

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1. Meeting:	Cabinet Member for Culture and Tourism
2. Date:	15th January 2013
3. Title:	Protection of Freedoms Act 2012 – Removal of time restrictions for marriages and civil partnerships.
4. Programme Area:	Environment and Development Services

5. Summary

This report details legislative changes, which came into force on 1st October, 2012 permitting local authorities, who wish to do so, to extend the times during which they offer marriages and civil partnerships.

It recommends a change to the current level of service delivery along with proposals for appropriate fees.

Consultation has taken place with staff, customers and stakeholders.

6. Recommendations

That Cabinet Member:-

1. Approves the extension of service delivery as detailed in this report;
2. Approves fees for the service on a cost recovery basis as detailed in this report.

7. Proposals and Details

Background

Up to 1st of October 2102 legislation stated that Marriages and Civil Partnerships could take place only between the hours of 8:00 and 18:00. The Protection of Freedoms Act has effectively removed this time restriction.

The change in legislation is permissive, not mandatory, meaning each local authority may choose to extend the hours during which its Registration Service delivers marriages and civil partnerships. The council is also free to determine the scope of any additional service provision arising from the change.

At the present time no benchmarking data is available.

Following consultation with customers, stakeholders and staff, it is proposed to extend the times of service delivery as follows with immediate effect:

Current service provision

Rotherham Town Hall

10:00 - 15:30 Monday to Friday
10:00 - 14:30 Saturdays from October to April
10:00 - 16:30 Saturdays from May to September

Approved Venues

10:00 - 15:30 Monday to Friday
12:00 - 16:30 Saturdays, Sundays and Bank Holidays

Proposed service provision

Rotherham Town Hall

No change to existing service provision

Approved Venues

10:00 - 15:30 Monday to Friday
12:00 - 20:00 Saturdays
12:00 - 16:30 Sundays
12:00 - 20:00 Bank Holidays (excluding Good Friday, Christmas Day, Boxing Day and New Years Day).

Service delivery is dependent upon staffing being available. Saturday is the most popular day for ceremonies and the one most likely to attract out of hours requests. Sunday ceremonies are less popular and requests are unlikely.

8. Finance

Extending service provision could not be met from existing resource. Casual Registration Officers would need to be recruited to cover additional service delivery.

Requests are likely to be infrequent therefore casual staff would require much more training than is usual to maintain skills.

Ongoing costs would be met providing fees were charged on a cost recovery basis. In order to deliver on a cost recover basis the proposed fees are as follows:

Marriage and Civil Partnership

Existing fee

£230.00 (fee subject to review) Saturday/Sunday up to 18:00 hours

£305.00 (fee subject to review) Bank Holiday up to 18:00 hours

Proposed fee

Increase in service hours Saturday/Bank Holiday 18:00 – 20:00

Saturday

Cost Recovery	439.29
VAT	87.86
Total	527.15
Proposed Fee	£530.00

Bank Holidays

Cost Recovery	578.53
VAT	115.71
Total	694.24
Proposed Fee	£695.00

Naming Ceremony/Renewal of Vows Ceremony

Existing Fee

£150 (fee subject to review) Saturday/Sunday/Bank Holiday up to 18:00 hours

Proposed Fee

Increase in service hours Saturday/Bank Holiday 18:00 – 20:00

Saturday

Fee	395.52
VAT	78.70
Total	472.22
Proposed Fee	£475.00

Bank Holidays

Fee	517.51
VAT	103.50
Total	621.01
Proposed Fee	£620.00

9. Risks and Uncertainties

Dependencies

Caretakers would need to be available for registration staff to collect and return registers to Riverside House out of normal business hours.

Risk

Health and safety may be an issue as staff must collect registers from the Registration Service repository in Riverside house before ceremonies and return them after ceremonies.

Hotels licensed for marriages have expressed concern regarding alcohol consumption if ceremonies were held any later than at present, in particular after 20:00.

Couples with a limited budget tend to opt for ceremonies at the Town Hall. The additional cost attributed to extending service provision is likely to deter couples from booking the venue outside of normal business hours.

10. Policy and Performance Agenda Implications

As an extended service could not be delivered from existing resource there would be an impact on performance when experienced staff were removed from the service to deliver training to casual staff.

The law is permissive and therefore the council could review service delivery in relation to the Act at any time.

11. Background Papers and Consultation

Background Papers

Protection of Freedoms Act 2012

Consultation

Stakeholders

Letters were sent to all venues that hold a licence for civil marriages explaining the change in legislation. Venues were asked whether they would wish to extend the times for which they offer marriages/civil partnerships.

There are 9 licensed venues in Rotherham in addition to Rotherham Town Hall. One venue stated a preference to offer ceremonies up to 20:00 7 days a week. One venue stated a preference to offer ceremonies 24 hours a day 7 days a week. Two venues stated they did not wish to change existing arrangements. Five failed to return the questionnaire.

Customers

All couples wishing to marry/form a civil partnership must give notice (legal preliminaries); it is at this stage that ceremony bookings are confirmed. Customers giving notice of marriage/civil partnership in the period 20th August 2012 to 31st August 2012 were asked if, given the choice, would they like their ceremony to take place before 8:00 or after 18:00.

In this period 24 couples gave notice

13 couples said they would not wish to marry before 8am or after 6pm.

1 couple said they would prefer to marry between 7-8pm, however they have booked a venue that stated it would not wish to offer ceremonies after 16:30.

1 couple was marrying abroad.

9 couples failed to respond.

Staff

All staff were asked to comment.

1 would be happy to attend ceremonies after 18:00 if not required to work normal office hours on the days when working after 18:00 but would not wish to work before 8:00.

All others expressed a preference not to attend ceremonies before 8:00 or after 18:00 on any day.

12. Contact Name

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