

CLAS CIRCULAR 2022/12 (12 September 2022)

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.

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CHARITIES & CHARITY LAW

Consultation on annual return 2023 concludes

For information

The Charity Commission has [published](#) its response to the conclusion of the consultation on the Annual Return 2023. The Commission received 460 responses, with 54% of respondents were acting on behalf of their charity and included both trustees and employees; 38% of respondents were trustees sharing their personal view on the consultation topics.

Overall, the tone of engagement was positive. Early analysis of the feedback received indicates areas requiring further thought to help ensure the Commission gathers data in a way that is straightforward, and relevant to charities regardless of their purpose and the type of work they do.

[Source: Charity Commission, 2 September]

FAITH & SOCIETY

Marriage and Civil Partnership (Minimum Age) Act 2022: commencement

For action

The Ministry of Justice has [announced](#) that it plans to bring the Marriage and Civil Partnership (Minimum Age) Act 2022 into effect on **Monday 27 February 2023**.

[Source: MoJ, 9 August]

National Mourning period: guidance for faith and belief groups and places of worship

For information and possibly for action

DLUHC has [published](#) guidance for faith and belief groups and places of worship on the National Mourning period, following the death of HM Queen Elizabeth II.

The publication suggests some ways for such groups to play an active role, in line with the wider process of National Mourning, ahead of the State Funeral itself. This document is not intended to be prescriptive or a rulebook. It provides some general guidance and suggestions that places of worship, and faith and belief groups more generally, may wish to consider when making their own plans for services or other events. The guidance covers the following: [Prayer and worship](#); [Areas of mourning and floral displays](#); [Books of condolence](#); [Religious, community and civic buildings](#); [Other issues to consider](#); and [Co-ordination with others](#).

Various denominations published their own prayers and liturgical resources to commemorate Her Majesty:

- Catholic Bishops' Conference of England & Wales: [Prayers for the Repose of the Soul of HM Queen Elizabeth II](#).
- Church in Wales: [Service in commemoration of Her Late Majesty Queen Elizabeth II](#).
- Church of England: [Resources and liturgy on the death of HM The Queen](#).
- Church of Scotland: [Prayers and worship material for use following the death of the Queen](#).
- Methodist Church: [A prayer vigil on the death of The Sovereign](#).

[Source: DLUHC, 9 September]

ODDS & ENDS

The Bill of Rights Bill

For information

There have been widespread [media reports](#) that the Government has shelved the Bill of Rights Bill, at least for the moment. It had been due for its second reading debate on 12 September; however, a "Government source" has been widely quoted as saying that the Bill is unlikely to progress in its current form and that the new administration is "reviewing the most effective means to deliver the objectives of the Bill as a whole". Which is not to say that it might not reappear in a different form.

[Source: *BBC News*, 7 September]

PROPERTY & PLANNING

A Decent Homes Standard in the private rented sector

For information **and possibly for action**

DLUHC has [published](#) a consultation – closing 14 October – on the introduction and enforcement of a Decent Homes Standard in the private rented sector in England.

[Source: DLUHC, 2 September]

Energy bills support

For information **and possibly for action**

BEIS has [published](#) guidance on the energy bills support package that was announced by the Prime Minister.

For consumers, the Energy Price Guarantee will “ensure that a typical household in Great Britain pays an average £2,500 a year on their energy bill, for the next 2 years, from 1 October 2022.”

A new six-month scheme for businesses and other non-domestic energy users (including charities and public sector organisations like schools) will be offered support as is being provided for consumers. After this initial six-month scheme, the Government will provide ongoing focused support for vulnerable industries. There will be a review in three months' time to consider where this should be targeted to make sure those most in need get support.

[Source: BEIS, 9 September]

Energy cost survey

For action

Trevor Cooper, Chair, and Becky Payne, Development Director, of the Historic Religious Buildings Alliance (HRBA) are seeking hard evidence about the likely extra energy costs that will be incurred by

historic churches and other places of worship this winter for its parent organisation, the Heritage Alliance, to present to Government, as follows:

“ENERGY COSTS THIS WINTER

1. We would like to know your energy costs last winter and your best estimate of costs this coming winter. These are total costs, not price per unit of energy.
2. We would also like to know if at present you foresee or are considering any reduction in your activities because of increased bills, and any details you can give us.
3. We need to know on whose behalf you are responding, though all information will be anonymised.

That simple information will be very useful in making a case. However, if possible . . .

4. Please tell anything else you think it would be useful for us to know to present a case to government. Here are some possibilities, but none of this is essential:

- a) whether your building is a cathedral, or in any other way of unusual size or complexity
- b) roughly how many people are financial supporters of the building (alternatively, typical congregational attendance)
- c) some idea of the size of your annual income and of your annual surplus (if any)
- d) whether you would describe the location of your building as village, small town, suburbs, urban, city centre - or any other descriptor of location
- e) if your building is the only place of worship in the community (this will tend to be in villages and some small towns), the approximate number of people living in the community
- f) anything you might know about local levels of deprivation
- g) anything else you want to tell us.

Thank you.”

Please respond to Trevor and Becky direct at hrb@theheritagealliance.org.uk rather than to CLAS – though they emphasise that if your denomination has already asked you for such data there is no need to respond to the HRBA as well.

[Source: HRBA, 12 September]

SCOTLAND

Scotland: Programme for Government 2022 to 2023

For information **and possibly for action**

The Scottish Government has published [A stronger and more resilient Scotland: the Programme for Government 2022 to 2023](#). The Programme for Government sets out the actions that the Scottish Government will take in the coming year and beyond and includes the legislative programme for the parliamentary year.

As part of the Programme, the Scottish Government intends:

- to introduce emergency legislation to protect tenants by freezing rents and imposing a moratorium on evictions until at least 31 March 2023. It will also act to prevent immediate rent increases;
- to publish an energy strategy;
- to publish a consultation on the Heat and Buildings Bill;
- to develop a Housing Bill and a new deal for tenants; and
- to "Increase the transparency and accountability of Scotland's vital charity sector through our Charities (Regulation) Bill"

[Source: Scottish Government, 6 September]