

<b>Subject:</b>	<b>Civil Marriage</b>		
<b>Date of Meeting:</b>	<b>14<sup>th</sup> June 2012</b>		
<b>Report of:</b>	<b>Strategic Director Resources</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Martin Warren</b>	<b>Tel:</b> <b>29-0555</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report offers a response to a consultation run by the Government Equalities Office in regard to 'Civil Marriage'.
- 1.2 The introduction of a new decision making system and the timing of the consultation meant a debate at Council was not possible, so a letter was requested that could be signed by the Leaders of the council's political groups.
- 1.3 The letter – attached as appendix 1 – has been agreed in principle by Group Leaders and is submitted to Policy & Resources for approval.

**2. RECOMMENDATIONS:**

- 2.1 That Policy & Resources Committee approve the letter attached at appendix 1 as the agreed response to the Government consultation on Civil Marriage.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Government Equalities Office began a 12 week consultation on civil marriage in April 2012. The closing date for the consultation is 14<sup>th</sup> June.
- 3.2 Government Equalities Office is aware that Brighton & Hove City Council will be meeting on 14<sup>th</sup> June to determine their response.

**4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 Community engagement and consultation are not required in relation to this exercise. The consultation is an open one and any persons or organisations are able to respond. The council would not wish to fetter the discretion of any local body by implying a response on behalf of a third party.
- 4.2 Brighton & Hove has a large LGBT population, the council respects and supports this community of persons and appreciates its leadership role in respect of them. In this regard the response to the consultation is drafted to echo the long

expressed majority view of the local LGBT populous that equality is to be pursued and promoted.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 There are no direct financial implications as a result of the recommendation.

*Finance Officer Consulted: Name Anne Silley Date: 08/05/12*

### Legal Implications:

- 5.2 There are none.

*Lawyer Consulted: Elizabeth Culbert Date: 020512*

### Equalities Implications:

- 5.3 The ability for persons to formally and publicly declare their union is an important social and cultural moment. Legal and cultural permissions have been argued and granted over recent years that have allowed for a Civil Partnership to be recognised for same sex couples.
- 5.4 Arguments have been made and generally accepted that a form of union closer to traditionally appreciated notions of marriage would be fairer and more equitable for same sex couples. Concerns raised by some faith communities have been recognised in the consultation and balanced without diminishing established practice of protocol.

### Sustainability Implications:

- 5.4 There are none.

### Crime & Disorder Implications:

- 5.5 There are none.

### Risk and Opportunity Management Implications:

- 5.6 There is a reputational risk to the council were it unable to respond to the consultation in a timely fashion and in a way that reflected the LGBT community at large.

### Public Health Implications:

- 5.7 There are none

### Corporate / Citywide Implications:

- 5.8 The council promotes and pursues equality as a core function, this consultation and its intended consequences fit neatly with the aspirations of the council.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Draft letter in response to consultation on civil marriage

### **Background Documents**

1. Government Equalities Office. Equal civil marriage: a consultation. Available online <http://www.homeoffice.gov.uk/publications/about-us/consultations/equal-civil-marriage/>

Government Equalities Office  
3<sup>rd</sup> Floor Fry  
2 Marsham Street  
SW1P 4DF

X June 2012

Dear Minister,

We write to offer our support for your civil marriage proposals.

Given the timing of the consultation full Council is unable to move a formal motion in response, but we write on behalf of our members. In short, we are fully supportive of the proposals laid out in the document from the Government Equalities Office.

The proposals are a significant further step to full equality and offer a strong message that adapting traditions can produce better outcomes for all without denigrating long held beliefs. We welcome the point that religious institutions will not be compelled to adopt practices at odds with their traditions and hope in time, that the facility to do so should be available if deemed appropriate.

The proposals recognise the changing nature of the secular and the sacred within our society; valuing both without questioning the validity of either, they also offer a space that allows for same-sex couples to marry.

We welcome the central value of this consultation that the commitment made by couple is key, rather than the cultural value placed on the type of union. It takes a common sense approach to making practical solutions where possible. In this light we wholeheartedly welcome the proposal to allow transsexual people to change their legal gender without having to legally end their existing marriage or civil partnership. It is a move that will remove a significant area of distress and does so within accepted legal and moral boundaries.

Further, we full support the proposal to 'convert' current civil partnerships into civil marriage.

Brighton & Hove has a large LGBT community, one that respects and is respected by the faith community. As elected members we view these proposals as eminently sensible, pragmatic and respectful of the various views that have already been made known. We hope that it will bolster commitments to equalities and act as a springboard to reducing inequalities across all communities.

Yours sincerely,

Cllr Jason Kitcat  
Leader Brighton & Hove  
City Council

Cllr Geoffrey Theobald  
Leader  
Conservative Group

Cllr Gill Mitchell  
Leader Labour &  
Co-operative Group