

Item No.	Classification Open	Date: 5 October 2011	Meeting Name: IDM – Cabinet Member for finance, resources and community safety
Report title:		Registration and Nationality Service Fees and Charges 2011/2012	
Ward(s) or groups affected:		All	
From:		Strategic Director for Communities, Law & Governance	

RECOMMENDATIONS

1. That the Cabinet Member agrees the proposed non-statutory fees and charges for 2011/12, with an implementation date of 21 October 2011.
2. That the Cabinet Member agrees that there will be no further increase in non-statutory fees until 2015.
3. That the Cabinet Member notes information on statutory fees and charges only.

BACKGROUND INFORMATION

4. This report sets out proposals for the fees and charges to be set for the Southwark Registration and Nationality Service for 2011/2012.
5. The submission of this report has been delayed in order that proper reference could be made to fees and charges set by other local authorities in London and to allow for the transfer of the Registration Service from Deputy Chief Executive (DCE) to Communities, Law & Governance (CLG). The proposed increase will therefore not be effective for the full financial year, resulting in a budgetary pressure for 2011/12. However it is considered that the intelligence gathered justifies this deferral.
6. The Medium Term Resource Strategy (MTRS) 2010/11 – 2012/13 has been referenced as part of this review. In particular the report acknowledges that Fees and Charges should be set at a level, at a minimum, that is equal to the most appropriate London average except where this conflicts with council policy, would lead to adverse revenue implications or would impact adversely on vulnerable clients.
7. Following on from the significant reduction in government funding as part of the 2010 spending review, registrars along with all other Council departments are required to contribute savings over three years of up to 25%. This necessarily has required that the service review closely the current level of fees and charges.

8. The Council's constitution requires that all fees and charges increases are agreed by the relevant Cabinet Member through an IDM report. An IDM report is also required where no increase or a reduction in fees and charges is proposed.

KEY ISSUES FOR CONSIDERATION

9. Fees and charges are those charges where there is a schedule of rates for services provided. There are various types, namely mandatory and discretionary i.e. where the Authority must charge or where there is a choice of charging or not. Whether mandatory or discretionary, the charges will be either:
 - Fixed – where the level of charges is set by statute and the Authority has no discretion;
 - Capped - where a maximum level is set, generally by statute and so charges cannot be set above this level; or
 - Flexible – where there is full discretion on the level of charges to be set
10. Where the Authority has a choice about charging, any decision not to charge must be agreed by the relevant Cabinet Member. This will be reviewed annually and will be considered within the context of the overall budget position.
11. This report only seeks approval for fees and charges for which there is discretion or where fees are capped, although, all fees and charges are included in the Appendices for information.
12. In arriving at the proposed fees and charge levels, consideration has been given to a number of factors, including; volume assumptions, benchmarking data, market forces and sensitivity i.e. the impact that increases will have on its customers' ability to pay and the take-up of services. Another factor taken into account is that, whilst Southwark may have discretion over the level of fees set, in many cases this is on a cost recovery basis or must have due regard to the cost of service and be reasonable. The cost of service provision has therefore also been a consideration in arriving at the proposed fees.
13. A full list of non-statutory fees and charges to be approved, together with information on charges made by other London boroughs with comparable services, are shown in Appendix 2. A further list showing statutory fees and charges is also provided in Appendix 1 for information.
14. It is proposed that all fees and charges be increased to maintain a comparable position with London boroughs. The calculated fees have been rounded up to the nearest £0.50 in the case of marriages and civil partnerships and the nearest £1 for all other fees after the appropriate percentage increase has been applied.

Registration and Nationality Services

15. The Southwark Registration and Nationality Service provides a range of services relating to births, deaths, marriages, civil partnerships, a nationality checking service (NCS) private citizenship ceremonies and immigration advice.
16. Many of the fees charged for these services are prescribed by Statute and are updated periodically by the Government. However fees for certain services are discretionary and the Council can set its own level. The fees charged for these services in 2010/2011 and proposed to be charged in 2011/2012 are shown in the following tables.

	2010/11 Fee £	Proposed 2011/12 Fee £	£3.50 per copy	Charge to customer
Marriage and Civil Partnership ceremonies (table 1)				
Approved Premises Mon- Thu	£261.50	£331.50	£3.50	£335.00
Approved Premises Fri-Sat	£381.50	£481.50	£3.50	£485.00
Approved Premises Sun/Bank holiday	£406.50	£512.50	£3.50	£516.00
Garden Room Enhanced Ceremonies	£137.50	£176.50	£3.50	£180.00
Nationality Checking Service (table 2)				
Single	£48.00	£61.00		
Couple	£75.00	£96.00		
Couple max 2 minors	£86.00	£110.00		
Additional minors	£21.00	£26.00		
Citizenship Ceremonies (table 3)				
Single individual family	£149.00	£183.00		
2-3 individuals family	£92.00	£115.00		
4-5 individuals family	£69.00	£86.00		
Immigration Advice (table 4)				
Single		£130.00		
Couple		£210.00		
Couple max 2 minors		£240.00		
Additional minors		£46.00		

Tables 1 – 4: Proposed fees for 2011/12

Marriages and Civil Partnership ceremonies (table 1)

17. All marriage and civil partnership ceremonies attract an additional statutory certificate fee of £3.50. The fees proposed in table 1 reflect the discretionary component and are rounded to the nearest £0.50 to allow for the addition of the £3.50 statutory fee. Customers may request more than one certificate, and each one will be charged at the rate of £3.50.

Nationality Checking Service (table 2)

18. The Nationality Checking Service is a partnership between the Home Office Border and Immigration Agency and local councils in England and Wales. It allows those people applying for British citizenship to make their applications, in person, at their local council offices. For a small fee, which is set by the Council, participating councils will check that applications are completed correctly and have been submitted with all the necessary supporting documents and the correct fee.

Citizenship (table 3)

19. Since 1 January 2004 all adults wishing to become British citizens in the United Kingdom have been required to attend a citizenship ceremony as the final stage in the process. Citizenship ceremonies usually take place at 34 Peckham Rd, although other municipal building may be used. Normally, a group ceremony will be arranged for everyone in the local area who is becoming a British citizen at that time. However, some new citizens may wish to arrange a private citizenship ceremony, for which a fee is payable.
20. The Southwark registration service derives income from the provision of citizenship ceremonies to new British citizens. This fee is paid to the London Borough of Southwark by the Home Office per attendee and currently stands at £80.00. This fee is determined by the Home Office and was reviewed in 2007, it is not expected that the Home Office will review this fee again before 2012. The fee is based on cost recovery and a fee review may possibly result in a fee decrease. Individuals can request a private citizenship ceremony in addition to this, and this is what the fees in table 3 relate to. However, private citizenship ceremonies are not encouraged by the Government and relatively few of them take place.

Immigration Advice (table 4)

21. This is a new service recently introduced by the Southwark registration and nationality service with the intention of providing affordable immigration advice. Currently the London Borough of Southwark is the only known local authority to provide this service and therefore no comparison figures are available.

Resource implications

22. The new fees remain competitive and it is not expected that they will have any significant effect on the numbers taking up this service or the income generated. Most London local authorities have indicated that they expect a 7-9% annual increase over the next three years.

23. It is difficult to compare fees with other local authorities as each one has its own pricing structure. Where it has been possible to make comparisons it has been demonstrated that Southwark's fees for marriages, civil partnerships and private citizenship are within the range of fees charged by other appropriate local authorities. Southwark's fees for the nationality checking service are higher for single applicants than those for other authorities for whom information has been available, but this service is not particularly price sensitive. The proposed fee increases are not expected to have a material effect on demand for services and are in line with Southwark's policy of maximising income.

Budget assumptions and implications

24. Statutory fees are set by the Registrar General and were last reviewed in 2010; an increase in fees is not expected during the 2011/2012 financial year. Volumes are expected to remain constant.
25. As noted in paragraph 20 above, citizenship fees are set by the Home Office and a review of fees is not expected before 2012. Until more information is made available it will be assumed that there will be no increase in fees in 2011/2012.

Staffing implications

26. There are no staffing implications.

Community impact statement

27. The impact of the proposed increase on the residents of the borough will be minimal. It will not affect one group more than another, so no analysis on the basis of the six strands contained in the council's equality agenda is required.
28. The persons affected by the change will be those choosing to marry or use NCS in Southwark. These customers can go to any other local authority for these services.
29. This decision has been judged to have no or very little impact on local people and communities as a whole, as the council provides the statutory minimum ceremony at the statutory fee of £40.

Consultation / Notification of fee increases

30. No outside consultation has taken place. There are no plans for any such consultation process to be initiated in the future. Staff in other local authorities have been consulted informally regarding their own fees.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Finance Director

31. This report seeks authority for approving the fees to be charged by the Southwark Registration Service for 2011/12. Only the charges for which the Council has discretion are affected.
32. Assuming there will be no impact on volumes, the increases, which are in line with the MTRS, will result in additional full year income of approximately £50k. For the remainder of 2011/12 the additional income is likely to be less than £25k.

33. A new chargeable service, Immigration Advice, is being offered by Southwark from 2011/12. This will generate income in addition to that indicated in this report. The level of additional income will depend upon the level of take-up of the service. At present there are no firm volume indicators for this service but the level of additional income is potentially significant.

Strategic Director of Communities, Law & Governance

34. The local authority has an obligation to provide a registration service to undertake the statutory registration of births, deaths, marriages and civil partnerships.
35. Section 93(1) of The Local Government Act 2003 enables the Council to charge for providing discretionary services. The power in the Act is subject to the requirement that the Council is not prevented from charging for the services by virtue of any other legislation.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Statutory Fees
Appendix 2	Fees Comparison

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Fran Biggs, Head of Elections and Registration	
Version	Final	
Dated	5 October 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director for communities, law and governance	Yes	Yes
Finance Director	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	5 October 2011	

