

## CLAS CIRCULAR 2021/25 (16 December 2021)

### Disclaimer

**CLAS is not qualified to advise on the legal and technical problems of members and does not undertake to do so. Though we take every care to provide a service of high quality, neither CLAS, the Secretary nor the Governors undertakes any liability for any error or omission in the information supplied.**

It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

<b>COVID-19 .....</b>	<b>2</b>
England moves to COVID Plan B .....	2
Coronavirus (COVID-19): "Life events" .....	2
<b>CHARITIES &amp; CHARITY LAW .....</b>	<b>4</b>
Martin Thomas is confirmed as the new Charity Commission Chair.....	4
Registration of church charities in England & Wales.....	4
<b>FAITH &amp; SOCIETY .....</b>	<b>5</b>
Church of England Parochial Fees 2022.....	5
<b>ODDS &amp; ENDS .....</b>	<b>7</b>
National Data Strategy Mission 1 Policy Framework: Unlocking the value of data across the economy .....	7
<b>PROPERTY &amp; PLANNING .....</b>	<b>8</b>
Leasehold Reform (Ground Rent) Bill 2021-22.....	8
<b>SCOTLAND.....</b>	<b>9</b>
Scottish Budget 2022-23.....	9
<b>WALES.....</b>	<b>10</b>
Curriculum for Wales: Relationships and Sexuality Education (RSE) .....	10
Planning legislation and policy for second homes and short-term holiday lets.....	10

## COVID-19

### England moves to COVID Plan B

**For action**

The Prime Minister [announced](#) that England will move to Plan B following the rapid spread of the Omicron variant in the UK. The move to Plan B means that:

- All those who can work from home should do so from 13 December.
- From 10 December, the use of facemasks will be extended to cover theatres and cinemas.
- The NHS Covid pass will be used for entry into unseated indoor venues for more than 500 people, unseated outside venues with more than 4,000 people, and any venue with more than 10,000 people. A negative lateral flow test will also be sufficient.
- Daily tests will be introduced for contacts, instead of self-isolation.

[Source: 10 Downing Street, 8 December]

### Coronavirus (COVID-19): "Life events"

**For information**

Subsequent to the Prime Minister's announcement, DLUHC [updated](#) its guidance for couples planning to get married or form a civil partnership in England, and venues hosting these events. The guidance was updated with information on new measures introduced in response to the Omicron variant.

DHSC also updated its guidance on [Carrying out mandatory COVID-19 status checks at your venue or event](#), which applies to England only and sets out the rules for persons attending events to show that they have "valid COVID-19 status".

Crucially, *mandatory status checks do not apply to places of worship*, nor to private houses or unticketed outdoor events in public spaces. The guidance sets this out as follows:

#### 'Exempt events

If you are responsible for one of the following events, you are not required to use the NHS COVID Pass, even if the attendance thresholds are met:

- communal worship
- wedding and civil partnership ceremonies and equivalents (including alternative wedding ceremonies)
- receptions celebrating a wedding or other significant life event (like a christening, bar and bat mitzvah or mehndi ceremony) that are organised by an individual (and not a business, a charitable, benevolent, or philanthropic institution or a public body).
- funerals and commemorative events (except where commemorative events are held in a nightclub)
- outdoor events in public spaces where these are unticketed and not charged for (such as markets, street parties, protests and carnivals)
- events in private houses (including private gardens) where people do not have to pay or hold a ticket to enter.”

[Source: DLUHC, 8 December; DHSC, 13 December]

## CHARITIES & CHARITY LAW

### Martin Thomas is confirmed as the new Charity Commission Chair

For information

DCMS has [announced](#) that the new chair of the Charity Commission will be Martin Thomas. Thomas has over 20 years' experience in the insurance and financial services sectors including roles at the Bank of England, the European Commission and the European Central Bank. He currently holds a number of charitable roles (which he will step down from) and is the Chair of NHS Resolution.

[Source: DCMS, 10 December]

### Registration of church charities in England & Wales

For information

The Charity Commission for England and Wales is to start work next year on plans to register 35,000 church charities, beginning with Church of England cathedrals, which are currently *sui generis* and neither excepted nor exempt: see [s 8 Cathedrals Measure 2021](#). Congregations in the [excepted denominations](#) (scroll down) whose annual income is below £100,000 are not currently required to register, which means that although they are regulated by the Commission they do not appear on the register as published.

Registering churches falls under the Commission's broader priority to 'continue to deliver a step-change in our robust approach to regulation', and the [Commission's business plan for 2022](#), published on 14 December, sets out plans to begin the process as follows:

'We will also begin preparations for an expanded Register, working with the Church of England to pilot and manage the receipt of applications from cathedrals applying for charitable status and then up to 35,000 excepted church charities over the next decade.'

[Source: Charity Commission, 14 December]

## FAITH & SOCIETY

### Church of England Parochial Fees 2022

For information

The Church of England's Tables of Parochial Fees from 1 January 2022 prepared by the Archbishops' Council, are now available on the C of E website on its page of [Life events parochial fees and guidance](#). This includes: an [A3 table](#), an [A4 table](#), and as a short [A4 summary](#). The basic fees are as follows:

#### ***Marriages***

- Publication of banns: £32
- Certificate of banns, if required: £16
- Marriage service: £480

Not covered are extras such as the costs of choir, organist, bellringers, vergers &c., for which new advice was issued in February 2019.

#### ***Funerals***

##### *Service in Church*

- Service (in church, cemetery, or crematorium): £206
- Burial in churchyard, preceding or following on from service in church: £331
- Burial in churchyard, on separate occasion or without service in church: £360
- Burial in cemetery or cremation immediately preceding or following on from service in church: £30

##### *No service in Church*

- Funeral service (including burial of body) at graveside in churchyard, £428.
- Funeral service (including burial or other lawful disposal of cremated remains) at graveside in churchyard, £240.
- Funeral service at crematorium, or funeral service (including burial of body or burial or other lawful disposal of cremated remains) in cemetery, £206.
- Funeral service in premises belonging to funeral director, whether taking place before or after burial or cremation, £206.

- Cremation immediately preceding or following on from funeral service in premises belong to funeral director, £30.
- Burial of body in churchyard, not following service at graveside (committal only), £360.
- Burial of cremated remains in churchyard or other lawful disposal of cremated remains (committal only), £172.
- Burial of body, or burial or other lawful disposal of cremated remains, in cemetery (committal only), £30.

*Certificate issued at time of burial*

- Burial certificate, if required: £16.

[Source: Church of England, 23 November]

## ODDS & ENDS

### National Data Strategy Mission 1 Policy Framework: Unlocking the value of data across the economy

For information

DCMS has [published](#) a framework for Government action to set 'the correct conditions to make private and third sector data more usable, accessible and available across the UK, while protecting data rights and IP.' The framework is divided into two main components:

- *Principles for intervention*: A set of principles that government will use to guide interventions seeking to unlock data across the economy, to ensure that it employs the most effective approach to deliver public benefit.
- *Priority areas for action*: Building on the above, specific areas for action that, in combination, can address some of the key barriers to data sharing for public benefit.

[Source: DCMS, 24 November]

## PROPERTY & PLANNING

### Leasehold Reform (Ground Rent) Bill 2021-22

For information

The House of Commons Library has [published](#) a briefing on the *Leasehold Reform (Ground Rent) Bill 2021-22*, which makes provision about the rent payable under long leases of dwellings. The briefing paper outlines the main provisions of the Leasehold Reform (Ground Rent) Bill 2021-22 and the key issues raised during consideration in the House of Lords.

[Source: House of Commons Library, 25 November]



## SCOTLAND

### Scottish Budget 2022-23

For information

The Scottish Government [presented](#) its Budget to the Scottish Parliament. The Budget, agreed between the Scottish Government and the Scottish Green Party, included the following:

- £18 billion for Health and Social Care, including £12.9 billion for health boards and £23m for Food Standards Scotland;
- £150 million for walking, wheeling and cycling; and
- £123 million to protect and restore nature, woodland creation and the sustainable management of Scotland's woodlands.

[Source: Scottish Government, 9 December]

## WALES

### Curriculum for Wales: Relationships and Sexuality Education (RSE)

For information

The Welsh Government has [published](#) a summary of responses to its consultation on the curriculum for Wales guidance and code for Relationships and Sexuality Education. The summary of responses noted the following.

'Positive perspectives towards RSE were often informed by the understanding that developmentally appropriate provision would support and advance learner well-being. This included their social, emotional, and physical well-being, as well as developing a more accepting and tolerant environment for children and young people. Respondents also welcomed the greater emphasis on the rights of the child within the proposals.

Respondents, particularly practitioners, raised a range of practical considerations and challenges in effectively engaging with the new RSE curriculum. This included the importance of skills, expertise and confidence of practitioners in providing high-quality, developmentally appropriate provision. In order to support practitioners, high-quality training, guidance and materials were considered essential.

Negative perspectives tended to highlight the importance of learner well-being, however felt that the RSE was inappropriate and likely to exacerbate rather than address some of the challenges learners face. There were also concerns that RSE limited the freedom of religious expression, the rights of parents, and curtailing the rights of some groups, especially women and girls. Some respondents also found the inclusion of sexuality and gender problematic for a range of reasons.'

[Source: Welsh Government, 24 November]

### Planning legislation and policy for second homes and short-term holiday lets

For information

The Welsh Government has [published](#) a consultation - closing 22 February - on proposals to amend the development management system and planning policy in Wales to help local planning authorities manage second homes and short-term holiday lets.

The consultation will look at:

- amendments to the Town and Country Planning (Use Classes) Order 1987 to amend the current use class for 'Dwellinghouses' and create new use classes for 'Second Homes' and for 'Short-term Holiday Lets';
- related amendments to the Town and Country Planning (General Permitted Development) Order 1995; and
- related amendments to Planning Policy Wales.

[Source: Welsh Government, 23 November]

***AND A VERY HAPPY CHRISTMAS TO ALL OUR READERS.***

