

**NORTH LINCOLNSHIRE COUNCIL**

**CUSTOMER SERVICES, SPORT & LEISURE  
CABINET MEMBER**

**MARRIAGE & CIVIL PARTNERSHIP PROCEEDINGS**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To outline changes to legislation following the Marriage (Same Sex Couples ) Act 2013.
- 1.2 To routinely offer Saturday ceremonies in the Council Chamber and set relevant fees.
- 1.3 To outline changes to legislation following the changes set out in the Immigration Act 2014.
- 1.4 To report on statutory fee increases.
- 1.5 The key points in this report are:
  - From 10 December 2014, those couples who formed a Civil Partnership after the introduction of the Civil Partnership Act 2004, will have the opportunity to convert that Civil Partnership into a marriage.
  - The registration service is proposing offering a non-statutory conversion ceremony for a fee.
  - The registration service is proposing using the Council Chamber for ceremonies on a Saturday for a fee.

**2. BACKGROUND INFORMATION**

**Marriage (Same Sex Couples) Act 2013**

- 2.1 The Marriage (Same Sex Couples) Act 2013 came into force on 13 March 2014 and the first same sex marriages were conducted from 29 March 2014. Before this date, same sex couples could only form a civil partnership in accordance with the Civil Partnership Act 2004. There have been 96 civil partnerships formed (38 male formations and 58 female formations) in North Lincolnshire since the legislation was introduced in December 2005.
- 2.2 The Marriage (Same Sex Couples) Act 2013 allows those couples who would have chosen a marriage, if that facility had been available from 2005, to now convert their civil partnership into a marriage.

- 2.3 The conversion process is an administrative process with no legal waiting period required. The couple attend the register office with documentary evidence and the civil partnership conversion is completed on the same day. A fee of £45 has been set by central government for the conversion. There will be separate fees for those conversions which take place for the housebound (£99) detained (£117) or for “deathbed” conversions (£15).
- 2.4 The government have agreed to a period of time where this fee is to be waived. This waiver applies to the following:
- Those who formed a civil partnership before 29 March 2014 who would have married if the facility had been legally available.
  - Couples who convert between 10 December 2014 and 10 December 2015.
- 2.5 The General Register Office have stated that central government will reimburse local registration services in respect of the waived fees during the period 10 December 2014 to 10 December 2015.
- 2.6 The legislation includes no statutory provision for ceremonies to celebrate conversions. Each local registration district can offer to provide a ceremony at a locally set fee, if a couple require this.
- 2.7 It is proposed that the registration service responds to the changes in law by developing and offering a non-statutory conversion ceremony.
- 2.8 It is proposed that the fees charged are to be the same as those set for other non-statutory ceremonies (baby naming’s and renewal of vows). See Appendix 1.

### **Council Chamber Ceremonies**

- 2.9 The registration service moved to the Civic Centre in April 2012. There is a statutory ceremony room (the “Register Office” - capacity 20 people) plus the larger ceremony room (the “Civic Suite” - capacity 60 people) which is licensed separately as an approved premise. As part of the approved premise licence, the Council Chamber was included as an alternative in case the building wasn’t completed in time for the move. The Council Chamber has not been used for weddings or offered as an option. We now feel there is potential demand for a ceremony room which can cater for up to 120 people.
- 2.10 It is proposed that the Council Chamber be offered as a wedding venue on a Saturday only and an appropriate fee set, reflecting the opportunity to seat more guests.
- 2.11 The current fees for weddings are :

Register Office £45-statutory fee set by central government  
Civic Suite Monday to Thursday £85  
Civic Suite Friday £110  
Civic Suite Saturday £125

- 2.12 The proposed fees for the Council Chamber are: on Saturdays only £195. This extra charge covers the cost of removing the large table on a Friday and replacing it before the following Monday.

### **Immigration Act 2014**

- 2.13 The Immigration Act 2014 received Royal Assent in May 2014. The Act contains 77 clauses and makes fundamental changes to how our immigration system functions. Certain sections of the new legislation have implications for the registration service as the government attempts to reduce the number of people who try to gain an immigration advantage by entering into a sham marriage or civil partnership.
- 2.14 The legal notice period before a civil marriage can take place is to be increased from 15 days to 28 days in April 2015 for all those wishing to marry in England and Wales. This waiting period may be extended to 70 days for those non European Economic Area nationals who come into the scope of referral under the new legislation.
- 2.15 From July 2014 registrars have new powers to report suspicions about sham marriages, illegal over-stayers, illegal workers, suspicious certificate applications and forged documents, provided they use the relevant legal gateway.

### **Statutory Fee Increases**

- 2.16 The Registration of Births, Deaths and Marriages (Fees) (Amendments) Order 2014, the Marriage of Same Sex Couples (Registration of Buildings and Appointment of Authorised Persons) (Amendment) Regulations 2014, and the Registration of Civil Partnerships (Fees) Order 2014 has now been laid before Parliament.
- 2.17 The legislation provides for increases in line with inflation to be applied to certain marriage and civil partnership fees, following the review undertaken by the National Panel for Registration and Scrutiny by HM Treasury. Details of the new fees, which come into effect from 1 September, are set out in Appendix 2.

## **3. OPTIONS FOR CONSIDERATION**

- 3.1 To approve the approach set out in 2.7 and 2.8.
- 3.2 To not provide a non-statutory conversion ceremony.
- 3.3 To approve the use of the Council Chamber on a Saturday only.
- 3.4 To approve the proposed fee set out in 2.12.
- 3.5 To not approve the Council Chamber to be used on a Saturday.

#### 4. **ANALYSIS OF OPTIONS**

- 4.1 Option 3.1 is preferred as it allows couples the opportunity to celebrate their conversion.
- 4.2 Options 3.3 and 3.4 are preferred as they allow couples greater choice of wedding venue at an affordable fee.

#### 5. **RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

##### 5.1 Financial

The numbers of potential conversions are not known. There may be an increase from ceremony income if the non-statutory conversion ceremonies are approved. There may be an increase in ceremony income if the Council Chamber is approved for Saturday ceremonies.

##### 5.2 Staffing

We do not anticipate that the demand for conversions will have an impact on staffing.

##### 5.3 Property

The use of the Council Chamber for Saturday weddings will preclude its use for council business. There are no other property implications.

##### 5.4 Information Technology

There are no IT implications.

#### 6. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

- 6.1 An Integrated Impact Assessment has been carried out and no issues have been highlighted.

#### 7. **OUTCOMES OF CONSULTATION**

- 7.1 No consultation required.

#### 8. **RECOMMENDATIONS**

- 8.1 That the Cabinet Member notes the changes in legislation.
- 8.2 That the Cabinet Member approves the proposed introduction of conversion ceremonies and the fees.
- 8.3 That the Cabinet Member approves the use of the Council Chamber for Saturday weddings and agrees the proposed fee.

**DIRECTOR OF PLACES**

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Date: 21 August 2014

**Background Papers used in the preparation of this report - None**

## Appendix 1

### Current Fees for non-statutory ceremonies

Register Office Monday to Thursday	£75
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Register Office Friday	£80
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Register Office Saturday	£85
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Civic Suite Monday to Thursday	£85
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Civic Suite Friday	£110
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Civic Suite Saturday	£125
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## Appendix 2

### Current statutory fees 2014

Register Office ceremonies	£ 45
Registered Building marriages	£ 84
Housebound notice fees	£ 46
Detained notice fee	£ 67
Housebound ceremony fee	£ 82
Detained ceremony fee	£ 93
Certificate of worship (Registered Building)	£ 28
Registration for Marriage (Registered Building)	£120

### New statutory fees from 1 September

Register Office ceremonies	£ 46
Registered Building marriages	£ 86
Housebound notice fees	£ 47
Detained notice fee	£ 68
Housebound ceremony fee	£ 84
Detained ceremony fee	£ 94
Certificate of worship (Registered Building)	£ 29
Registration for Marriage (Registered Building)	£123