

**PREMISES TO BE APPROVED AS A VENUE
FOR MARRIAGES IN PURSUANCE OF
SECTION 26(1)(bb) OF THE MARRIAGE ACT
1949 AND CIVIL PARTNERSHIP
REGISTRATION IN PURSUANCE OF
SECTION 6(3A)(a) OF THE CIVIL
PARTNERSHIP ACT 2004**



Annex A

TO BE RETAINED BY APPLICANT

NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN BE GRANTED

The non-returnable fee for this application is £2,000 and must be submitted with the application to:

Anne Robson, Superintendent Registrar,
Aykley Heads House Register Office, Aykley Heads, Durham City, DH1 5TS

The application must be made by the proprietor or trustee of the premises. When made on behalf of a limited company there should be a separate statement of the names and addresses of all the directors.

The premises must fulfil the following standard requirements in Schedule 1 of the Regulations.

1. Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the authority, be a seemly and dignified venue for the solemnization of marriages or civil partnership registrations.
2. The premises must be regularly available to the public for use for the solemnization of marriages or civil partnership registrations.
3. The premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire authority, and such other reasonable provision for the health and safety of persons employed in or visiting the premises as the authority considers appropriate.
4. The premises must have no recent or continuing connection with any religion, religious practice or religious persuasion which would be incompatible with the use of the premises for the solemnization of marriages in pursuance of section 26(1)(bb) of the Act or the formation of civil partnerships.
5. The room or rooms in which ceremonies are to take place, if approval is granted must be identifiable by description as a distinct part of the premises.

In considering the suitability of premises as a venue the local authority will have regard to the following Guidance from the Registrar General:

1. The law is intended to allow civil marriages to take place regularly in hotels, stately homes, civic halls and similar premises without compromising the fundamental principles of English marriage law and Parliament's intention to maintain the solemnity of the occasion. The term "premises" is defined in Regulation 2(1) and there are restrictions introduced in Schedule 1. These will mean that certain premises would not be suitable for approval. The same conditions are applicable under the Civil Partnership Act 2004.
2. Ceremonies must take place in readily identifiable premises. This will preclude ceremonies from taking place in the open air, in a tent, marquee or any other temporary structure and in most forms of transport.
3. Ceremonies must be solemnized in premises with open doors, which the Registrar General interprets to mean that the public must have unfettered access to witness the marriage or civil partnership registration and make objections prior to or during the ceremony
4. A private house is unlikely to be an appropriate venue for civil marriage or civil partnership registration. It would not be known to the public as a ceremony venue or regularly available for their use.
5. The primary use of a building would also render it unsuitable if that use could demean marriage or civil partnership registration or bring it into disrepute.
6. The secular nature of civil marriage or civil partnership registration precludes the use of any building with a recent or continuing religious connection. This effectively rules out any building or room whose description, purpose or appearance is still considered to be linked to religion. A chapel in a stately home and a building containing furniture or fittings associated with a place of religious worship, or which has stained glass windows depicting a religious image are examples of a continuing religious connection. However, premises in which a religious group meets occasionally may be suitable if the primary use of the premises is secular.
7. Ceremonies 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 ceremonies on particular premises, or be considered part of the service being offered on the premises, there may well be a religious connection which would breach the requirements and lead to the local authority having to consider revoking the approval.

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Annex B

TO BE RETAINED BY APPLICANT

THE CONDITIONS TO BE ATTACHED TO GRANTS OF APPROVAL

The authority must attach the following standard conditions from Schedule 2 of the Regulations to any approval:

1. The holder of the approval must ensure that there is at all times an individual with responsibility for ensuring compliance with these conditions ("the responsible person") and that the responsible person's occupation, seniority, position of responsibility in relation to the premises, or other factors (his/her "qualification"), indicate that he/she is in a position to ensure compliance with these conditions.
2. The responsible person or, in his/her absence, an appropriately qualified deputy appointed by him/her, shall be available on the premises for a minimum of one hour prior to each ceremony and throughout each ceremony.
3. The holder must notify the authority -
 - (a) of his/her name and address immediately upon him/her becoming the holder of an approval under regulation 7(2), and
 - (b) of the name, address and qualification of the responsible person immediately upon the appointment of a new responsible person.
4. The holder must notify the authority immediately of any change to any of the following -
 - (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 approved premises,
 - (c) the description of the room or rooms in which ceremonies are to be undertaken.

- (d) the name or address of the holder of the approval, and
 - (e) the name, address or qualification of the responsible person.
5. The approved premises must be available at all reasonable times for inspection by the authority.
 6. A suitable notice stating that the premises have been approved for the solemnization of marriages in pursuance of section 26(1)(bb) of the Marriage Act 1949 and civil partnership registration in pursuance of Section 6(3A)(a) of the Civil Partnership Act 2004 and identifying and giving directions to the room in which ceremonies are to take place must be displayed at each public entrance to the premises for one hour prior to the ceremony and throughout the ceremony.
 7. No food or drink may be sold or consumed in the room in which a ceremony takes place for one hour prior to that ceremony or during that ceremony.
 8. All ceremonies must take place in a room which was identified as one to be used as such on the plan submitted with the approved application.
 9. The room in which a ceremony takes place must be separate from any other activity on the premises at the time of the ceremony.
 10. The arrangements for and content of each ceremony must meet with the prior approval of the superintendent registrar or the District or the Registration Authority of the area in which the approved premises are situated.
 11. Any ceremonies conducted on approved premises shall not be religious in nature. In particular the ceremony shall not
 - (a) include extracts from an authorised religious marriage service or from sacred religious texts;
 - (b) be led by a minister of religion or other religious leader;
 - (c) involve a religious ritual or series of rituals;
 - (d) include hymns or other religious chants; or,
 - (e) include any form of worship.

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

For this purpose any material used by way of introduction to, in any interval between parts of, or by way of conclusion to the ceremony shall be treated as forming part of the ceremony.

12. Public access to any ceremony in approved premises must be permitted without charge.
13. 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 authority as a venue for marriage in pursuance of section 26(1)(bb) of the 1949 Marriage Act and the Registration 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 authority, the Registrar General or any of the officers or employees of either of them.
14. 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 ceremony, the former name of the approved premises as recorded in the certificate for marriage or the civil partnership document shall remain valid for its duration for the purpose of the ceremony.

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Annex C

TO BE RETAINED BY APPLICANT

ADDITIONAL INFORMATION

RENEWAL

1. The holder may apply for the renewal of an approval when the current approval has not more than 12 months before it is due to expire. An application for renewal made in this period will extend the current approval until the application has been finally dealt with. A renewal will run from the expiry date of the current approval.

REVOCAATION

2. The authority may revoke an approval if it is satisfied, after considering any representations from the holder, that the use or structure of the premises has changed so that any of the standard or local requirements cannot be met or the holder has failed to comply with one or more of the standard or local conditions attached to the approval.

3. The Registrar General may direct the authority 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 registration on the approved premises.

4. When an approval has been revoked the regulations require the former holder to notify any couples who had arranged a ceremony on the premises.

REVIEWS

5. An applicant may seek a review by the local authority of its decision to refuse to grant an approval, to attach local conditions, to refuse to renew an approval or to revoke an approval.

6. The review must be carried out by a different officer, committee or sub-committee than that which made the decision which is being appealed against. The review panel may confirm the decision, rescind it or vary it with the imposition of fresh or further conditions.

7. The authority may charge an additional fee for a review of its decision to refuse to grant an approval, to attach local conditions or to refuse to renew an approval.

8. A direction by the Registrar General to revoke an approval is not subject to review by the authority.

REGISTRATION

9. Details of approved premises will be held for public inspection by the authority. These details will be copied to the superintendent registrar of the district in which the premises are situated and to the Registrar General who will periodically circulate the details to all superintendent registrars.

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Annex D

LOCAL CONDITIONS OF APPROVAL

1. Interview Room

There must be one room in which to carry out a confidential interview with the couple. This should be adjacent to the room where the ceremony is to take place.

2. Access

Registration staff must have access to the ceremony room and the interview room at least 30 minutes prior to the ceremony. Guests will require access at least 20 minutes prior to the ceremony.

3. Furniture

The Registrar will require one table of approximately 4ft by 3ft plus seating. The guests will also require adequate seating.

4. Lighting

Lighting should be such to enable the Registrar to work in comfort.

5. Toilets

Toilets should be available and easily accessible.

6. Car Parking

Two free spaces should be made available for the use of the Registration staff. These spaces should be as near to the main entrance as possible.

7. Music

The ceremony room must be isolated from all background music and from the public address system. Any music played in the ceremony room must be that which is acceptable to the registration staff.

8. Ushers

It will be the responsibility of the Licence Holder to provide an usher/ushers for the ceremony.

9. Health and Safety

The Licence Holder must ensure that satisfactory arrangements have been made for the safety of the registration staff who are conducting the ceremony. He/she should ensure that all attending the ceremony are aware of the evacuation procedures. The Licence Holder is to advise those booking a ceremony of any limitations which may be imposed on the size of the party.

10. Ceremony Bookings

The Licence Holder must not make a firm booking for a ceremony until he/she has received notice from the Superintendent Registrar that he/she can attend to conduct the ceremony on that particular day.

The Licence Holder must also advise couples of the necessity to make a provisional booking with the Superintendent Registrar as soon as they have made their tentative booking with the Licence Holder.

11. Cancellation of Bookings

The Licence Holder must inform the Superintendent Registrar of any cancellation of a ceremony within 48 hours of the cancellation.