

5 December 2019**Agenda Item:6****REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES****REGISTRATION SERVICE FEES FOR 2020/2021 THROUGH TO 2023/2024****Purpose of the Report**

1. The purpose of the report is to seek Committee approval for proposed revisions to Registration Service fees and charges over which the County Council has discretion.

Information

2. The Registration Service fees over which the County Council has discretion are normally set two financial years in advance, as customers may request ceremony bookings well ahead of their planned event. Current fees and those for the financial year 2020/2021 were approved by the Communities and Place Committee in November 2018. This report proposes a variety of changes for introduction in 2020/2021, plus changes for immediate introduction, as set out in Appendix A to the report.
3. Fees for statutory registration services are set nationally by the General Register Office, and include all certificates issued, fees for giving notice of intention to marry or form a civil partnership, and fees for related ceremonies when taking place at the Register Office. It is possible that, at any time during the year, the Registrar General or Home Office may make changes to these fees. If so then local fees will be re-set to a new figure directly commensurate with the change. This took place in February 2019 in respect of certificate fees.
4. The principal statutory fees have not increased since April 2012. Very minor changes were made in September 2014. New fees for services that had hitherto been free of charge were introduced in November 2017 and significant changes to certificate fees came into force on 16th February 2019. Generally, increases in fees and new fees for statutory services can add significantly to the overall income of the registration service, however it is not possible to quantify the likely benefit of new fees until their effect is seen over a period of time.
5. The level of the statutory fees does not cover the full cost of service delivery, and this places a financial pressure on the service. However, fees for non-statutory services can be set on a cost recovery basis thereby off-setting the cost of providing the service overall. Non-statutory registration services are offered by the County Council under the provisions of the Local Government Act 2000 and the Localism Act 2011. Services include conducting civil marriage and civil partnership ceremonies at premises other than the Register Office, plus a range of celebratory ceremonies including naming, commitment, renewal of vows, civil funerals and individual citizenship ceremonies.
6. Registration managers and staff are continually seeking new opportunities to offer non-statutory services that the public will wish to purchase, and to thereby optimise income for the service. Also, the service aims to maintain competitiveness with neighbouring authorities.

7. Due to major changes in the certificate fee structure announced by the General Register Office and introduced towards the end of the financial year 2018/19, the Registration Service is finding itself in a healthier financial position in comparison to previous years, which reduces the requirement for income generation and affords the opportunity to upgrade accommodation and premises.
8. Previously the service has maintained an overall cost-neutral position while absorbing the effect of national changes such as the withdrawal of the Nationality Checking Service. With the increase in certificate fees, although sales are showing a downward trend, income is higher and reduces the burden on non-statutory services to make up the shortfall to remain cost neutral. However, the Law Commission Review on Marriage Reform announced in July 2019 may propose changes to marriage legislation that will have significant bearing on income generating potential in the future, especially if a celebrant-based system rather than a buildings-based system (as in Scotland) is the outcome of the review. As yet, neither the changes themselves or the effect on the future of registration services is known.
9. On 24th November 2019, the Registration Service introduced a new digital platform ceremony planner that allows couples to manage their ceremony booking online. The demand for this type of service is high, particularly from younger members of society and those who find it more convenient. Bookings are made many years in advance, and to enable the new system to function fully and accurately it is necessary to have certainty of ceremony fees for longer than the current two financial years. It is therefore proposed that this and future fees reports will be for a four financial year period for ceremonies. Other fees will continue to be set on a rolling two-year period.
10. The projected outturn for the current financial year is healthy and there appears no reason why this should not remain on target. It is proposed there are no increase to ceremony fees for 2021/22 as this cannot be justified on a cost recovery basis and following a benchmarking exercise with neighbouring authorities. This moratorium to be followed by incremental rises year on year thereafter to account for potential rises in inflation.
11. In March 2019, HMRC made a final adjudication on the VAT status of funeral celebrants requested by the CIPFA VAT committee. The outcome was “the provision by local authorities of funeral celebrants is not an activity of a public authority within the meaning of section 41A VAT Act 1994, and thus it falls within the scope of VAT. The services are therefore standard rated for VAT.” This decision also took retrospective action in that VAT liability was payable to HMRC for Civil Funerals going back four years from the date of correction on 15th March 2019. Therefore, Nottinghamshire Registration Service paid £3,260.83 liability in July 2019. A substantial increase is therefore proposed in the cost of the Civil Funerals service to negate the vatable status and ensure financial viability yet remain comparable with independent celebrants. The Registration Management Team is to review the provision of this service offer in September 2020.
12. Due to a decrease in family history enquiries to the service, and minimal interest in the Family History Research Package since its introduction, the Registration Service Management Team proposes withdrawal of this service.
13. Similarly, in view of a lack of take-up of the Living Eulogy service since its introduction, the Registration Service Management Team proposes withdrawal of this service.
14. It is also proposed to remove the European Passport Return Service fee which was added in anticipation of offering this service but was not introduced into operation following the advice of other local authorities.

15. Finally, the European Union Settlement Service has been added to the list of fees.

Other Options Considered

16. The County Council has discretion over the type and level of non-statutory services and fees.

Reason/s for Recommendation/s

17. The recommendations are made to enable the Registration Service to off-set the cost of statutory services and provide the public with a range of service options at fees they are content to pay.

Statutory and Policy Implications

18. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

19. The fees charged for non-statutory services enable the County Council to off-set costs associated with providing statutory registration services. This is based on presumed overall take-up of discretionary services by the public, and assuming a normal level of public demand for statutory services, such as the registration of births and deaths.

RECOMMENDATIONS

It is recommended that approval is given for:

- 1) the fee increases set out in Appendix A to this report,
- 2) future registration fees reports to provide fees for ceremonies over a four a year period,
- 3) the withdrawal of Family History Research Package,
- 4) the withdrawal of the Living Eulogy service.

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Constitutional Comments AK (31/10/2019)

20. The recommendation falls within the remit of the Communities and Place Committee under its terms of reference.

Financial Comments [SES 22/11/2019]

21. The financial implications are set out in paragraph 19 of the report. The 2019/20 net budget for Registrars is £0.09m which includes the income budget of £1.541m.

Background Papers and Published Documents

- The Registrar General's Guidance to Authorities for the approval of premises as venues for civil marriage and civil partnerships' (Sixth Edition, 2015).

Electoral Division(s) and Member(s) Affected

- All

