EXPLANATORY MEMORANDUM TO

THE PEOPLE'S COLLEGE, NOTTINGHAM (DISSOLUTION) ORDER 2006

2006 No. 1184

1. This explanatory memorandum has been prepared by The Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This instrument dissolves the Corporation of The People's College, Nottingham ("The People's College") and transfers its property, rights and liabilities to the Corporation of Broxtowe College, Nottingham ("Broxtowe College") on 1 June 2006. 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.

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 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 with the consent of the person or body in question.

7.2 The Corporations of The People's College and Broxtowe College have proposed the merger of the two colleges. This will be achieved by the dissolution of The People's College and the transfer of its property, rights, and liabilities to the Corporation of Broxtowe College. In accordance with section 27 of the Further and Higher Education Act 1992, the Corporation of Broxtowe College has given its consent to accept the property, rights and liabilities of The People's College.

7.3 In accordance with the Further and Higher Education Act 1992 and The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (England) Regulations 2001 (SI 2001/782) there has been a full public consultation, which identified broad support for the proposal.

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

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