

## **Report of the City Solicitor to the meeting of Executive to be held on 10<sup>th</sup> October 2018.**

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**Subject: Changes to the Register Office Rooms**

### **Summary statement:**

To seek Executive agreement to the decommissioning of the Register Office ceremony room and to agree a scale of charges for its future use.

Decommissioning means converting the ceremony room in a Register Office building into an “approved premises” (namely approved for civil marriages and civil partnership ceremonies).

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### **Portfolio:**

**Councillor Susan Hinchcliffe, Leader**

### **Overview & Scrutiny Area:**

**Corporate**

## **1. SUMMARY**

To seek Executive agreement to the decommissioning of the ceremony room and to agree a scale of charges for its future use. Decommissioning means converting a ceremony room in a Register Office building into an “approved premises”, for the use of which fees can be set locally, whilst still providing a standard Register Office room for marriages and civil partnerships.

## **2. BACKGROUND**

The Council is required by the Registration Service Act 1953 and by the Civil Partnership Act 2005 to provide accommodation for a marriage/civil partnership at a Register Office.

The 1994 Marriage Act extended customer choice by enabling suitable premises to be licensed by Local Authorities for civil marriage. These premises are known as “approved premises”. A licence is granted to an approved premises for three years for which a fee is payable. The Council is obliged to provide details of the licensed premises, so that a national reference list may be maintained.

The Council is legally required to provide a Register Office for marriages and civil partnerships and charge at the statutory rate of £46. However, this only has to be provided in a room that can accommodate up to 6 people. The statutory fee for marriages and civil partnerships taking place in the Register Office is set by the General Register Office.

Since the introduction of The Marriages (Approved Premises) Regulations 1995 local authorities have had the option of decommissioning the Register Office ceremony room. Councils that do so can convert the “decommissioned” room into an approved premises. Decommissioning has been undertaken by approximately 75% of all Local Authorities in England and Wales as it enables a more realistic charge to be made for the use of the premises and therefore achieve an income to assist in the running of the Registration Service. Once decommissioning of ceremony rooms has taken place fees can be set locally.

By law two Registrars have to attend a civil marriage ceremony, the Superintendent Registrar, or one of his/her deputies, and a Registrar of Marriages or deputy. The Service also offers an enhanced ceremony, which includes music and readings of the couples’ choice. The statutory fee of £46.00 does not cover the cost of providing this service, especially on Saturdays when staffing costs increase.

The 1995 Regulations enable a Council to set a fee for the Registrars’ services in approved premises, which is a reflection of the costs incurred. The Civil Partnership Act provided similar arrangements in 2005, and fees for civil partnerships in approved premises are set similarly.

When a ceremony room is decommissioned it ceases to be The Register Office and becomes a separate and distinct ceremony facility. This enables couples to add personalised enhancements to their marriage or civil partnership ceremony, and for a new pricing structure to be set.

The decommissioning of the ceremony room will provide an opportunity for the Registration Service to charge a more realistic fee for marriages and civil partnerships. There is, however, a room which can accommodate up to 6 people and thereby meet the statutory requirement.

It is proposed that the Register Office ceremony room in City Hall is decommissioned and renamed The Priestley Suite from 1<sup>st</sup> April 2018. The suite will accommodate the parties to be married/forming a civil partnership, two witnesses and up to 30 seated guests. Fees will range from £80 to £140, Tuesday to Saturday. This option will increase the income to support the running of the service. The Priestley Suite will not be available for ceremonies on a Monday.

To maintain the statutory duty of providing a standard Register Office ceremony, the area currently used as the guests waiting room would be designated as the Register Office ceremony room and ceremonies would be offered there for the statutory fee of £46 (plus £4 for the certificate) on a Monday only. This room would accommodate the parties to be married/forming a civil partnership, two witnesses and up to 10 seated guests. The room will meet the national standard as described in the Good Practice Guide by the General Register Office and couples will not be disadvantaged by reason of cost, if they marry or form a civil partnership on a Monday.

The intended approved premises, The Priestley Suite, will require to be licensed and Public Notice will need to be given in the local press in accordance with the Marriages and Civil Partnerships (Approved Premises) Regulations 2005. In regard to this and due to the fact that marriages will be booked up to one year in advance at the statutory fee, it is anticipated that the ceremony room will be decommissioned on 31<sup>st</sup> March 2018 and the licence as an Approved Premises commence on the 1<sup>st</sup> April 2018.

The licence is granted for 3 years before a renewal application is required.

The decommissioning of the ceremony room will still provide the Council with a high quality and competitively priced service yet provide a sound financial basis for future development.

Bradford and Keighley Registration District is the only authority in the Yorkshire and Humberside region yet to adopt this model.

### **3. OTHER CONSIDERATIONS**

Before a ceremony can take place each party must enter a notice of marriage/civil partnership.

After 29 clear days the Superintendent Registrar's Certificate for Marriage or Civil Partnership Schedule is issued.

A ceremony can only take place at the venue stated on the Superintendent Registrar's certificate or Civil Partnership Schedule.

The certificate is valid for 12 months from the date of entering the notice of marriage/civil partnership.

For couples who have already given notice of marriage/civil partnership for ceremonies at the Register Office, a new notice will be required, if they chose to have their ceremony in The Priestley Suite. Any fee required will be waived, and ceremonies already booked will be honoured.

The Registrar General will need to be notified and a period of 3 months notice given of the new fees.

#### 4. FINANCIAL & RESOURCE APPRAISAL

Proposed fee structure for the Priestley Suite

Tuesday to Wednesday £76 (+ £4 statutory fee for the certificate)

Thursday £86 (+£4 as above)

Friday £106 (+£4 as above)

Saturday £136 (+£4 as above)

Based on figures from 1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016

	Total No of ceremonies	@ £46	New Fee	Additional Income
Monday	59	2714	2714	Nil
Tuesday	47	2162	3572	1410
Wednesday	49	2254	3724	1470
Thursday	61	2806	5246	2440
Friday	115	5290	12190	6900
Saturday	259	11914	35224	23310

Total additional income at current levels £35,530

Less cost of Proposal to create two new posts (as below) inc on costs £21,205

Net Budgetary contribution at current levels £14,325

From the additional income generated by decommissioning the Register Office ceremony room it is proposed to create two new posts.

Usher – The Register Office currently does not have an attendant to welcome and direct guests attending ceremonies. This has led to complaints and comments from customers and is not the professional image the service would wish to portray. The usher would be required every Friday and Saturday April to October (13 hours per week 0.351 FTE). HR have reviewed the role profile and proposed a grade of band 3 £14,975 per annum. Total cost SCP 8 £5,887.

Deputy Registrar – With the current staffing levels the number of ceremony times on offer have to be balanced against the other administration tasks that need to be completed each day i.e. issuing replacement certificates, booking birth, death and marriage appointments etc. With an extra member of staff taking on some of these tasks the ceremony room could be used to its full potential.

On Saturday this would mean 8 ceremonies and 7 ceremonies each weekday, providing more choice of times for the couples and generating additional income for the service. Often ceremony times have to be taken out of the diary especially on a Thursday/Friday when births and deaths appointments are being dealt with. The role of Deputy Registrar would be 22 hours per week, 0.595, the post is already graded at band 5 £16,191 per annum. Total cost SCP 12 £11,214

These additional part-time posts will enable the Registrars to meet statutory targets for the registration of births and deaths.

#### Comparisons with Neighbouring Districts

Leeds Register Office – Tuesday to Thursday £130, Friday £175, Saturday £195/£225  
Register Office ceremony only available on the last Monday of every month

Kirklees Register Office – Monday to Thursday £99, Friday £130, Saturday £170

Register Office ceremony available at 10.30 or 11am Monday to Thursday only

Calderdale Register Office – Monday to Thursday £100, Friday £140, Saturday £200/£230  
Register Office ceremony – limited availability weekdays only

Wakefield register Office - Monday to Thursday £125, Friday and Saturday £150/£250

All fees would be reviewed each financial year.

## **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

The General Register Office for England and Wales has to approve all Register Office accommodation and the decommissioning of a ceremony room. Their advice has already been sought on these proposals.

Couples have to enter their notice of marriage/civil partnership in the registration district where they have resided for the previous 7 days and therefore there is a risk that a notice of marriage/civil partnership could be given in good faith in another district, for The Register Office, rather than The Priestley Suite. To avoid this situation a notice will be sent to all authorities in England and Wales outlining the changes and all couples will be issued with a provisional booking letter, clearly stating the venue of the ceremony at the time of booking.

## **6. LEGAL APPRAISAL**

The proposals meet the requirements of the Registration Service Act 1953, the Civil Partnership Act 2005 and the Marriages (Approved Premises) Regulations 1995.

## **7. OTHER IMPLICATIONS**

None

### **7.1 EQUALITY & DIVERSITY**

### **7.2 SUSTAINABILITY IMPLICATIONS**

### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

### **7.5 HUMAN RIGHTS ACT**

### **7.6 TRADE UNION**

### **7.7 WARD IMPLICATIONS**

## **8. NOT FOR PUBLICATION DOCUMENTS**

None

## **9. OPTIONS**

- 9.1 The level of fees suggested could be amended as Members see fit.
- 9.2 Alternatively, no changes could be made.

## **10. RECOMMENDATIONS**

- 10.1 To decommission the Register Office ceremony room and licence the room as an Approved Premises for Civil Marriages and Civil Partnerships under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005.
- 10.2 To maintain the statutory duty of providing a standard Register Office the area currently used as the guests waiting room be designated as the Register Office ceremony room.
- 10.3 The City Solicitor to submit plans to the Registrar General for approval to the statutory Register Office room.
- 10.4 To approve the fees for use of The Priestley Suite on Tuesday to Saturday.
- 10.5 To approve the additional posts of Usher and Deputy Registrar.
- 10.6 To authorise the City Solicitor to make any necessary additional changes or amendments to service provision under these new arrangements in consultation with the Portfolio Holder.

## **11. APPENDICES**

None

## **12. BACKGROUND DOCUMENTS**

The Proper Officer's Guide to Registration Service Delivery

Leg/Dem/CC/PA/DJN-02.08.17

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