

	<h2>Community Leadership Committee</h2> <h3>6th September 2017</h3>
Title	Registrar’s Service Fees
Report of	Head of Customer Strategy and Programmes
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1 – Revised Fees Sept 2017
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<h2>Summary</h2>
<p>This report sets out the proposed revised discretionary Registrar’s Service fees for marriage, civil partnership and naming ceremonies, renewal of vows, nationality and settlement checking, passport checking and European passport checking, private citizenship ceremonies and certificates for birth, death, marriage or civil partnership. It follows a review of the current joint service provided with the London Borough of Brent, and seeks to increase income to the service in order help pay for service improvements to meet local needs. If agreed by Committee, the new fees will come into effect from 7th September After the fee changes, Barnet will continue to offer some of the lowest fees for equivalent services in London.</p>

<h2>Recommendations</h2>
<p>1. That the Committee approve the revised fees and charges as detailed in Appendix 1</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The Registration and Nationality Service is responsible for the registration of births, deaths and still-births, the formalities for marriage and civil partnerships and for citizenship ceremonies.
- 1.2 The current shared service, through an Inter Authority Agreement (IAA) with Brent, has been in place since 22 April 2014 with an expiry date of 31 March 2019. As part of the agreement, either Barnet or Brent can withdraw from the joint service arrangement by giving 6 months' notice.
- 1.3 A service review in May 2016 identified that Home Office changes in legislation and policy relating to citizenship had raised the bar for qualification and precluded many people from applying. The reduction in demand in Barnet had been significant. Between 2013/14 and 2014/15, the number of persons attending a citizenship ceremony reduced from 2,553 to 1,317. A similar reduction in Nationality Checking Service appointments also occurred during the same period.
- 1.4 The report also identified that the Immigration Act 2014 had led to a significant reduction in notices of marriages and citizenship ceremonies. The Act which came into force in March 2015 was introduced to combat sham marriages entered into for the avoidance of immigration control. The new scheme requires all persons subject to immigration control to be automatically referred to the Home Office for investigation. The number of weddings in Barnet reduced by 220 in the year ending March 2015 compared to 2013/14 and in the year ending March 2016, the number of weddings in Barnet reduced by a further 57. The review also identified that there was a more limited service offer in Barnet when compared to Brent and improvements in the death registration service.
- 1.5 The review led, in February 2017 to the successful relocation of all Barnet registration services to Hendon Town Hall. The service is now based centrally in the borough and provides customers with easier access in terms of transport links. It operates in modern offices and the new building provides opportunity to offer a choice of four different rooms for marriage and civil partnership ceremonies which makes it a more attractive choice to potential customers.
- 1.6 Staffing capacity has also been increased in Barnet and from July 1st 2017 opening hours have been extended, to match those in Brent. This has increased available appointment times in Barnet by 10.5 hours each week and will facilitate improved performance to help meet targets. It will also increase potentially available appointment times for services such as Nationality checking and European Passport Return Service.
- 1.7 This report seeks approval from the Committee for an amendment in discretionary fees charged in order to harmonise fees with Brent and to help offset the additional costs of service provision.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The service review concluded that the Brent service performed consistently well against national indicators, whereas Barnet performed reasonably well for birth registrations but well below national indicators for death registrations. There is a particular challenge to timely death registration in Barnet as it has a large proportion of Jewish and Muslim residents, requiring burial as soon as possible. To enable this, subject to regulations, members of these communities will be issued with green forms which allow them to bury their deceased ahead of registering the deaths. However, Registrars had struggled to ensure the customers return to register the death within the 5 day target. This is a strong contributing factor to Barnet's low performance against this target.
- 2.2 The review also identified that the most significant difference in operating arrangements between Brent and Barnet related to opening times, in particular the fact that Brent is open for an additional 7 hours 30 minutes between Monday and Friday and offers a full service for 11 hours over the weekend compared to a more limited service offer in Barnet of 8 hours.
- 2.3 An analysis of the discretionary fees in Barnet showed that many charges were below the benchmarked group in London and those set in Brent. Overall, Barnet had the lowest comparable charges across the group, and Brent the second lowest.
- 2.4 In order to address the underlying issues impacting on performance it was agreed to
- Increase opening hours for the service so as to mirror those already in operation in Brent
 - Undertake a small scale restructure of the Barnet service so as to amend current employment contracts to mirror those of Brent staff
 - Increase the number of officers available to handle appointments to support extended opening hours
 - Seek approval for an increase in locally-set fees to match those charged in Brent and to cover the costs of providing the discretionary services.
- 2.5 The recommendation is to amend the discretionary fees, as detailed in Appendix 1. This will support the changes to the service, standardise the provision between the two councils, and contribute an additional income of £39,000 to Barnet which can be used to offset the increased costs incurred to deliver the service improvements.
- 2.6 While most existing fees remain the same, some will increase, some will reduce and some new fees will be introduced. Even after the fee changes are applied, Barnet still offers comparatively lower prices e.g. to get married in the Civic Centre/Town Hall on a Saturday during the day will cost £250 in Barnet, and £254 in Ealing, £264 in Hackney, £395 in Westminster, and £285 in Hounslow. Nationality Checking during the week per Adult will be £60 in Barnet, the same in Harrow, £85 in Westminster, and £75 in Hounslow.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative to not make changes to the fees would mean that the service may not be covering its costs. The option to not introduce new services for which fees are to be set may mean that it reduces potential customers to Barnet and may not meet aims and objectives of the IAA.

4. POST DECISION IMPLEMENTATION

- 4.1 Once approved the service will implement the new charges as soon as practicably possible and will be published on the Council's website.
- 4.2 The changes to fees will be reported to Policy and Resources Committee for noting.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

This report supports the Corporate Plan priorities that services are delivered efficiently to get value for money for the taxpayer, and to deliver improved Customer Services.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

The fee changes will help to cover the costs of providing the current and new services. After the fee changes, Barnet will continue to offer some of the lowest fees for equivalent services when benchmarked with other councils in London.

5.3 Social Value

The report supports the Council's Inter Authority Agreement with the London Borough of Brent.

5.4 Legal and Constitutional References

5.4.1 Local authorities have a variety of powers to charge for specific statutory services. The Local Government Act 2003 also provides a power to trade and a power to charge for discretionary services, the latter on a costs recovery basis. Discretionary services are those that a local authority is permitted to provide under statute but is not obliged to do so. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service, if there is a specific power to charge for it or if there is a prohibition on charging.

5.4.2 Additionally the Localism Act 2011 provides local authorities with a general power of competence that confers on them the power to charge for services but again subject to conditions/limitations similar to those noted above.

- 5.4.3 Where authorities have a duty to provide a statutory service free of charge to a certain standard, no charge can be made for delivery to that standard, however delivery beyond that point may constitute a discretionary service for which a charge could be made.
- 5.4.4 There is a variety of legislation permitting charging for different services, some of which sets prescribed fees and charges (or the range of charges for a given service), and others which allow a discretion to determine the charge based on recovering the costs of providing the service.
- 5.4.5 Under the Council's Constitution (Responsibility for Functions, Annex A) the Community Leadership Committee has a number of responsibilities including the Registration and Nationality Service.
- 5.4.6 Paragraph 4.3.8 of the Council's Financial Regulations states: *'For the fees and charges within their remit, theme Committees, Planning Committee and Licensing Committee must approve changes to fees and charges that are above inflation by 2% or more, the introduction of new fees and charges, and changes to fees and charges outside the normal annual cycle.'*
- 5.4.7 Paragraph 4.3.9 of the financial regulations further states: *'Changes to fees and charges approved by theme Committees, Planning Committee and Licensing Committee must be reported to Policy and Resources Committee for noting.'*

5.5 Risk Management

Without approval of the fee changes and new fees, the service will not be able to cover its costs and will need additional funding from other sources.

This will also undermine the revised Inter Authority Agreement with Brent aimed at improving the service.

5.6 Equalities and Diversity

- 5.6.1 Barnet has one of the largest Jewish communities in the country, making up 15% of its population, and its Muslim community makes up a further 10%.
- 5.6.2 The Equality Act 2010 sets out the Public Sector Equality Duty which requires public bodies to have due regard to the need to:
- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.6.3 The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

5.6.4 The broad purpose of this duty is to integrate considerations of equality in to day to day business and keep them under review in decision making and the design delivery of services. It is not considered that the charges subject of this report will have an adverse impact on any of the protected groups but the outcomes and impact of these charges will be monitored and measured against current information to ensure that different groups are not adversely affected.

5.7 Consultation and Engagement

A leaflet with the revised charges has been displayed in the Hendon Town Hall. To date there have been no comments.

5.8 Insight

5.8.1 Not relevant in relation to this report

6. BACKGROUND PAPERS

6.1 None.