

Neath Port Talbot County Borough Council
Cyngor Bwrdeistref Sirol Castell-nedd

Democratic Services
Gwasanaethau Democrataidd

Decision Notice

CABINET - URGENCY ACTION , THURSDAY, 11TH JUNE, 2020

Please see below approval of decision as follows:

1. **Statutory Fees in respect of Notices of Marriage/Civil Partnerships - 35TD - Urgency Action (Pages 3 - 8)**

To seek approval to waive the notice fee for any marriage or civil partnership ceremony that was due to take place between 23 March 2020 and 30 September 2020, that is subsequently rescheduled to a different date.

1. That Neath Port Talbot County Borough Council waive any notice fee for any ceremony that was due to take place between 23 March 2020 and 30 September 2020, that is subsequently rescheduled to a different date.
2. That delegated authority be granted to the Director of Finance and Corporate Services and Head of Legal Services in consultation with the Leader and Cabinet Member for Corporate Services and Equality to agree an extension of this period dependant on the current restrictions that are in place at the time.

For Immediate Implementation

Yours sincerely

Tammie Davies

p.p Chief Executive

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

10th June 2020

Report of the Head of Legal Services – Mr C Griffiths

Matter for Decision

Wards Affected: All Wards

Statutory Fees in respect of Notices of Marriage/Civil Partnerships

Purpose of the Report:

1. To seek approval to waive the notice fee for any marriage or civil partnership ceremony that was due to take place between 23rd March 2020 and 30th September 2020 that is subsequently rescheduled to a different date.

Executive Summary:

2. As part of the restrictions set by the UK and Welsh Governments in March 2020, marriages and civil partnerships are unable to take place. Guidance is presently being sought with the Governments to gain an understanding of when such restrictions are likely to be lifted, however there is an expectation that they will only be lifted partially with ceremonies allowed to take place with a reduced number of guests and only at certain locations.
3. A couple must give notice of marriage/civil partnership in their local Register Office, whether or not they wish to have a ceremony in that district. The Superintendent Registrar then issues the appropriate authority and that couple can have a marriage or civil partnership ceremony in any Register Office or local authority approved premises in any district. In England and Wales, 28 days' notice must be given to the Register Office before the marriage or civil partnership and the service/ceremony must

then take place within 12 months of giving notice. A notice must state where the marriage is to take place and the date it is to take place.

3. It is proposed to ensure couples choosing to change the date of their ceremony as a result of Covid-19 restrictions are not placed in any financial detriment that Neath Port Talbot County Borough Council waive any notice fee for any ceremony that was due to take place between 23rd March 2020 and 30th September 2020 that is subsequently rescheduled to a different date.

Background:

4. A couple must give notice of marriage/civil partnership in their local Register Office, whether or not they wish to have a ceremony in that district. The Superintendent Registrar then issues the appropriate authority and that couple can have a marriage or civil partnership ceremony in any Register Office or local authority approved premises in any district.
5. In England and Wales, 28 days' notice must be given to the Register Office before the marriage or civil partnership and the ceremony must then take place within 12 months of giving notice. A notice must state where the marriage or civil partnership is to take place and the date it is to take place.
6. There is a fee for giving notice, which is currently £35 per person (this fee being set by the UK Government).
7. The standard process is that where a venue or a date of marriage or civil partnership is changed, a couple will be required to give new notices and pay the statutory fee again.

Current Position

8. As part of the restrictions set by the UK and Welsh Governments in March 2020, marriages and civil partnerships are unable to take place. Guidance is presently being sought with the Governments to gain an understanding of when such restrictions are likely to be lifted, however there is an expectation that they will only be lifted partially with ceremonies allowed to take place with a reduced number of guests and only at certain locations.
9. Suggestion has been made that ceremonies will be allowed to take place outdoors, however for civil ceremonies this is unlikely to be implemented immediately as it will require a change in legislation, as presently there are restrictions on the type of locations that can be utilised. Civil ceremonies

can only take place in building other than a register office that have been approved by the local authority as a suitable venue for wedding ceremonies. These venues include castles, restaurants, hotels, civic buildings and country houses. They are not allowed to take place in the open air, in a tent or marquee, or in temporary or moveable structure such as boats or hot air balloons.

10. As a result of the current restrictions, 42 marriages/civil partnerships have had to be postponed or cancelled. Between the dates of 1st June 2020 and 30th September 2020, there are currently 37 marriages/civil partnerships planned which potentially may end up having to be postponed or cancelled if restrictions are not lifted or perhaps a couple choose to delay any ceremony until restrictions have been lifted further.
11. Queries have been raised with the General Register Office, the branch of the UK Government that oversees the Registration Service as to whether there are steps in place to extend the validity of a notice of marriage or civil partnerships but to date they have not suggested that they intend to do this. Discussions were also had as to whether guidance will be issued from the General Register Officer that notice fees are to be waived for any couples who are required to change their date and venue of marriage as a result of Covid-19 restrictions. The General Register Office have indicated that this will be a decision for each local authority to determine.
12. It is proposed to ensure couples choosing to change the date of their ceremony as a result of Covid-19 restrictions are not placed in any financial detriment that Neath Port Talbot County Borough Council waive any notice fee for any ceremony that was due to take place between 23rd March 2020 and 30th September 2020 that is subsequently rescheduled to a different date.
13. If restrictions remain in place, this report seeks authority for the Director of Finance and Corporate Services and Head of Legal Services, in consultation with the Leader of Council and Cabinet Member for Corporate Services and Equality to agree an extension of this waiver scheme.

Financial Impacts:

14. It is estimated that if the current 42 marriages/civil partnerships are rescheduled, should the notice be waived, the Council will not collect fees totalling £2,940. In the event that the further 37 are to be rescheduled, a further £2,590 will not be collected. If restrictions continue after the 1st October 2020 then additional financial losses will be incurred.

Integrated Impact Assessment:

15. An integrated impact assessment is not required for this report.

Valleys Communities Impacts:

16. No impacts

Workforce Impacts:

17. No impacts

Legal Impacts:

18. No impacts.

Risk Management Impacts:

19. The current outbreak of COVID-19 is unprecedented and will have a significant impact on marriages/civil partnerships and wedding costs in general. Failure to agree a waiver of this fee will result in additional costs to couples choosing to have a marriage/civil partnership ceremony

Consultation:

20. There is no requirement for external consultation on this item.

Recommendations:

21. It is recommended that
- (a) Neath Port Talbot County Borough Council waive any notice fee for any ceremony that was due to take place between 23rd March 2020 and 30th September 2020 that is subsequently rescheduled to a different date
 - (b) Delegated authority be granted to the Director of Finance and Corporate Services and Head of Legal Services in consultation with the Leader and Cabinet Member for Corporate Services and Equality to agree an extension of this period dependant on the current restrictions that are in place at the time.

Reasons for Proposed Decision:

22. To ensure couples choosing to change the date of their ceremony as a result of Covid-19 restrictions are not placed in any financial detriment.

Implementation of Decision:

23. The decision will be implemented immediately

Appendices:

24. None

List of Background Papers:

25. None

Officer Contact:

- 26 Craig Griffiths – Head of Legal Services
Tel: 01639 763767 Email: c.griffiths2@npt.gov.uk

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