EXPLANATORY MEMORANDUM TO

THE ROYAL PARKS AND OTHER OPEN SPACES (AMENDMENT) ETC. REGULATIONS 2020

2020 No. 1027

1. Introduction

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

2. Purpose of the instrument

2.1 To reduce the vehicle speed limit from 30mph to 20mph within The Green Park, Hyde Park, St James' Park and The Regent's Park and increase vehicle parking charges within Greenwich Park, Hyde Park and The Regent's Park.

3. Matters of special interest to Parliament

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

3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

4.1 This instrument applies to England.

5. European Convention on Human Rights

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

6. Legislative Context

6.1 Section 2(1) of the Parks Regulation (Amendment) Act 1926 (the "1926 Act") provides the Secretary of State with the power to make such regulations to be observed by persons using the Royal Parks as the Secretary of State may consider necessary for securing the proper management of the Royal Parks and the preservation of order and prevention of abuses within those parks.

6.2 This instrument amends The Royal Parks and Other Open Spaces Regulations 1997 (the "1997 Regulations"), the Hyde Park and The Regent's Park (Vehicle Parking) Regulations 1995 (the "1995 Regulations") and the Greenwich Park (Vehicle Parking) Regulations 2000 (the "2000 Regulations"). These Regulations, together with this instrument, are made under section 2(1) of the 1926 Act.

6.3 The 1926 Act makes it an offence to fail to comply with, or act in contravention of, any regulations made under that Act.

6.4 Section 62 of the Road Traffic Regulation Act 1984 allows regulations made under section 2 of the 1926 Act to provide for imposing or recovering charges for the leaving of vehicles within the Royal Parks.

7. Policy background

What is being done and why?

7.1 The 1997 Regulations are the principal park regulations, which regulate the conduct of persons using the Royal Parks. The proposed amendments to the 1997 Regulations are to reduce the vehicle speed limits in The Green Park, Hyde Park, St James' Park and The Regents Park from 30mph to 20mph. This is intended to protect vulnerable road users, predominantly cyclists and children who are at risk in some areas. The current speed limits within these Parks (30mph) exceed that of some of the roads surrounding (20mph), which is a presentational as well as a safety challenge. 20mph speed limits have already been introduced in many boroughs in the capital. London Borough of Camden, which borders the north of The Regent's Park and Primrose Hill, already has a 20mph limit on the roads that it manages. In September 2017, Westminster City Council started a successful trial of a 20mph limit across a number of locations, including some neighbouring Hyde Park. At the date of laying this instrument, the Council are considering reducing speed limits throughout the borough to 20mph, many of these roads will border Royal Parks. A lower speed limit within the Royal Parks will also improve the ambience and protect wildlife.

7.2 The 1995 Regulations regulate vehicle parking within Hyde Park and The Regent's Park and the 2000 Regulations regulate vehicle parking within Greenwich Park. The proposed amendments to the 1995 Regulations and the 2000 Regulations are to increase parking charges within those parks. Parking charges within Greenwich Park, Hyde Park and The Regent's Park were last increased in 2010. The proposed increases are below the Retail Price Index and are set at this level to meet cost recovery only. Net revenue raised will be reinvested in car parks, park roads and related infrastructure.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act 2018.

9. Consolidation

9.1 No consolidation is required.

10. Consultation outcome

10.1 The Royal Parks Limited (which manages the Royal Parks on behalf of the Secretary of State) ran an 8-week consultation in 2018 on the proposed changes. The online consultation was open to the public as well as interest groups. It elicited 203 responses from a range of stakeholders, including users of the parks, local residents and community groups. There was broad support for the measures. The proposed reduction of speed limits from 30mph to 20mph in The Green Park, Hyde Park, St James's Park and The Regent's Park was almost unanimously supported by respondents, many commenting on how the changes would improve public safety within the parks.

10.2 Respondents were also broadly in favour of increasing parking charges in Greenwich Park, Hyde Park and The Regent's Park in line with the Retail Price Index. Some respondents noted that the increases were too modest given that there are often capacity issues within the parks, especially at weekends and bank holidays. One notable objection came from the 'Friends of Greenwich Park', who had concerns that the original proposal to double the Sunday rate might be a disincentive to those that wished to visit Greenwich Park. The Royal Parks Limited's Board of Trustees reflected on this objection and subsequently proposed a more limited Sunday increase in Greenwich Park, Hyde Park and The Regent's Park.

11. Guidance

11.1 No formal or statutory guidance is being issued. The Royal Parks Limited expects to publicise the revised Parks Regulations by way of park notices, through stakeholder groups and on its website to inform and assist visitors and other stakeholders.

12. Impact

12.1 There is no, or no significant, impact on business, charities or voluntary bodies.

12.2 There is no, or no significant, impact on the public sector.

12.3 A full Impact Assessment has not been prepared for this instrument. However, a de minimis assessment was carried out and concluded that there would be no significant impact on businesses or the public sector. This assessment estimated that the intervention will have an Equivalent Annual Cost to Business (EANDCB: 2019 prices) of £201,680. This is the estimated business impact of increased parking charges and of transition costs for the speed limit changes.

12.4 While not included in the EANDCB, additional costs to businesses might come from the intervention's impact on their customers. These costs are not included as they are difficult to quantify, however evidence suggests their impact will be negligible.

13. Regulating small business

13.1 The legislation applies to activities that are undertaken by small businesses.

13.2 No specific action is proposed to minimise regulatory burdens on small businesses.

13.3 Those who visit or operate businesses in the Parks are subject to the Regulations. The Government considers that these measures will not have a significant impact on small businesses. The basis for the final decision on what action to take to assist small businesses is that the impact of the changes on businesses generally is relatively small. This means the overall impact on small businesses is likely to be minimal.

14. Monitoring & review

14.1 The Regulations will be monitored through an internal review undertaken by the Director of Parks 12 months of being made.

14.2 The regulation does not include a statutory review clause.

15. Contact

15.1 James Venus at the Department for Digital, Culture, Media and Sport Telephone: 0207 211 6443 or email: james.venus@culture.gov.uk can be contacted with any queries regarding the instrument.

15.2 Giles Smith, Deputy Director for Heritage, Tourism and Cultural Diplomacy at the Department for Digital, Culture, Media and Sport can confirm that this Explanatory Memorandum meets the required standard.

15.3 Nigel Huddleston MP at the Department for Digital, Culture, Media and Sport can confirm that this Explanatory Memorandum meets the required standard.