EXPLANATORY MEMORANDUM TO

THE MANCHESTER COLLEGE OF ARTS AND TECHNOLOGY AND CITY COLLEGE, MANCHESTER (DISSOLUTION) ORDER 2008

2008 No. 1418

1. This explanatory memorandum has been prepared by the Department for Innovation, Universities and Skills and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This instrument dissolves the further education Corporations of Manchester College of Arts and Technology and City College, Manchester and transfers their property, rights and liabilities to the Corporation of the Manchester College on 1 August 2008. This follows a proposal made to the Secretary of State by the Learning and Skills Council for England.

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

3.1 None

4. Legislative Background

4.1 Section 27 of the Further and Higher Education Act 1992 gives the Secretary of State the power to dissolve further education corporations and to transfer the property, rights and liabilities of a corporation to any person or body corporate established to provide educational facilities or services.

4.2 In accordance with section 51 of the Further and Higher Education Act 1992 and Statutory Instrument 2001 No 782 (The Education (Publication of Draft Proposals and Orders)(Further Education Corporations)(England) Regulations 2001), there has been a local public consultation prior to the proposal being made to the Secretary of State by the Learning and Skills Council for England.

5. Extent

5.1 This instrument applies to England.

5.2 This instrument applies only to the named further education corporations.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The Corporations of City College, Manchester and Manchester College of Arts and Technology have proposed the merger of the two colleges. This will be achieved by the incorporation of the Manchester College to be followed by the dissolution of each

of the existing colleges and the transfer of the property, rights, and liabilities of each college to the Corporation of the Manchester College. The merger is intended to substantially improve the capacity to meet the education and training needs in Manchester.

7.2 The Manchester College has now been incorporated under SI 2008/49 and its government regulations are SI 2008/50. In accordance with section 27 of the Further and Higher Education Act 1992, the Corporation of the Manchester College has given its consent to accept the property, rights and liabilities of the two colleges to be dissolved.

7.3 The public consultation identified broad support for the proposal, with no significant concerns raised.

8. Impact

An Impact Assessment has not been prepared for this instrument as it has no wider impact on business, charities or voluntary bodies. The impact on the public sector is minimal.

9. Contact

Vickie Wood at the Department for Innovation, Universities and Skills Tel: 0114 259 3824 or e-mail: vickie.wood@dius.gsi.gov.uk can answer any queries regarding the instrument.