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East Lothian Council

Additional information:

Following a decision at the Council's meeting on 16 December 2014, this letter was sent to the First Minister and the Cabinet Secretary asking them to reconsider the decision to close the Haddington court.

Authorised By	Angela Leitch
Designation	Chief Executive
Date	08/01/15

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Councillor Ludovic Broun-Lindsay
Provost

18 December 2014

John Muir House
Haddington
East Lothian
EH41 3HA

Nicola Sturgeon MSP
First Minister
Scottish Government
St Andrew's House
Regent Road
EDINBURGH
EH1 3DG

tel: 01620 827335
lbroun-lindsay@eastlothian.gov.uk

Dear First Minister

HADDINGTON COURT

We are writing to you on behalf of East Lothian Council to ask you to reconsider the Scottish Ministers' decision to close Haddington Sheriff Court and Justice of the Peace Court.

We appreciate this is an unusual step to take, given that the date of the impending closure is the end of January 2015, but we have strong reasons for asking you to do so.

During consideration of the closure proposals in 2012 and 2013, the Council engaged with the Scottish Court Service, with the then-Cabinet Secretary for Justice Kenny MacAskill MSP and with the Scottish Parliament Justice Committee, all of whom had a role to play in the closure of the court. We put forward a number of arguments to demonstrate that the business case made for closure of this court was flawed.

We consider it would be useful to compare that business case as things now stand with the arguments against closure. Here briefly again is our case:

1. Closure of the court removes a link between justice and the local community. East Lothian was the only council area in the process which stood to lose all of its court provision. We also believe that having a Sheriff with appropriate local knowledge is an advantage when it comes to working with some of the individuals and families who come to court.
2. The savings that stand to be made by the Scottish Court Service will be slim. The Haddington court runs every day, and all its cases will transfer to Edinburgh. Likewise court staff are being transferred to Edinburgh Sheriff Court, so there appears to be little or no saving on staff costs.

3./

3. The closure of the court brings new costs for the Council and some of its partners locally, given the new requirement for officers to travel and spend longer waiting to be called at Edinburgh. In Haddington, the court, council staff, police and the procurator fiscal office were all based within a few metres of each other, which made for good and efficient working relationships. This model was praised with respect to West Lothian's new Civic Centre, but appeared to count for nothing in Haddington where it was operating within existing buildings in a historic town centre. A modest estimate of extra costs for the Council, based on travelling time and expense for our solicitors, social workers and other council staff, comes in at £44,000 per annum.
4. With respect to the court building itself, the Scottish Court Service put forward a list of maintenance savings which the Council were in a position to query, given that our premises are under the same roof and we share responsibility for some aspects of maintenance.
5. The Council expressed a doubt that there would be a willing buyer for the court premises, given their situation on an upper floor of a listed building shared with council offices and with common entranceways. Without a buyer, there will be no capital receipt.
6. The Council also maintains its view that the court's closure will have a seriously detrimental effect on Haddington's town centre. Given the number of cases the court deals with (almost two thousand in a year when we examined this), officers calculated that if 3 people associated with a case each spent £10 in the town, Haddington would lose almost £60,000 per annum from court-related footfall. This is a significant sum for traders in a small town such as Haddington. We believe this runs counter to the Scottish Government's policy of supporting vibrant town centres.
7. The Council took so seriously the economic factors and extra costs occasioned by the closure that our Chief Executive proposed that if the court remained open, the Council would meet a reasonably-anticipated shortfall in savings for the Scottish Court Service. This offer was not taken up.

We understand that the Faculty of Procurators have suggested the option of retaining a Summary Sheriff court in Haddington for the time being, and we would be happy to support that if it means keeping the court open.

We/

We would like you to look again, with us and with the Scottish Court Service, at the business case for closure of this court. Taking into account all the factors outlined above, we believe this decision is wrong for the people of East Lothian and wrong for justice.

Yours sincerely

A handwritten signature in black ink that reads "Ludovic Broun-Lindsay". The signature is written in a cursive style with a large initial 'L' and a prominent 'B'.

LUDOVIC BROUN-LINDSAY

Provost

A handwritten signature in black ink that reads "Willie Innes". The signature is written in a cursive style with a large initial 'W' and a prominent 'I'.

WILLIE INNES

Council Leader

Same letter sent to:
Michael Matheson MSP
Cabinet Secretary for Justice