><b>Yrs</b></span> |  |  |
|  | £   |  |  |
|  | <b>Average Annual Cost</b><br>(excluding one-off)                         |  |  |
| £  | <b>Total Cost (PV)</b>  | £  |  |
| Other <b>key non-monetised costs</b> by 'main affected groups' |   |  |  |

|  |  |   |  |
|--|--|---|--|
| <b>BENEFITS</b>  | <b>ANNUAL BENEFITS</b>                                       | Description and scale of <b>key monetised benefits</b> by 'main affected groups' Closure of Dorking Magistrates' Court would generate savings for HMCS. |  |
|  | <b>One-off</b> <span style="float: right;"><b>Yrs</b></span> |   |  |
|  | £  |   |  |
|  | <b>Average Annual Benefit</b><br>(excluding one-off)         |   |  |
| £  | <b>Total Benefit (PV)</b>                                    | £   |  |
| Other <b>key non-monetised benefits</b> by 'main affected groups' The transfer of services to Redhill or Guildford Courts would realise benefits for court users given the standard of court facilities at Redhill and Guildford is superior to Dorking. |  |   |  |

Key Assumptions/Sensitivities/Risks

|                    |                      |                                     |  |
|--------------------|----------------------|-------------------------------------|--|
| Price Base<br>Year | Time Period<br>Years | <b>Net Benefit Range (NPV)</b><br>£ | <b>NET BENEFIT (NPV Best estimate)</b> |
|--------------------|----------------------|-------------------------------------|--|

|   |  |        |       |        |       |
|---|--|--------|-------|--------|-------|
| What is the geographic coverage of the policy/option?                 | South East Surrey,   |        |       |        |       |
| On what date will the policy be implemented?                          |  |        |       |        |       |
| Which organisation(s) will enforce the policy?                        | Ministry of Justice  |        |       |        |       |
| What is the total annual cost of enforcement for these organisations? | £  |        |       |        |       |
| Does enforcement comply with Hampton principles?                      | Yes  |        |       |        |       |
| Will implementation go beyond minimum EU requirements?                | No   |        |       |        |       |
| What is the value of the proposed offsetting measure per year?        | £  |        |       |        |       |
| What is the value of changes in greenhouse gas emissions?             | £  |        |       |        |       |
| Will the proposal have a significant impact on competition?           | No   |        |       |        |       |
| Annual cost (£-£) per organisation<br>(excluding one-off)             | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Micro</td> <td style="width: 25%; text-align: center;">Small</td> <td style="width: 25%; text-align: center;">Medium</td> <td style="width: 25%; text-align: center;">Large</td> </tr> </table> | Micro  | Small | Medium | Large |
| Micro   | Small  | Medium | Large |        |       |
| Are any of these organisations exempt?                                | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;">N/A</td> </tr> </table>          | N/A    | N/A   | N/A    | N/A   |
| N/A   | N/A  | N/A    | N/A   |        |       |

|   |               |                       |
|---|---------------|-----------------------|
| <b>Impact on Admin Burdens Baseline (2005 Prices)</b> |               | (Increase - Decrease) |
| Increase of £   | Decrease of £ | <b>Net Impact</b> £   |

Key: Annual costs and benefits: Constant Prices (Net) Present Value

## Evidence Base (for summary sheets)

We have conducted a public consultation into this proposal and asked stakeholders and interested parties for comments. A draft Impact Assessment was published alongside the consultation paper. The consultation received no comments on the detail set out in the draft Impact Assessment and therefore our assumptions remain the same.

### 1. Introduction

#### Scope of the proposals

This Impact Assessment assesses the costs and benefits of closing Dorking Magistrates' Court, and transferring the work to Redhill and Guildford Courts.

#### Organisations in the scope of the legislation

The proposed policy would have an impact on HM Courts Service, and specifically on Dorking Magistrates' and Redhill and Guildford Courts.

### 2. Rationale for Proposals

Use of Dorking Magistrates' Court has declined in recent years, to the extent that the court is now operating at a level of efficiency considered unsustainable. The accommodation at Dorking Magistrates' Court is not considered adequate for the delivery of modern, customer focussed services. The cost of maintaining a presence in what is considered an unsuitable building is difficult to justify, particularly given the low number of Dorking Magistrates' Court users.

The close proximity of Redhill and Guildford Courts and the availability and quality of transport links means there should be no significant additional difficulties in travelling to Redhill and Guildford from any part of South East Surrey. Redhill and Guildford Courts benefit from a wider range of facilities, and are able to offer a full range of services to the court user. Further, it is anticipated that the transfer of cases from Dorking to Redhill and Guildford could be handled by Redhill and Guildford Courts.

#### Economic Rationale

The conventional economic approach to Government intervention is based on efficiency or equity arguments. Government intervenes if there is a perceived failure in the way a market operates ("market failures") or if it would like to correct existing institutional distortions ("government failures"). Government also intervenes for equity (fairness) reasons. Intervention in this case would be made to correct an existing institutional distortion: Dorking Magistrates' Court is no longer being fully utilised, meaning closure is justified on efficiency grounds.

### 3. Cost Benefit Analysis

The Impact Assessment requires that all options are assessed relative to a common 'base case' over the appropriate appraisal period of the relevant 'do-something' options.

A full assessment of the anticipated costs and benefits of the policy will be developed over the consultation period. This initial impact assessment describes the costs and benefits that the policy is expected to impose, and briefly describes the methods which will be used to identify

these costs and benefits in a full cost benefit analysis. Comments relating to both the scope of costs and benefits presented, and the proposed analytical methods are welcomed.

## **Option 0: do nothing**

### **Description**

Under the do nothing base case, Dorking Magistrates' Court would continue to operate as currently. As this is the base case against which Option 1 is assessed, there are no costs or benefits associated with this option.

## **Option 1: Closure of Dorking Magistrates' Court**

### **Description**

Under this option, Dorking Magistrates' Court would be closed, and the work of the court transferred to nearby Redhill and Guildford Courts.

### **Costs**

#### Travel costs

The transfer of services to Redhill and Guildford may impose increased travel costs for those attending court. The drivers of overall travel costs will include (a) the distance between Dorking Magistrates' and Redhill and Guildford Courts; (b) the quality of transport links between Dorking Magistrates' and Redhill and Guildford Courts; (c) the cost of transport in the South East Surrey region; and (d) the number of users of Dorking Magistrates' Court.

Geographic Information Systems (GIS) analysis will be used to calculate the distance between Dorking Magistrates' and Redhill and Guildford Courts. Local information will also be used in conjunction with HMCS data to produce an overall estimate of the costs imposed by the closure of Dorking Magistrates' Court.

### **Benefits**

#### Releasing value

In line with Green Book guidance, closure of Dorking Magistrates' Court will generate savings for HMCS. These savings will be quantified based on annual running costs of Dorking Magistrates' Court and on a judgement on the extent to which Redhill and Guildford's running costs would increase, resulting from their additional workload.

#### Court users' court experience

The standard of accommodation at Dorking Magistrates' Court falls short of the minimum requirement for the provision of services. Redhill and Guildford Courts do not suffer from these problems. The proposal to transfer cases from Dorking to Redhill and Guildford should therefore improve the experience of all court users once at the court.

#### Waiting times

Transfer of work from Dorking Magistrates' Court to Redhill and Guildford Courts may reduce waiting times in the South East Surrey area, via the reallocation of District Judge time. It would also allow increased flexibility in listing practices by increasing the use of "back to back lists."

### **Net Impact**

To be determined in the final Impact Assessment based upon the results of the cost benefit analysis.

#### 4. Impact Tests

##### **Equality Impact**

A draft Equality Impact Assessment Screening has been completed. The initial screening shows no expected negative impact on the various groups. This will be reviewed following the response to the consultation.

##### **Rural Impact**

Rural impacts will depend on the extent to which Dorking Magistrates' Court users live in rural communities, and on the quality of transport links in the South East Surrey region. These factors will be considered when assessing whether the closure of Dorking Magistrates' Court will have a disproportionate travelling burden on rural communities.

##### **Environmental Impacts**

The additional environmental costs resulting from any additional travel by court users may be offset by reduced transport costs from court staff. The net environmental impact from changes to travel resulting from the closure of Dorking Magistrates' Court will be assessed as part of the final Impact Assessment.

There may be some savings to the MoJ carbon budget upon closure of Dorking Magistrates' Court. However, these are not considered significant.

##### **Legal Aid**

As the proposed policy only relates the location of court activity, there are no anticipated impacts relating to legal aid.

##### **Other Impact Tests**

The proposed policy is not expected to have a disproportionate impact on small firms, nor have a negative effect on competition. There are no expected health or human rights implications.

## Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

**Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.**

| Type of testing undertaken | <i>Results in Evidence Base?</i> | <i>Results annexed?</i> |
|----------------------------|----------------------------------|-------------------------|
| Competition Assessment     | Yes                              | No                      |
| Small Firms Impact Test    | Yes                              | No                      |
| Legal Aid                  | Yes                              | No                      |
| Sustainable Development    | Yes                              | No                      |
| Carbon Assessment          | Yes                              | No                      |
| Other Environment          | Yes                              | No                      |
| Health Impact Assessment   | Yes                              | No                      |
| Race Equality              | No                               | Yes                     |
| Disability Equality        | No                               | Yes                     |
| Gender Equality            | No                               | Yes                     |
| Human Rights               | Yes                              | No                      |
| Rural Proofing             | Yes                              | No                      |

## Annexes

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