

REPORT TO BUSINESS SERVICES COMMITTEE – 09 SEPTEMBER 2021

REVIEW OF NON-STATUTORY CEREMONY FEES

1 Reason for Report / Summary

- 1.1 Business Services Committee is asked to approve a public consultation on proposed amendments to non-statutory fees relating to ceremonies provided by Aberdeenshire registration service.

2 Recommendations

The Committee is recommended to:

- 2.1 **Note that the Registration service intends to review all discretionary fees associated with provision of services including ceremonies;**
- 2.2 **Note that this fees review is in accordance with the triennial review schedule stipulated in Aberdeenshire Council Charging Policy.**
- 2.3 **Note that the public consultation on fees initially proposed to be conducted in March 2020 was postponed due to the emergence of COVID-19.**
- 2.4 **Note that the Registration service has conducted an updated benchmarking exercise which indicates that current fees are below the Local Authority average, and below those charged locally by providers of non-religious celebrant services;**
- 2.4 **Consider and comment upon the fee proposals contained in Appendix 1 to this report;**
- 2.5 **Agree to a formal consultation on proposed increases to registration ceremony fees; and**
- 2.6 **Agree that the results of the consultation exercise be reported back to Business Services Committee on 11 November 2021 with a view to introducing any changes to the fees from 1 Jan 2022.**

3 Purpose and Decision Making Route

- 3.1 A review of non-statutory registration fees is being conducted in accordance with the Aberdeenshire Council's Corporate Charging Framework which states that a review of fees must be undertaken on a triennial basis, with annual inflationary increases applied as appropriate in interim years. A previous review of non-statutory registration fees was carried out between March 2017 and April 2017. A subsequent request to publicly consult on proposed amendments to registration fees was approved by Business Services Committee on 27 Feb 2020. This consultation was later postponed due to the detrimental impact that

the emergence of COVID 19 caused on provision of ceremonies. Now that Scotland has moved beyond level 0, and legal requirement for physical distancing and limits on gatherings are now removed, it is appropriate to resume a review of non-statutory registration fees.

- 3.2 In the event that the Committee agrees to consult on proposals, a report will come back to the Business Services Committee meeting on 11 November 2021, with an analysis of the consultation and, at that stage, the Committee will be asked to agree the fees to come into effect from 1 January 2022.

4 Discussion

- 4.1 The Marriage (Scotland) 1977 Act established the statutory obligation for Local Authority registration services to provide a civil marriage service from within dedicated registration offices and ceremony rooms.
- 4.2 The Marriage (Scotland) 2002 Act enabled increased flexibility in the provision of civil marriage services, permitting these to be officiated by registrars in venues outwith Council properties.
- 4.3 Since then, Aberdeenshire Council's registration team have developed a modern, high-quality, bespoke ceremony service offering civil marriage, civil partnership, renewal of marriage vows, baby naming and private citizenship ceremonies. Ceremonies may be held on any day and in any location within Aberdeenshire. This is a client focused and flexible service; the unique wishes of couples (or individuals) are incorporated into every ceremony.
- 4.4 Scottish Local Authorities must apply minimum statutory fees for the provision of small civil marriage and civil partnership ceremonies accommodated on a weekday in a Council ceremony room with no more than 5 individuals present (the parties to marriage, two witnesses and the registrar).
- 4.5 Statutory fees consist of i) £70 (submission of marriage notices) and ii) £55 (preparation and solemnisation of the ceremony) – a total of £125.
- 4.6 Additional commercial fees are set at the discretion of Local Authorities for the provision of ceremonies in circumstances beyond the statutory minimum laid out in 4.4 .
- 4.7 Income derived from provision of ceremony services offsets the overall cost of registration service provision (incorporating statutory registration of births, marriages & deaths, family history searches and ceremonial services). Any profits generated from provision of commercial ceremony services therefore reduce the overall net cost of service, enabling public funds to be utilised elsewhere in the Council budget.

- 4.8 Advertised ceremony fees reflect a range of circumstances ranging from statutory weekday ceremonies in council ceremony rooms, to large weekend ceremonies in external commercial venues.
- 4.9 Fees for provision of ceremonies beyond the statutory minimum laid out in 4.4 should at minimum cover the cost of provision. In compliance with the corporate charging framework, the registration service has assessed the cost of service provision across each ceremony type.
- 4.10 Benchmarking is a key tool in understanding the wider commercial context when reviewing fees and its use is supported by the Council's corporate charging framework. A benchmarking exercise was conducted in August 2021, collating ceremony charges currently advertised by Scottish registration services, and by local providers of similar non-religious ceremony services.
- 4.11 Analysis of this benchmarking information indicates that the majority of Aberdeenshire's current ceremony fees do cover the cost of service provision, but they are generally lower than the national average and significantly lower than those charged by local providers of similar ceremonial services. It is therefore proposed that existing fees are amended.
- 4.12 The introduction of additional fees is also proposed to ensure full cost recovery. The additional fees include postage fees, and an hourly rate to be applied in circumstances where additional investment of registrar time is required to enable travel by foot to provide ceremonies in remote 'wilderness' locations.
- 4.13 Benchmarking outcomes and proposed fee revisions are outlined in **Appendix 1**.
- 4.14 If Committee approves a progression to public consultation, the registration service will, in liaison with the council's Engagement & Consultation officer, launch a public consultation from 13th September until 24th October. This consultation will be available via the Engage Aberdeenshire website. Residents without internet access will be able to request, complete and return paper surveys at Service Points and Libraries, or request paper surveys be posted to them by phoning the Aberdeenshire customer contact centre. In liaison with Council Communications team, details of this consultation and the range of opportunities to provide feedback will be communicated in relevant print, social media and web channels. Details of the consultation will also be issued to Elected Members and Area Managers for forward communication.

5 Council Priorities, Implications and Risk

- 5.1 This report helps deliver the principles which underpin the six Strategic Priorities of responsible financial planning and right people, right place, right time.
- 5.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial	x		
Staffing	x		
Equalities and Fairer Duty Scotland			X
Children and Young People's Rights and Wellbeing			X
Climate Change and Sustainability			X
Health and Wellbeing			X
Town Centre First			

X

Financial

The non-statutory fees under review generate vital revenue which offsets the Aberdeenshire Council registration service budget.

Contributes on a balanced budget to the council

Staffing

A failure to maintain or increase current income generation through provision of ceremonies would inevitably cause net reduction to the registration service budget, which could impact on current staffing levels.

5.3 An integrated impact assessment (IIA) is not required at the pre-consultation stage of the fees review process as any impact will not be fully apparent until such time as the consultation process has concluded and proposals are finalised. An IIA will be appended to any report following consultation, considering any impact that an increase to non-statutory registration fees may have on protected characteristic groups.

5.4 The following Risks have been identified as relevant to this matter on a Corporate Level:

- [ACORP001 Budget Pressures](#) – An increased focus on revenue generation is necessary to mitigate against anticipated future budgetary pressures. A review of fees is key in safeguarding future budget offset.
- [ACORP006 Reputation Management](#) – Our registration team have earned an excellent reputation for quality and for client focus. Any review of fees must be transparent; a public consultation will offer an opportunity to set out proposed changes and offer clear context for proposed amendments to fees.

The following Risks have been identified as relevant to this matter on a Strategic Level:

- [BSSR001 Balancing The Books](#) – As noted above, a review of non-statutory registration fees is intended to ensure consistent revenue generation, helping safeguard against any future Council budget reductions.

6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the [Scheme of Governance](#) and relevant legislation.
- 6.2 The Committee is able to consider [and take a decision on] this item in terms of Section C.1.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to Registration of Births, Deaths and Marriages.

Ritchie Johnson Director of Business Services

Report prepared by David Nicholson, Team Leader (Registration)
Date 24 August 2021

List of Appendices

Appendix 1 – Proposed new fees comparison tables.

Appendix 1

Appendix 1: Benchmarking and proposed amendments to discretionary registration fees														
Marriage and Civil Partnership: National benchmarking (Aug 2021) Comparing current and proposed fees against Scottish Local Authority averages. All fees include £70 fee for submission of notices	Ceremony Rooms						Council Chambers				External Venue			
	Weekday statutory	Weekday large	Saturday small	Saturday large	Sunday/PH small	Sunday/PH large	Weekday	Saturday	Sunday	Public holiday	Weekday	Saturday	Sunday	Public holiday
Average Scottish Local Authority civil ceremony fee:	£125.00	£230.72	£361.04	£383.24	£425.10	£436.95	£265.54	£427.92	£442.28	£460.84	£341.02	£419.78	£464.66	£476.53
Current Aberdeenshire ceremony fees:	£125.00	£177.00	£254.00	£305.00	£305.00	£357.00	£244.00	£321.00	£372.00	£372.00	£280.00	£357.00	£409.00	£409.00
Difference:	£0.00	£-53.72	£-107.04	£-78.24	£-120.10	£-79.95	£-21.54	£-106.92	£-70.28	£-88.84	£-61.02	£-62.78	£-55.66	£-67.53
Proposed Aberdeenshire fees:	£125.00	£230.00	£300.00	£330.00	£360.00	£390.00	£270.00	£350.00	£380.00	£380.00	£340.00	£410.00	£450.00	£450.00
Difference: proposed Aberdeenshire vs avg Scottish fees:	£0.00	£-0.72	£-61.04	£-53.24	£-65.10	£-46.95	£4.46	£-77.92	£-62.28	£-80.84	£-1.02	£-9.78	£-14.66	£-26.53
Marriage and Civil Partnership: Local benchmarking (Aug 2021) Comparing current / proposed ceremony fees against local providers of similar non-religious ceremonial services.*	Ceremony Rooms						Council Chambers				External Venue			
	Weekday statutory	Weekday large	Saturday small	Saturday large	Sunday/PH small	Sunday/PH large	Weekday	Saturday	Sunday	Public holiday	Weekday	Saturday	Sunday	Public holiday
Average local non-religious ceremony fees (inc notice fee):	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00	£534.00
Current Aberdeenshire ceremony fees: (inc notice fee):	£125.00	£177.00	£254.00	£305.00	£305.00	£357.00	£244.00	£321.00	£372.00	£372.00	£280.00	£357.00	£409.00	£409.00
Difference:	£-409.00	£-357.00	£-280.00	£-229.00	£-229.00	£-177.00	£-290.00	£-213.00	£-162.00	£-162.00	£-254.00	£-177.00	£-125.00	£-125.00
Proposed Aberdeenshire fees:	£125.00	£230.00	£300.00	£330.00	£360.00	£390.00	£270.00	£350.00	£380.00	£380.00	£340.00	£410.00	£450.00	£450.00
Proposed difference: Aberdeenshire vs local providers	£-409.00	£-304.00	£-234.00	£-204.00	£-174.00	£-144.00	£-264.00	£-184.00	£-154.00	£-154.00	£-194.00	£-124.00	£-84.00	£-84.00
*Note: Marriage and civil partnership ceremonies may only proceed in Scotland following the submission of the appropriate notices. Registrars are responsible for administering notices at a cost of £70. While this is a separate function to the creation and delivery of ceremonies, this £70 is included in civil marriage/partnership ceremony fees. This £70 has been added to the avg fees advertised by other local providers of non-religious ceremonies to ensure accurate comparison of true cost to the couple.														
Marriage and Civil Partnership: Cost recovery (Aug 2021) Comparing proposed ceremony fees against cost of provision.	Ceremony Rooms						Council Chambers				External Venue			
	Weekday statutory	Weekday large	Saturday small	Saturday large	Sunday/PH small	Sunday/PH large	Weekday	Saturday	Sunday	Public holiday	Weekday	Saturday	Sunday	Public holiday
Proposed Aberdeenshire fees (minus notice fee):	£55.00	£160.00	£230.00	£260.00	£290.00	£320.00	£200.00	£280.00	£310.00	£310.00	£270.00	£340.00	£380.00	£380.00
Estimated cost of provision:	£138.90	£185.20	£139.11	£143.67	£139.11	£143.67	£231.50	£148.23	£148.23	£148.23	£254.65	£172.30	£172.30	£172.30
Private citizenship ceremonies:	Ceremony rooms	Additional fees: Wilderness weddings						Hourly rate		Additional fees: Postage				
These optional ceremonies are available upon request. 'Virtual' and 'group' ceremonies available at no cost to applicant.	Weekday	Applicable in circumstances additional registrar time is required to walk to hard to reach or remote locations.								In response to significant increase in demand, additional postage fees will apply documents are provided by post.				
2021 avg Local Authority private citizenship ceremony fee:	£91.94							Cost of provision:		Postal charges will be applied in line with current Royal Mail prices.				
Current Aberdeenshire ceremony fee	£25.00							£20.87						
Cost to council of provision of service:	£92.60							Proposed hourly fee:		£21.00				
Proposed Aberdeenshire increase to:	£75.00													
Other non-statutory ceremony fees:	Ceremony Rooms						Council Chambers				External Venue			
Baby naming and Renewal of Marriage Vows Collected from from 31 Local Authorities in Aug 2021	Weekdays (small)	Weekdays (large)	Saturdays (small)	Saturdays (large)	Sundays/PH (small)	Sundays/PH (large)	Weekdays	Saturdays	Sundays	Public holiday	Weekdays	Saturdays	Sundays	Public holiday
2021 average Local Authority ceremony fee:	£144.00	£144.00	£216.00	£216.00	£216.00	£216.00	£144.00	£216.00	£216.00	£216.00	£201.00	£244.00	£244.00	£244.00
Current Aberdeenshire ceremony fee:	£62.00	£139.00	£139.00	£155.00	£139.00	£155.00	£129.00	£206.00	£206.00	£206.00	£165.00	£217.00	£217.00	£217.00
Difference: Aberdeenshire current vs Avg LA fees	£-82.00	£-5.00	£-77.00	£-61.00	£-77.00	£-61.00	£-15.00	£-10.00	£-10.00	£-10.00	£-36.00	£-27.00	£-27.00	£-27.00
Cost to council of provision of service:	£138.90	£185.20	£118.35	£122.91	£118.35	£122.91	£184.32	£122.91	£122.91	£122.91	£162.05	£142.42	£142.42	£142.42
Proposed Aberdeenshire increase to:	£110.00	£145.00	£150.00	£185.00	£175.00	£200.00	£175.00	£200.00	£225.00	£200.00	£200.00	£250.00	£275.00	£275.00