EXPLANATORY MEMORANDUM TO

THE GRANTS TO THE CHURCHES CONSERVATION TRUST ORDER 2006

2006 No. 1008

1. This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before the House of Commons by Command of Her Majesty.

This memorandum contains information for the Select Committee on Statutory Instruments.

2. Description

2.1 This Order provides the statutory basis for the Government's financial support of the Churches Conservation Trust. The Trust was established in 1969 as the Redundant Churches Fund under provisions currently embodied in the Pastoral Measure 1983. The Trust cares for Church of England churches of historic or architectural interest no longer required for regular worship and for which no suitable alternative use can be found. Government currently provides 70% of the Trust's statutory funding, the remaining 30% being provided by the Church Commissioners.

3. Matters of special interest to the Select Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 This Order is made in exercise of the powers conferred on the Secretary of State by section 1(1), (2) and (3) of the Redundant Churches and other Religious Buildings Act 1969 ("the 1969 Act"). A draft of the Order is being laid for approval by the House of Commons in pursuance of section 1(4) of the 1969 Act.

4.2 Since the establishment of the Churches Conservation Trust as the Redundant Churches Fund in 1969, the Government has provided statutory funding in line with its policies towards preserving and maximising access to the historic built environment. The Trust's main objective is the conservation of the churches in its care and those newly vested by the Redundant Churches Committee of the Church

Commissioners. The Trust will also investigate and negotiate for alternate use of the churches where appropriate.

4.3 The level of Government Grant in aid has remained at £3 million per year since 2001-2 and will, subject to this Order, remain at this level until 2008-9.

5. Extent

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

The Minister for Culture has made the following statement regarding Human Rights:

In my view the provisions of The Grants to the Churches Conservation Trust Order 2006 are compatible with the Convention rights.

7. Policy background

7.1 The Government's policy is to financially support the work of the Churches Conservation Trust, in line with its general objectives on the conservation of the historic built environment. Churches represent a large proportion of the listed buildings in England. Due to demographic changes and other factors, an average of about 30 Anglican churches per year become redundant, following due process undertaken by the Church Commissioners. While a larger proportion of the churches becoming redundant are either found a new use or are demolished, those considered most architecturally or historically significant are vested in the Trust by the Commissioners.

7.2 While the primary objective of the Trust is conservation of the churches in its care, an increasing number are being considered for alternative use. It is an aim of the Trust that such alternative use would not only release funding for other projects, but would produce benefits in line with the aims and objectives of other Departments in terms of increasing community facilities, capacity building, supporting volunteering, community cohesion and regeneration. While such work is at an early stage, there is already encouraging evidence of benefit in these areas.

7.3 The issue of Government funding for the Church of England is currently high profile. The

Bishop of London recently called on Government to increase its funding for repairs to listed church buildings. Ecclesiastical built heritage is also to be debated at the General Synod. These debates mainly relate to support for churches still in use.

7.4 In November 2005, the General Synod approved the Church of England's contribution to the Trust for the period 2006/7 to 2008/9. The Department for Culture, Media and Sport has a funding agreement with the Trust which outlines the Department's requirements for the Trust for the funding period, including how the Trust is expected to contribute to the Department's Public Service Agreement targets. A funding agreement for 2006-9 has recently been agreed, and, for the first time, has been agreed jointly with the Church Commissioners, and encompasses the Commissioners' targets for the Trust.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 There is no impact on the public sector.

9. Contact

Jeremy Dann at the Department for Culture, Media and Sport Tel: 020 7211 2363 or e-mail: Jeremy.dann@culture.gsi.gov.uk can answer any queries regarding the instrument.