



Meeting or Decision Maker:	Cabinet Member for Sports and Leisure Cllr David Harvey
Date:	16 January 2017
Classification:	For General Release
Title:	Westminster Registration Service Fees and Charges
Wards Affected:	All
Better City, Better Lives Summary	A More Enterprising City by promoting use of the local economy
Key Decision:	No
Financial Summary:	Review of fees to generate income to fully recover costs of service delivery. Combined with previously implemented initiatives these are planned to eliminate the income deficit and support achievement of making the service cost neutral by 2017/18.
Report of:	Director of Libraries & Culture

1. Executive summary

- 1.1 The registration service carried out a full review of the cost of the service in summer 2016, and the income it generates. This highlighted the need to increase discretionary fees above inflation, in some cases significantly. This will allow the service to eliminate the income deficit and become cost neutral in 2017/18.
- 1.2 The new fees set out in this report, would apply to new bookings as soon as practicable, if approved. These will include bookings for 2018/19 when the diary is opened.

2. Recommendations

2.1 That the Cabinet member approves:

- the adoption of the full cost recovery model for the Registration and Nationality Service, including an uplift for inflation of 1% per annum for staff costs and 5% per annum for non-staff cost for 2017/18 and 2018/19.
- the proposed fees detailed in attached appendices
- a percentage increase of approximately 3% for fees between 2017-18 and 2018-19
- the introduction of the bedside registration service at the Portland Hospital for the fees detailed in the attached appendix, to be charged monthly to the Portland Hospital
- the proposal to introduce differential pricing for premium services set using the full cost recovery model, as detailed in the attached appendix 1
- the proposal to introduce discounted rates of 25% for existing bookings and 10% for new bookings at Mayfair Library, for the period of the roof works
- the proposal to introduce a premium for all Old Marylebone Town Hall (OMTH) bookings which will recoup the costs of the refurbishment of OMTH, pay for the maintenance of the fixtures and fittings, and fund the operation of an ushering service at OMTH
- the proposal to offer a resident discount of 20% for residents booking a weekday ceremony at OMTH

Details of the proposals are set out in the report.

3. Reasons for decision

3.1 The service reviews its fees at least annually and uses benchmarking analysis and customer demand to inform this process, as well as working towards a strategic objective of becoming cost neutral to the Council.

3.2 Any new bookings are made based on the latest approved fees. Bookings are being taken up until the end of December 2017, and from January bookings will be able to made up until the end of 2018

4. Detail

4.1 Statutory and discretionary fees

- 4.1.1 Charges for registration services fall into two categories – statutory and non-statutory. Charges for Statutory services are set by the Registrar General under the Marriage Act 1949 and Registration of Births and Deaths Act 1953, and cannot be amended. Local authorities can set their own charges for discretionary services.
- 4.1.2 The fees set by the local authority to cover the cost of the provision of discretionary services, cannot be used to cover the cost of the provision of statutory services.
- 4.1.3 A specific room in City Hall has been designated as the ‘register office’ with only statutory charges applicable. A new room at 317 Harrow Road will be designated as the ‘register office’ when the service leaves City Hall in Spring 2017 as part of the decant programme, and the same statutory charge will be similarly applicable. All other venues for marriage or civil partnership including Mayfair Library and Old Marylebone Town Hall (OMTH), are designated as ‘approved venues’ under the Marriages and Civil Partnerships (Approved Premises) Regulations 1995, and the fees are set by the Council.

4.2 Full cost recovery model

- 4.2.1 A full review of the cost of providing the Registration and Nationality Service carried out in the summer of 2016, determined that the income generated by the service does not cover the full cost of the provision of the service, hence the deficit of £294,000 in 2015/16 and a projected deficit of £320,000 in 2016/17.
- 4.2.2 In order to move to a cost neutral position a model has been devised which captures all associated costs of the service and, by quantifying time spent on discretionary chargeable activities, e.g. each ceremony, ensures full cost recovery. Full cost has been calculated by using data from 2015/16 and forecasts for 2016/17 onwards, and considers all associated direct and in-direct costs. A cost driver has been used to apportion the full cost of the service to individual discretionary services. A cost driver is the main variable or factor which affects the cost of an activity and for Registrars the amount of time spent by staff has been identified as the primary source of cost. To support this effectively a fully costed hourly rate has been calculated. This can then be used to extrapolate the costs of the service on weekdays, weekday evening, Saturdays, Sundays and Bank Holidays, which all have slightly different pay rates.

	2016/17				
	Weekday		Saturdays	Sundays	Bank Holidays (TOIL included)
	Day	Evenings			
Pay rate	1	1.5	1.4	2	3
Cost per hour	£ 67	£ 101	£ 94	£ 135	£ 202

4.2.3 This cost per hour is then multiplied by the average time it takes to deliver each part of the registration service including administration or preparation time, travel time, booking and ceremony time. This allows the true cost of each part of the service to be calculated. So for example a ceremony at an approved venue such as The Ritz takes on average one officer 30 minutes paperwork plus 60 minutes booking and liaison; plus two officers to travel 90 minutes, an hour for the ceremony and 30 minutes pre and post ceremony duties = 7.5 hours. This costs £518 for a ceremony on a weekday, increasing to £684 on a Saturday and £1,347 on a bank holiday.

4.2.4 The formula for full cost recovery has been uplifted by inflation of 1% for staff costs, 5% for non-staff costs for 2017-18 and 2018-19, enabling the service to forecast fees and therefore its income each year. This enables the service to set fees further in advance than the next financial year, giving customers much needed certainty about fees for services that are often booked 18 months in advance, and removing the need for officers to chase up customers for outstanding payment of the difference between one year's fee and the next.

4.2.5 The formula has also demonstrated that the fee for private citizenship ceremonies is currently far higher than the cost of providing the ceremony. Therefore it is proposed that these fees are reduced.

4.3 Premium services

4.3.1 Following discussions with the Portland Hospital the Registration and Nationality Service is being commissioned by the hospital to provide a bedside birth registration service, on a similar basis as audiology screening and antenatal fitness classes at the hospital. The Portland Hospital will pay the fee of £150 for each birth registered, which will include two birth certificates for the parents. It is anticipated that this will be a popular service particularly for celebrities concerned about confidentiality, and parents from abroad who need to register quickly in order to apply for travel documents for the child. The Portland Hospital has over 150 births a month, and with a 60% take up for the service, could recover over £150,000 pa. This is an optional service and parents will still be able to attend the Harrow Road office to register a birth, or register via declaration at their local register office if they prefer.

4.3.2 In addition to the standard suite of services currently provided, the Registration and Nationality service have been testing out the demand for a number of premium services. These include home or office visits for private Citizenship ceremonies and notices of marriage; as well as “meet your registrar” for couples getting married or forming a civil partnership with Westminster registrars. Whilst these are unlikely to be high demand services, there is an opportunity to develop these further with the right marketing, and the cost recovery model allows the service to determine the appropriate fee which meets the cost of provision.

4.4 Mayfair Library

4.4.1 Following problems with water ingress to the top floors, Mayfair Library is due to have significant works done to its roof as part of the conditions of the lease from the Grosvenor Estate. These necessitate full scaffolding to be erected to the exterior of the building, which will impact on the attractiveness of the building and therefore the volume of booking during the period of works. The works are scheduled to commence in March 2017, to be completed in September 2017, which overlaps the peak period for ceremonies of May to September.

4.4.2 Therefore it is proposed to offer a 25% discount for those who have already booked a ceremony during the period of works, and a 10% discount for those who are thinking of booking during this period as a way of retaining bookings. Even with these measures it is anticipated that demand will continue to decrease, as the water penetration has caused significant damp patches throughout the ceremony rooms, and remedial work cannot disguise the underlying problem.

4.4.3 Mayfair Library was introduced as a venue when the OMTH was closed for refurbishment. Even with the roof works being completed and a subsequent redecoration of the ceremony rooms, it is unlikely to host a high number of ceremonies. However it is a valuable addition to the ceremonies portfolio, with a unique feel and location. It is therefore proposed to retain it as a venue, but work will be undertaken with the Library to devise a longer term plan.

4.5 Partnership Venue

4.5.1 Asia House was procured as the partnership venue, when OMTH closed for refurbishment, as an alternative to Mayfair Library due to its larger capacity rooms. Asia House are paid 45% of the ceremony fee for the use of the space. However when OMTH comes back into use it is not proposed to continue with the partnership and the venue will revert back to being a standard approved venue.

4.6 Old Marylebone Town Hall

4.6.1 OMTH is currently forecast to come back into use in Autumn / Winter 2017. With its design, location and unparalleled service, it is envisioned this will become the premier venue in London, with up to 20 ceremonies a day, seven days a week. In order to manage the high volume of ceremonies, ensuring couples share space

on the front steps for photos; get guests in and out of the venue easily; manage access to lifts, toilets, etc, it is proposed to provide an ushering service to compliment the registrars service. This will be managed by the Registration Service and it is hoped to offer some kind of “back to work” scheme for Westminster residents.

4.6.2 The refurbishment will cost in the region of £750,000, and it is proposed that the costs of this refurbishment together with the other costs associated only with OMTH (which include wear and tear on fixtures and fittings, replacement furniture, regular redecoration and deep cleans of lighting and soft furnishings, the usher service, etc) are to be recharged through a premium levied to customers booking ceremonies at OMTH.

4.6.3 As these costs only affects OMTH, the OMTH premium will only be included for ceremonies taking place in OMTH. This has been calculated as follows:

OMTH Premium	
Annual upkeep costs	£10,000 pa
Property refurbishment costs	£100,000 pa
Ushers ETC.	£175,000 pa
No. Predicted Ceremonies	1,620 pa
OMTH Premium – Per ceremony	£176

4.6.4 Whilst OMTH was, and will be again a venue for anyone and everyone, it has a special place in the hearts and minds of Westminster residents. In order to ensure any Westminster resident can have their ceremony in the newly refurbished OMTH, it is proposed to offer a 20% discount to those couples where one or both parties are a resident in Westminster, for a weekday ceremony. This will ensure even with the OMTH premium Westminster residents can get married at OMTH for less than £300.

4.7 Benchmarking

4.7.1 A review of neighbouring authorities’ ceremony charges for 2016/17 has been presented in the Appendix 2 below for comparative purposes. It demonstrates that even moving to a full cost recovery model, Westminster fees are still relatively similar to other boroughs.

5. Financial implications

5.1 The Registration service has reviewed its fees and charges to achieve the Medium Term Planning saving 7.7 “Registration Service income Growth – Commercialisation” which set an increased income recovery target of £150,000 for 2017/18 onwards. The review will also contribute to the service’s objective of

becoming cost neutral. The fee review projects the saving will be achieved fully and that the service will operate at a small deficit in 2017/18 of £36,000 (budget deficit £38,000) which is less than 2% of the total cost of the service, ie nearly cost neutral. Currently in 2016/17 the forecast deficit is £320,000 (budget £175,000).

- 5.2 The fees have been calculated on a full cost basis. This considers the direct costs associated with the service, including delivering ceremonies, traveling between venues, and training of staff, as well as the indirect costs of management of the service and recharges from other council departments, e.g. finance and property. Costs were allocated to each ceremony by cost drivers, which are variables that have a causal relationship with cost, in this instance registrar's time.
- 5.3 The Local Government Act 2003 sets out that income from charges for each kind of service cannot exceed the total cost of provision. To achieve cost neutrality the Registrars service can make a surplus on some charges to offset other loss making services, as long as the group of services do not themselves make a surplus. This relies upon accurate estimates of demand across each fee type, and close monitoring of income trends will continue and be used to inform any future variations in the proposed fee structure.
- 5.4 Assumptions have been made with regards to inflation of costs for financial years 2018/19 and 2019/20. Staff costs have been uplifted by 1% in line with previous pay awards. Non-staffing costs have been uplifted by 5%, reflecting an aggregation of multiple pressures. The future costs inform fees booked in advance by customers, however will be subject to change through the annual fee review process.
- 5.5 The approach taken for this fee reviews has been consistent with reviews in other departments of the council

6. Legal implications

- 6.1 The Council has a general power under section 93 of the Local Government Act 2003 ("LGA 2003") to charge a person for discretionary services, that is, the provision of a service where the Council is authorised, but not required, to provide the service and the person has agreed to its provision. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service or if there is a specific power to charge for it or if there is a prohibition on charging. The income from charges for a service should not exceed the cost of providing the service.
- 6.2 The Council has power under section 1 of the Localism Act 2011 to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. The general power of competence extends to charging for services, but limits on charging are imposed by section 3 of the

Localism Act. The Council may only charge for a service under the general power of competence if: (a) it is a discretionary service; (b) the person agrees to the service being provided; and (c) there is no other power to charge for the service, including in section 93 of the LGA 2003. Taking one financial year with another, the income from charges must not exceed the costs of providing the service.

- 6.3 Before imposing any new or revised fees and charges, the Council must take account of the Public Sector Equality Duty (PSED) and in particular any potential impact on protected groups. Section 149 of the Equalities Act 2010 created the PSED, which is:

A public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under 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.

- 6.4 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.

- 6.5 The proposals within this report have been prepared in accordance with the Councils charging policy regarding fees and charges. The charges where increases are proposed relate to discretionary services and would not be considered as essential services that would contribute to a calculation of increases in the cost of living. The increase in charges represents the movement towards full cost recovery.

- 6.7 The equality implications have been assessed for all those charges that are proposed to increase. Mitigating actions were identified as part of the EIA and those actions have been incorporated as part of this proposal

7. Staffing implications

- 7.1 There are no staffing implications.

8. Consultation

- 8.1 There is no consultation required.

**If you have any queries about this Report or wish to inspect any of
the Background Papers please contact:**

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BACKGROUND PAPERS:

None

For completion by the **Cabinet Member** for Sports and Leisure

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: _____

State nature of interest if any

.....

(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Westminster Registration Service Fees and Charges** and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for the Sports and Leisure

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Head of Legal and Democratic Services, Chief Operating Officer and, if there are resources implications, the Director of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

Appendix 1

Comparison between existing and proposed fees

VENUE	Day / Time	Current (2016-17)	Proposed 2017-18		Proposed 2018-19	
Asia House Partnership Venue NB: 55% fee to WCC / 45% to AH	Friday	£720	£750		Partnership Venue arrangement ends when OMTH reopens and standard venue prices apply	
	Friday eve	£720	£975			
	Saturday	£720	£875			
	Sunday	£820	£1,250			
	B/H	£820	£1,900			
Mayfair Library	Weekday	£310	£310		£315	
	Weekday eve	£365	£420		£440	
	Saturday	£365	£460		£470	
	Sunday	£430	£625		£640	
	B/H	£430	£900		£925	
Approved Venues	Weekday	£515	£575		£600	
	Weekday eve	£730	£760		£775	
	Saturday	£590	£725		£750	
	Sunday	£730	£975		£999	
	B/H	£730	£1,400		£1,450	
			Proposed 2017-18		Proposed 2018-19	
		Last (2012-13) comparable OMTH fees	Non resident	resident (20% discount)	Non resident	resident (20% discount)
OMTH	Weekday	£120	£360	£288	£375	£300
	Weekday premium	£360	£410	£328	£435	£348
	Weekday eve		£410		£435	
	Weekday eve premium		£485		£500	
	Saturday	£180	£400		£415	
	Saturday premium	£390	£480		£495	
	Sunday	£305	£480		£490	
	Sunday premium	£500	£580		£590	

	B/H	£305	£620		£630	
	B/H premium	£500	£720		£735	

Service	Day / Time	Current (2016-17)	Proposed 2017-18	Proposed 2018-19
Notice (office)	weekdays	£35	£35	£35
Notice (customer's office)	weekdays	NEW	£600	£600
JCAP (office)	Weekdays	£60	£95	£99
Child JCAP (office) add. Applicant	Weekdays	£30	£32	£35
JCAP (office)	Evenings	NEW	£145	£150
JCAP (office)	Saturdays	NEW	£135	£140
JCAP (customer's office)	Weekdays	NEW	£700	£750
Private Citizenship (WCC venue)	Weekdays	£110	£100	£105
Family Private Citizenship (WCC venue)	weekdays	£120	£110	£115
Private Citizenship (WCC venue)	Evenings	NEW	£110	£115
Family Private Citizenship (WCC venue)	Evenings	NEW	£160	£165
Private Citizenship (WCC venue)	Saturdays	£150	£120	£125
Family Private Citizenship (WCC venue)	Saturdays	£160	£140	£145
Private Citizenship (WCC venue)	Sundays	NEW	£140	£150
Family Private Citizenship (WCC venue)	Sundays	NEW	£215	£225
Private Citizenship (Customer's office)	Weekdays	NEW	£800	£850
Family Private Citizenship (Customer's office)	weekdays	NEW	£900	£950
Portland Hospital births	weekdays	NEW	£150	£155

Appendix 2

Benchmarking and Proposed Fees

CEREMONIES in own venues		Mon - Thurs	Fri / Sat & weekdays after 5pm	Sunday
2017-18 WESTMINSTER	Mayfair Library (capacity: 22 or 38)	£310	£460	£625
	OMTH standard (capacity 30)	£360	£400	£480
2016-17 ISLINGTON	Mayor's Parlour (capacity: 12)	£300	£580	£680
	Room 99 - basic ceremony only (capacity: 28)	£120	£250	n/a
2016-17 CAMDEN	Ceremony Suite (capacity: 30)	£170	£250	n/a
2017 -18 KENSINGTON & CHELSEA	Rossetti Room (capacity 12)	£270	£320	£530
2017-18 WESTMINSTER	OMTH Premium (capacity up to 100)	£410	£480	£580
2016-17 ISLINGTON	Council Chamber (capacity: 100)	£350	£580	£680
2016-17 CAMDEN	Committee rooms or Council Chamber (capacity: 70+)	£430	£500	n/a
2017-18 KENSINGTON & CHELSEA	Brydon Room (capacity 38)	£375	£615	£725
APPROVED VENUES		Mon to Fri	Sat	Sun
2017-18 WESTMINSTER		£575	£725	£975
2016-17 ISLINGTON		£580	£580	£700
2016-17 CAMDEN		£430	£500	£710
2017-18 KENSINGTON & CHELSEA		£525	£640	£750