

# Herefordshire Registration Service

## APPROVED PREMISES

Information for applicants wishing to licence their venues for ceremonies  
of civil marriage and civil partnership



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These following pages offer guidance and advice on what you will need to consider before making an application for your premises to be approved.

If your application is approved, Herefordshire Council are required by statute to attach to the approval certain standard conditions. These conditions will ensure that every civil marriage and civil partnership will comply with the legal requirements and that the dignity and solemnity of the occasion will be maintained. The Council will also attach their local conditions.

This guidance is issued with reference to the following,

Marriage Act 1949  
Marriages (Approved Premises) Regulations 1995(S.I.No.510)  
Civil Partnership Act 2004

Copies are available from HMSO.

### **Contact Number**

If you need any advice on your application, please contact Lynne Griffiths on telephone number 01432 260565

## **Suitability of Premises**

- 1) Premises must provide an appropriate and dignified setting for the celebration of marriage/civil partnership, in keeping with the solemnity of the occasion.
- 2) The primary use of a building would render it unsuitable if that use could demean marriage/civil partnership or bring it into disrepute.
- 3) Premises must be regularly available to the public for use of the solemnisation of marriage/civil partnership and a private dwelling house is unlikely to be appropriate as it would not be regularly available to the public.
- 4) "Premises" is defined as a permanently immovable structure, having at least one room, or any boat or other vessel that is permanently moored. Approval will not be granted for ceremonies to take place in the open air, a tent, a marquee, any temporary structure or form of transport. The room(s) must be identifiable by description as a distinct part of the premises.
- 5) A private dwelling house is unlikely to be an appropriate venue for civil marriage/partnership as it would not be known to the public or available for their use.
- 6) There must be open access to the ceremony room at all times for the public, without charge prior to and during the marriage/civil partnership.
- 7) Premises must show evidence of fire precautions as reasonably required by the Council
- 8) Evidence of reasonable provision for health and safety of employees and visitors to the premises
- 9) No recent or continuing connection with any religion, religious practice or religious persuasion, which would be incompatible with the solemnisation of marriages or civil partnerships. Any premises or room whose description, purpose or appearance still appears to be linked to religion would not be authorised.
- 10) Access must be available for people with disabilities
- 11) Applicants must show evidence that they have consulted the Planning Department and have obtained any relevant planning permission-if needed.

## Standard Conditions

- The holder of the approval must ensure, at all times, that there is a “**Responsible Person**” who will ensure compliance with these conditions and will be available to liaise with registration staff over any matters affecting the ceremony.
- The Responsible Person or in his/her absence an appropriately qualified deputy appointed by him/her, and agreed with the Council, shall be available on the premises for a minimum of one hour prior to and throughout each ceremony.
- The holder of the approval or Responsible Person must notify Herefordshire Council of any change to
  - a) the layout of the premises as shown in the plan submitted with the approved application or in the use of the premises
  - b) the name or full postal address of the premises
  - c) the description of the room(s) in which ceremonies take place
  - e) the name and address of the holder of the approval
  - f) the name and address of the Responsible Person, immediately upon the appointment of a new responsible person.
- The approved premises must be made available at all reasonable times for inspection by Herefordshire Council.
- A suitable notice stating that the premises have been approved for the proceedings and identifying and giving directions to the room must be displayed at each public entrance to the premises for one hour prior to and during the proceedings.
- No food or drink may be sold or consumed in the room in which the proceedings take place for one hour prior to and during those proceedings.
- All proceedings must take place in a room which was identified as one used for that purpose on the plan submitted with the approved application.
- The room in which the proceedings take place must be separate from any other activity on the premises at the time of the proceedings.
- The arrangements for and content of the proceedings must meet with the prior approval of the Superintendent Registrar of the district, or the registration authority of the area, in which the approved premises are situated.
- Any proceedings shall not
  - be religious in nature
  - include extracts from an authorised religious marriage service
  - be led by a minister of religion or other religious leader
  - involve a religious ritual or series of rituals
  - include hymns or other religious chants
  - include any form of worship

However, proceedings may include readings, songs, or music that contain an incidental reference to a god or deity in an essentially non-religious context.

■ Public access to any proceedings in approved premises must be permitted without charge.

■ Any reference to the approval of premises on any sign or notice, or on any stationery or publication, or within any advertisement may state that the premises have been approved by the Council as a venue for marriages and civil partnerships in pursuance of section 26(1)(bb) of the Marriage Act 1949, and the formation of civil partnerships under section 6(3A)(a) of the Civil Partnership Act 2004 but shall not state or imply any recommendation of the premises or its facilities by the Council, Registrar General or any of the officers or employees of either of them.

■ If a change of name to the approved premises occurs after the issue of the certificate for marriage or the civil partnership document, but before the proceedings, the former name of the approved premises as recorded in the certificate/document shall remain valid for its duration for the purpose of the proceedings.

## **Council Conditions**

- Table(s) of suitable size, stability and surface to be sited appropriately for the purpose of marriage/civil partnership ceremony.
- Lighting level to be appropriate for registration purposes.
- Car parking facilities for two vehicles should be reserved near to the room(s) to be used for marriage/civil partnership ceremonies and kept unobstructed for the arrival and departure of registration staff.
- A separate room or suitable screened area should be available for pre-marriage/civil partnership interview with registration staff.
- Access to a telephone at all times for registration staff
- Toilet and cloakroom facilities to be readily available to registration staff.
- Other functions within the premises should not encroach upon or detract from the solemnity of the ceremony, either physically, visually or aurally.
- Any bar area in the room should be adequately screened and not used one hour prior to and during the ceremony.
- No food or drink may be sold or consumed in the room in which a marriage/civil partnership ceremony takes place for one hour prior to and during the ceremony.
- Responsible Person or deputy shall be available on the premises for a minimum of one hour prior to and during the ceremony.
- Responsible Person to ensure the safe conduct of registration staff and their legal documents in attending the ceremony and this may include the provision of Ushers.
- Responsible Person to advise the parties to be aware that punctuality is essential as registration staff often have other ceremonies later that day.
- Responsible Person to ensure that the ceremony room and interview room are available for use at least 30 minutes before the time appointed ceremony.
- Responsible Person must ensure that all couples are made fully aware of all the conditions appertaining to the approval prior to them making a booking.
- Responsible Person to meet registration staff on their arrival and remain with them until their departure
- Responsible Person to ensure that the number of guests attending the ceremony does not exceed that allowed by the approval.
- Responsible Person to inform those wishing to make a booking of their premises for a civil ceremony of the room(s) approved for this purpose so that the room chosen will be appropriate for people with disabilities to gain access.
- Responsible Person to ensure that a path is laid across the grassed area

- Responsible Person to ensure that someone is outside the function room to ensure adequate passage for disabled persons.
- If a deputy is to be present instead of the Responsible Person, their name must be notified to and agreed by the Council, prior to the ceremony.
- Public to have free access to witness the ceremony and make objections prior to and during the ceremony.
- Filming, video recording and photographs to be allowed under the direction of registration staff and must not be intrusive on the ceremony
- Compliance with rights of music of copyright for music, readings etc. permitted at the ceremony is the responsibility of the couple and the holder of the approval.
- Marriages/Civil Partnerships on approved premises may be followed by a celebration, commemoration or blessing of the couples' choice providing that it is not a religious ceremony and is separate from the civil ceremony. However, if a religious blessing were to regularly follow marriage/civil partnership ceremonies on particular premises, there may well be a religious connection, which would breach the requirements and lead to the Council having to consider revoking the approval. Blessings or religious ceremonies must not take place prior to the conduct of a civil ceremony.
- If the licensed venue changes its name prior to a marriage/civil partnership taking place, the full costs of re-registration and the issue of a new marriage license or civil partnership document will be borne totally by the licensee.



## **Application Procedure**

The proprietor or trustee of the premises must make the application.

Please arrange an inspection of the premises by contacting us on tel.no. 01432 260565 before submitting your application. Cost of site visit is £50 which will be deducted from application fee if visit is successful. Following receipt of the application, the Council will wait 7 working days for the clearance of the cheque.

The Fire Officer will be informed of your application and may also wish to inspect the premises.

An advertisement will then be placed in a local newspaper, allowing 21 days for the public to make an objection to the application, which will also be available for public inspection at the local library and Hereford Register Office during that same period.

## **Revocation**

The Council may revoke any approval if they are satisfied, after considering any representations from the holder, that the use or structure of the premises has changed so that any of the statutory or local requirements cannot be met or the holder has failed to comply with one or more of the statutory or council conditions attached to the approval.

The Registrar General may direct the Council to revoke an approval if, in his opinion and after considering any representations from the holder, there have been breaches of the law relating to marriage or civil partnership on the approved premises.

When an approval has been revoked the regulations require the former holder to notify any couples who had arranged their civil wedding/partnership on the premises.

## **Review**

An applicant may seek a review by the council of its decision to refuse to renew an approval, to attach local conditions, or to revoke an approval. A different officer must carry out review than that which made the decision, which is being appealed against. There is no opportunity for a review of the statutory conditions attached to an approval. A direction by the Registrar General to revoke an approval is not subject to review by the Council. The Council will charge a fee of £500 for any review.

## **Renewal**

The holder may apply for the renewal of an approval when the current approval has less than twelve months to run. An application for renewal within this period will extend the current approval until the application is completed. A renewal will run from the expiry date of the current approval. Application forms are available from Register Office, Town Hall St Owen's Street Hereford HR1 2PJ. Telephone No. 01432 260565

## **Grant of Approval**

The grant of approval by the Council, unless subsequently revoked, will run for 3 years from the date it was granted.

## **Registration**

A register of all the approved premises will be kept by the Council and will also be circulated to all Register Offices in the County as well as nationally by the Registrar General.