

Cabinet Member for Finance and Assets Agenda

Date: Tuesday, 4th April, 2017
Time: 9.30 am
Venue: The Board Room, Town Hall, Macclesfield, SK10 1EA

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and in the report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

2. Declarations of Interest

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. Public Speaking Time/Open Session

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. Cheshire East Council Registration Fees 2017/18 and Ceremony Fees 2019/20 (Pages 3 - 10)

To consider fee increases across a range of the non statutory fees for the Registration Service.

For requests for further information

Contact: Cherry Foreman

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- d) That the fees for the Nationality Checking Service for 2017/18 be set at:

Adult - £75; and
Child under 18 - £40

- e) That the fees for a Private Citizenship ceremony for 2017/18 be set at:

Adult £100 weekday;
Adult £150 weekend;
Child under 18 – nil

- f) That the fees for copy certificates for 2017/18 be set at:

Standard Service (5 working days) - £10 statutory fee
Next day Service – £20 (inc £10 statutory fee for certificate)
Premium 1 hour service - £40 (inc £10 statutory fee for certificate)

3.0 Reasons for Recommendations

- 3.1 In 2009 a full review of the Registration fees was undertaken and since that time fees have been reviewed and determined on an annual basis. In July 2014 a review of ceremony fees was undertaken for the financial years 2014 to 2017.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 None identified

7.0 Financial Implications

- 7.1 Financial advice has been sought on the proposed fees taking into account the full cost of administering the service. The proposed fees for ceremonies will recover the full cost of ceremonies for the year without generating excess fee income.

8.0 Legal Implications

- 8.1 The majority of fees collected by the registration service are set by central government. The Council has legal authority under legislation to set fees for non statutory services including:

- Ceremonies at Approved Premises
- Grant of Approval for Approved Premises
- Naming Ceremonies
- Renewal of Vows Ceremonies
- Nationality Checking Service
- Private Citizenship Ceremonies
- Administration Fee for booking ceremonies
- On demand certificate service

8.2 The specific power to levy fees for Approved Premises is set out in the Marriages (Approved Premises) Regulations 2011. These state that local authorities may charge an amount determined by the authority as reasonably representing all the costs incurred by it of providing a registrar and superintendent registrar to attend at a solemnization. It is therefore incumbent on the Council to ensure that an assessment of all the costs incurred at a solemnization are made and that the charges levied do not exceed this amount in order to comply with the Regulations.

8.3 A specific power to charge was introduced by section 93 of the Local Government Act 2003, which gives relevant authorities the power to charge for discretionary services. Further the general power of competence contained in the Localism Act 2011 now sits alongside a local authority's power to trade and charge. In common with the LGA 2003 powers, charging for things done in the exercise of the general power of competence is not a power to make a profit from those activities (unless the local authority specifically sets up a company to trade).

9.0 Risk Management

9.1 No risks have been identified.

10.0 Background and Options

10.1 The background to the recommendations is set out in the attached appendix.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Appendix 1

Registration Fees to be set by Cheshire East Council for Financial Year 2017/18 and Ceremony Fees for 2019/20 (Ceremony fees for 2017/18 and 2018/19 having been agreed in last year's review)

Background

Arrangements for ceremonies, particularly at Approved Premises, are made up to three years in advance. Couples are constantly reminding Ceremonies Officers of their need to budget for the ceremony and as such are very anxious to know the level of fee they will be charged. Publishing fees this far in advance, will also help the registration service to more accurately predict income levels.

The majority of fees collected by the registration service are set by central government. The Council sets fees for non statutory services including:

- Ceremonies at Approved Premises
- Grant of Approval for Approved Premises
- Naming Ceremonies*
- Renewal of Vows Ceremonies
- Nationality Checking Service
- Private Citizenship Ceremonies
- Administration Fee for booking ceremonies
- On demand certificate service

** These ceremonies are no longer being marketed*

Power to set fee levels

Statutory fees for the Registration Service are set by central government and are periodically updated. The fees listed below do not come within that remit.

Recommendations

Marriage and Civil Partnerships Fees at Approved Premises

Ceremony fees for 2017/18 and 2018/19 were set as part of the review of fees conducted and agreed in April 2016.

Advice has been sought from Financial Services in terms of the level of ceremony fees recommended for 2019/20 to ensure that the costs of the service are recovered.

Recommendation: The following ceremony fees are recommended, with the equivalent fees also applying to any Renewal of Vows ceremonies :

	Agreed fees for		<u>Recommended Fees</u>
	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>
Weekday	£485	£500	£525
Sat & Sun	£590	£605	£640
Bank Holiday	£695	£715	£750
Christmas Day and Boxing Day	£835	£850	£875

Administration Fee for booking ceremonies

The Administration fee is non refundable but deductible from the final balance of charges for ceremonies at Approved Premises. This currently stands at £100 and it is recommended that it stays the same.

In 2013/14 a second stage payment of £100 was introduced, paid at six months prior to the ceremony and deductible from the final balance. This was introduced to clarify with couples whether their ceremony was to go ahead or not as they often forget to cancel their booking, only remembering when asked for the final payment. This enables the Registration Service to remove any cancelled ceremonies from their diary at an earlier stage, thus freeing up appointments for other couples. It is therefore recommended that this fee continues and remains at £100 for the Mayor's Reception Room and Silk Room but be increased to £200 for Approved Premises.

Recommendation: It is recommended that the Administration fee and second stage payment for ceremonies be set as follows for 2017/18:

Approved Premises - £100 Administration Fee
 - £200 second stage payment

**Mayor's Reception Room - £100 Administration Fee
And Silk Room** - £100 second stage payment

Marriage/Civil Partnership ceremonies in the Mayor's Reception Room (Municipal Buildings) and the Silk Room (Macclesfield Town Hall)

Cheshire East Council is required by law to provide a statutory ceremony room for use of its residents at a statutory fee set by the Registrar General. The current statutory fee is £50.

The statutory rooms provided in both the Municipal Buildings and the New Town Hall at Macclesfield only cater for small parties of 12 people; the statutory obligation being a room for the couple and two witnesses.

The Registration Service offers enhanced ceremonies for up to 50 people in the Mayor's Reception Room in Crewe and the Silk Room in Macclesfield. This additional service commenced in 2013/14 and has proved to be popular. Due to increased weekend costs, a separate higher fee for Saturdays was introduced at £285 for 2017/18, to ensure that costs were recovered; with the weekday fee being set at £245. It is recommended that these fees be increased for 2018/19 to ensure that costs continue to be recovered.

Recommendation: It is recommended that the fees for ceremonies in the Mayor's Reception Room and the Silk Room for 2018/19 be set at £260 for weekdays and £320 for Saturdays.

Fees for Licensing a Building for Marriage/Civil Partnership

This fee is charged for a three year licence. The latest fee increase came into effect on 1st April 2016 and it is suggested that this fee be not increased for 2017/18.

Recommendation: It is recommended that the fee for licensing a building for Marriage and Civil Partnership be retained at £1650 for 2017/18.

Nationality Checking Service

The last fee increase was introduced on 1 April 2016 when the charge for an adult was set at £75 and the charge for a child under 18 set at £40. The fee was increased at that time to reflect the fact that Nationality checking is a time intensive and often complex process for which staff require specialist training. It is recommended that these fees remain unchanged for 2017/18.

Recommendation: It is recommended that the fees for the Nationality Checking Service for 2017/18 be set at:

**Adult - £75; and
Child under 18 - £40**

Private Citizenship

When a person is granted British Citizenship they are required by law to attend a citizenship ceremony. This is the final part in the process of becoming a British citizen. Each local authority is required to provide a group ceremony and is given an allowance per citizen from the Home Office to cover the cost. However, new

citizens may choose to have a private ceremony if they wish to and local authorities are permitted to make a charge for these.

The last fee increase was introduced on 1st April 2013 when the charge for an adult was set at £100 and the charge for an additional adult in the same family was set at £75. As there is no distinction in the cost of providing a ceremony for people in the same family it was agreed that a single fee of £100 be introduced for all adults for 2016/17. It is recommended that the fee of £100 for weekday ceremonies be retained but that an increased fee of £150 be applied for weekend ceremonies to cover costs incurred for 2017/18.

Recommendation: It is recommended that the fees for a Private Citizenship ceremony for 2017/18 be set at:

**Adult £100 weekday;
Adult £150 weekend;
Child under 18 – nil**

On Demand Certificates

For the past few years a priority service has been established for same day issue of duplicate certificates. The charge for this service in 2016/17 was £20.

It is recommended that new fees for copy certificates be introduced for 2017/18.

Recommendation: It is recommended that the fees for the production of copy certificates be set as follows for 2017/18:

**Standard Service (5 working days) - £10 statutory fee
Next Day Service - £20 (inc £10 statutory fee for certificate)
Premium 1 hour Service - £40 (inc statutory fee for certificate)**