

Report of the Strategic Director Corporate Resources to the meeting of Corporate Overview & Scrutiny Committee held on 22nd October 2020

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Subject:

The Relocation of Her Majesty's Coroner's Office (HMCO).

Summary statement:

Update on the proposed relocation of HMCO and associated cost implications, prompted by concerns relating to the present accommodation in the Magistrates' Court.

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Overview & Scrutiny Area: Corporate

1. SUMMARY

- This report is advising the Corporate Overview & Scrutiny Committee (COSC) on the proposed relocation of HMCO to alternative and independent premises in Little Germany and to update on the financial implications of technical design development. The existing premises, co-located with the Bradford Magistrates' Court, are not fit for purpose and do not comply with current Health & Safety and DDA requirements.

2. BACKGROUND

- Bradford Council has a lease for use of certain rooms within the Bradford Magistrates' Court building for use by HMCO. The demised area consists of one court room, an office adjoining the court room (inner room), a corridor/waiting area and two small offices. The lease commenced on 31 March 2005 and is for 999 years; however, accommodation additional to the court room remains subject to termination by the Ministry of Justice at 28 days' notice.
- The existing HMCO accommodation is no longer fit for purpose. Any death can have a devastating impact on the bereaved, but when that death is sudden, unexplained or of an unknown cause it can only add to the negative impact on families. A Coroner's inquest can be a traumatic, distressing and difficult experience for anyone involved and the prescribed standard is to provide a welcoming and safe environment for the bereaved. The existing accommodation does not provide this. Additionally:
 - The families and witnesses access HMCO through the main Magistrates' Court entrance, where they are required to queue to enter and are searched alongside other Magistrates' Court attendees.
 - The waiting area for HMCO is a corridor with little privacy; there are no meeting rooms available to adjourn for private and confidential conversations.
 - The location of the current HMCO, facing City Park, is not commensurate with the privacy required for grieving families. Noise generated by visitors to City Park can seem inappropriate and distracting to families during inquest proceedings.
 - There is insufficient office accommodation for the existing staff and files with teams working in cramped conditions across a number of small offices.
 - Additional accommodation is required as Coroner's Officers employed by West Yorkshire Police will relocate to work under the supervision of HM Coroner in the same facility, irrespective of employer.
- To meet the objective of providing a new, purpose-built, independent HMCO which meets the needs of the service, the report of the Strategic Director Corporate Resources to the meeting of Executive held on 10th July 2018 recommended the purchase of a freehold property for development of a new HMCO at a total cost of circa £2.35m. This recommendation was approved and £2.35m was made available

in capital funds.

- At the meeting of Executive held on 9th July 2019, following a site search, the Strategic Director Corporate Resources recommended the purchase of the former Digital Health Enterprise Zone Building (DHEZ), dividing the building back into two separate entities to provide a self-contained block for the new HMCO, as outlined in red on **Appendix 1 – Site Location Plan**, with the balance remaining as a self-contained building for existing tenants and incubator space for businesses. This recommendation was approved and the £2.35m capital fund was allocated towards acquisition and redevelopment of this building into the new HMCO.

3. OTHER CONSIDERATIONS

- **Section 24 Coroners and Justice Act (CJA) 2009** – In deciding how to discharge its duties regarding the accommodation, Bradford Council must take into account the views of HM Coroner. HM Coroner considers that the proposed new premises are vital to enable the Coroner's Service to provide the necessary facilities and services to the bereaved. HM Coroner is fully supportive of the proposals.
- The procurement of works for the redevelopment of the former DHEZ building into the new HMCO will be single stage, restricted tender process to award a call-off contract from Bradford Council's General Contractors Framework. A quality analysis was carried out when the framework agreement was established and the procurement for the works will evaluate both cost and social value.
- There is strong stakeholder support and engagement for this scheme. Both Calderdale and Kirklees Councils are wholly supportive of the proposals and there has been an encouraging visit to the proposed site by the Deputy Chief Constable and Assistant Chief Constable of West Yorkshire Police. Further, the involvement of HM Coroner and his team during the design development stages has been crucial in ensuring the needs of the service are reflected in the proposals.
- The Coroners' Service provides a vital provision for families and the new HMCO will offer innumerable benefits to the communities of Bradford, Kirklees and Calderdale, transforming delivery of the service for the better. HM Coroner is keen to begin community engagement to raise awareness of the proposed changes and the benefits they will bring.
- The key risk and main driver to this project and its programme is the urgent need for HMCO to relocate away from its shared accommodation arrangement with Magistrates Service. HM Coroner has publically lobbied for new premises since July 2016 and is keen to relocate as soon as possible. Subject to all necessary approvals, the current timeline for the project is as follows:
 - Tendering – November and December 2020
 - Contractor Appointment – February 2021
 - Works Commencement – March 2021
 - Works Completion – November 2021
 - HMCO Relocation – December 2021

4. FINANCIAL & RESOURCE APPRAISAL

- The original £2.35m capital allocation to support the relocation of HMCO was based upon the original business case for the purchase of 4 Cater Street. Subsequent to the decision to alternatively relocate HMCO into the DHEZ building, the project scope has been redefined.
- Whilst the budget of £2.35m approved by Executive in July 2018 included expenditure towards site acquisition, shell works, and limited fit out works concerned with loose and fixed fixtures, fittings and equipment, the business case specifically excluded ICT, audio-visual or interactive installations, along with third party professional fees and finance costs.
- It was always envisaged that once the project scope was fully defined, the acquired building was fully surveyed and the specific requirements of the service were fully reflected in technical design development, the budget position would be revisited.
- Through numerous site surveys and developing understanding of HMCO requirements, there has emerged a more comprehensive list of elements which were excluded from previous cost plans, such as:
 - ICT passive and active network infrastructure;
 - Audio-visual interactive, communication and recording systems;
 - Security systems, including CCTV and access control;
 - Professional fees associated with the design team, consultants and surveys;
 - Dividing the former DHEZ building back into two self-contained entities;
 - Replacement of existing mechanical and electrical plant and installations;
 - Rectification of existing building condition and maintenance matters;
 - Dilapidation of existing HMCO accommodation and relocation/transition costs for the service;
 - External works and signage in a conservation area;
 - Works to achieve acoustic standards in order that the business of the courts can operate without undue disturbance;
 - COVID-19 impacts on preliminaries, risk and inflation costs.

Appendix 2 – Cost Build-Up (Not for Publication) details the estimations of cost arrived at as result of technical design development at the end of RIBA Stage 4.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- Any new accommodation will meet the current concerns regarding safety, availability, efficiency and ambience of HMCO. If the proposal is accepted, the Project Management Team will ensure delivery of the proposals in accordance with HMCO requirements, approved budget and established governance arrangements.

6. LEGAL APPRAISAL

- Section 24 Coroners and Justice Act (CJA) 2009 – the relevant authority (previously called the Lead Authority [Bradford]) for a coroner area:
 - a) must secure the provision of whatever officers and other staff are needed by the coroners for that area to carry out their functions;
 - b) must provide, or secure the provision of, accommodation that is appropriate to the needs of those coroners in carrying out their functions;
 - c) must maintain, or secure the maintenance of, accommodation provided under paragraph (b).
- The Coroners (Inquests) Rule 2013 – R8: a coroner must complete an inquest within six months of the date on which the coroner is made aware of the death, or as soon as is reasonably practicable after that date. There is currently a lengthy backlog of inquests which will see a reduction through the additional courtrooms proposed in the new HMCO.
- Section 16 CJA 2009 – any investigation not completed/discontinued within a year must be reported to the Chief Coroner together with the reasons for the delay. The Chief Coroner keeps a register and publishes the figures per coronial area. The Chief Coroner has indicated he will also publish the reasons for the delay per coronial area. The Chief Coroner provides an annual report on the Coronial system, which includes the number and length of investigations, reasons for the length of investigations/delays and measures he is taking to keep investigations from becoming unnecessarily lengthy, to the Lord Chancellor to be laid before Parliament.
- Coroners (Investigation) Regulation 2013 – R4: a coroner must be available at all times to address matters relating to an investigation into a death which must be dealt with immediately and cannot wait until the next working day.
- The coronial area covers the local authority areas of Bradford, Kirklees and Calderdale. There is no capital contribution from Kirklees Council and Calderdale Council; however, it is anticipated that Kirklees and Calderdale will contribute towards initial set-up revenue costs and increased annual revenue costs. Currently Bradford Council funds HMCO 44.98 per cent, Kirklees Council 37.1 per cent and Calderdale Council 17.92 per cent.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

The new accommodation will assist in the promotion of equality.

7.2 SUSTAINABILITY IMPLICATIONS

The new accommodation will assist in the promotion of sustainability. Innovations in the efficient use of services and utilities consumption are an integral part of the current design.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Not applicable.

7.4 COMMUNITY SAFETY IMPLICATIONS

Not applicable.

7.5 HUMAN RIGHTS ACT

The new accommodation will assist in the promotion of human rights.

7.6 TRADE UNION

The new accommodation will assist in the improvement of staff welfare.

7.7 WARD IMPLICATIONS

Not applicable.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

Not applicable.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

Not applicable.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

Not applicable.

8. NOT FOR PUBLICATION DOCUMENTS

Appendix 2 – Cost Build-Up is not for publication because it contains exempt information under paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 (information relating to the financial or business affairs and legal privilege), and in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

9. OPTIONS

Not applicable.

10. RECOMMENDATIONS

To note the authorisation by Executive on 6th October 2020 to award additional capital funds to meet the current budget deficit and authorisation for the Strategic Director Corporate Resources, in consultation with the Leader, to take all necessary decisions to implement the decision.

11. APPENDICES

Appendix 1 – Site Location Plan

Appendix 2 – Cost Build-Up (**Not for Publication**)

12. BACKGROUND DOCUMENTS

None.