



# LEICESTER DIOCESAN REGISTRY

Boundary House, 91 Charterhouse Street, London EC1M 6HR

[registry@stoneking.co.uk](mailto:registry@stoneking.co.uk)

Frances Reynolds Registry Assistant

Lee Coley Diocesan Registrar

Davinia Davey Apprentice Solicitor

## REGISTRY UPDATE – Summer 2022

It's been a while since we sent an update. Firstly, thank you for your prayers and support over the past months for Lee whilst he has been away. The great news is that Lee is now back full time, with a clean bill of health!

### Faculties

At the beginning of this month, legislation came into force to give effect to recommendations made by the Net-Zero Carbon Faculty Working Group for changes to the faculty system as part of the Church's commitment to working towards net zero carbon emissions.

- If works to your building involve matters upon which the Church Buildings Council has issued net zero guidance, your application, whether under List B or a full faculty, must show that due regard has been taken of such guidance. [Current guidance](#) includes heating, lighting and floodlighting projects.
- Changes have been made to Lists A and B aimed at enabling PCCs to introduce energy saving measures more easily e.g. draught proofing doors and window, insulating pipes, replacing lights with low-energy lights, introduction of electric vehicle charging points.

### New Additional Matters Order

- **Temporary structures** If you want to hold an event in the churchyard in a marquee/gazebo for a few days, you can now request permission to do so under List B. Amongst other things, the use must be appropriate to its surroundings and its positioning must not impede access around the church site.

### Grave spaces

- When you are speaking with anyone who would like to reserve a space, please make it clear that the maximum length of a reservation will be 25 years, unless there are exceptional circumstances. The faculty can be renewed nearer the time but it is for the petitioner to keep an eye on the expiry date, not the PCC or the Registry. The length of grant has been decided upon by the Chancellor so as to provide balance between a petitioner reserving space in advance and the rights of parishioners to burial in the churchyard.

### Changes to marriage law

- It's been just over a year since the law changed introducing Marriage Documents for Relevant Nationals marrying by banns or common licence and Superintendent Registrar's Marriage Schedules for Non-relevant Nationals, who now have to use civil preliminaries to marry in a CoFE church (unless an Archbishop's Special Licence has been granted).

- Remember that if one of your wedding couple is British and their passport has expired, or they do not have a passport, there are specific documents that you must ask for to evidence their nationality in the alternative, depending on the individual's date of birth.
- The [GRO's Guidebook for clergy](#) has details of the documents referred to above and much more information and guidance. Do ensure you have the latest version – the guidebook was last updated 01 July 2021. HM Passport Office has also just published a new clergy newsletter for June 2022 you can find [here](#).

#### **More changes in the pipeline...**

- Currently, those aged 16 and 17 years can marry with parental consent. However, this is going to change and the legal minimum age for marriage will increase to 18 years.
- The legislation has had its final reading in parliament but has yet to become law.

#### **Marriage Law consultation – possible changes in the years ahead...**

- You may have heard in the news that the Law Commission has published its [final recommendations](#) for the reform of marriage law in England and Wales. The main crux is that those officiating weddings will be regulated, not the building where the ceremony takes place.
- These are the highlights so far as the proposals **may** affect CofE wedding ceremonies.
  - Anglican clergy will automatically be recognised as officiants to conduct Anglican weddings.
  - Banns and Common Licence procedures will be made 'more robust' in terms of the documentary evidence couples must provide for clergy to inspect to ensure eligibility to marry.
  - Couples marrying by banns must each have a separate meeting with the incumbent of their parish(es) of residence.
  - Banns need only be called in the couple's parish(es) of residence – i.e. there will no longer be a need to call banns in the parish where the wedding is to take place.

**NB** it has been left open for the CofE/Wales to decide if banns should also be called in the parish where the wedding is to take place for ecclesiastical purposes.
  - For Common Licences, both of the couple will have to make a declaration (currently it is only one, usually the one with the qualifying connection).
  - Weddings could take place outside the church building e.g. in churchyards.
- Next steps – an interim Government response to the Law Commission's recommendations should be published by early next year, with a full response next Summer.

#### **Positions of Trust**

The Sexual Offences Act 2003 has been amended to clarify the meaning of a person in a "position of trust". Under the new law, A has a position of trust in relation to B if they actually and knowingly coach, teach, train, supervise, or instruct B on a regular basis in a sport or a religion.

The age of consent for sexual activity in the UK rises from 16 years to 18 years where one person in a position of trust is involved. The implications of this change in law is to make it illegal for religious leaders and sports coaches to engage in sexual activity with those aged 16 and 17 years. Further advice and guidance to follow in due course.

The contents of this update are current as of its sending but do remember that we are always happy you hear from you with any queries: email [registry@stoneking.co.uk](mailto:registry@stoneking.co.uk)