EXPLANATORY MEMORANDUM TO

THE PARKS FOR PEOPLE (ENGLAND) JOINT SCHEME (AUTHORISATION) ORDER 2005

2005 No. 3274

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

2. Description

2.1 This Order authorises the Parks for People (England) joint scheme pursuant to an application by the participating bodies, the New Opportunities Fund (operating under the name of the Big Lottery Fund) and the National Heritage Memorial Fund (operating under the name of the Heritage Lottery Fund).

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

3.1 None.

4. Legislative Background

4.1 Under section 25B of the National Lottery etc. Act 1993 ("the 1993 Act") bodies distributing money under section 25 of that Act may (distributors of National Lottery money to good causes) may participate with other such bodies in a joint scheme to distribute money. A Lottery distributor may participate in a joint scheme as long as the principal purposes of the joint scheme include purposes for which a Lottery distributor has power to distribute money and it does not matter that the scheme also distributes money to projects that distributor does not have the power to do so apart from its participation in the joint scheme. In this way joint schemes allow Lottery distributors to pool resources and funding powers to facilitate the delivery of a single distribution scheme.

4.2 Schedule 3A to the 1993 Act makes further provision about joint schemes. Lottery distributors wishing to participate in a joint scheme must apply in writing to the Secretary of State and where the maximum amount to be distributed under the scheme exceeds £15 million in any year then the scheme must be authorised by an order made by the Secretary of State. Such orders must include a brief description of the scheme, the areas of the United Kingdom to which it applies, the maximum amount that may be distributed every year, the participating bodies, the proportions in which money to be distributed under scheme is attributable to each of those bodies and the duration of the scheme.

4.3 On 31st October 2005 the participating distributors wrote to the Secretary of State applying for the Parks for People (England) joint scheme to be authorised as the scheme will distribute more than £15 million per year. This Order authorises the joint scheme.

5. Extent

5.1 This instrument applies to England.

6. European Convention on Human Rights

Not applicable.

7. Policy background

7.1 The need for investment in public parks was demonstrated in the Public Park Assessment 2001 and highlighted by the Government's Urban Green Spaces Taskforce. The Big Lottery Fund's public consultation, undertaken from July 2004 to January 2005, looked at how the Big Lottery Fund should distribute funding and what, specifically, its funding should support. The consultation demonstrated that the need for funding for public parks remained and that there was popular support for using lottery funding for this purpose. Respondents called for lottery funding to be used for the 'development of green space,' and in particular for projects which enhanced the quality and use of public parks. Further information on the consultation is available from the Big Lottery Fund's website: www.biglotteryfund.org.uk/discussion.

7.2 Over the last 10 years the Heritage Lottery Fund has committed over £375 million to public parks in England. Their strategic plan, 2002-2007, Broadening the Horizons of Heritage sets out its priorities for heritage. Support for parks will help the Heritage Lottery Fund promote heritage conservation as a part of urban and rural regeneration and open up heritage resources and sites to the widest possible audience. The regeneration of public parks is one of the Fund's targeted initiatives.

7.3 The New Opportunities Fund exists to support health, education and environment projects. The Parks for People programme will fall under two themes of the New Opportunities Fund (Specification of Initiatives) (No.2) Order 2005: the promotion of community safety and cohesion and the promotion of physical and mental well being. In particular, the programme will fall under the outcomes of improving urban and rural environments which communities are better able to access and enjoy set out in the policy directions given to the Fund on 24 November 2005 (available at www.culture.gov.uk).

7.4 Given the synergy between the two Funds they decided to enter into an agreement to participate in the Parks for People (England) joint scheme. This agreement was made on 31st October 2005.

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.

9. Contact

Chris Atkins at the Department for Culture, Media and Sport. Tel: 020 7211 6375 or e-mail: chris.atkins@culture.gsi.gov.uk can answer any queries regarding the instrument.