

CRITERIA AND GUIDANCE ON SUITABILITY FOR APPROVED PREMISES STATUS UNDER THE MARRIAGES AND CIVIL PARTNERSHIPS (APPROVED PREMISES) REGULATIONS 2005 (including Licensing a Garden Structure)

The law is intended to allow civil marriages to take place in premises without compromising the fundamental principles of English marriage law and Parliament's intention to maintain the solemnity of the occasion.

Please note that the term "proceedings" refers to the solemnization of marriages or the formation of civil partnerships.

1. The premises must be regularly available for use by the public and should be a seemly and dignified venue for proceedings. A private house is unlikely to be an appropriate venue for civil marriage as it would not be known to the public as a marriage venue or regularly available for their use.
2. The premises must be a permanently immovable structure comprising at least a room. This will preclude proceedings from taking place in the open air, in a tent, marquee or any other temporary structure and in most forms of transport (see additional criteria for garden structures).
3. The primary use of a building would also render it unsuitable if that use could demean marriage or bring it into dispute.
4. The secular nature of civil proceedings precludes the use of any building with a recent or continuing religious connection including 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.
5. Proceedings 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 proceedings and make objections prior to or during the ceremony. Public access must be permitted without charge.
6. Although there is no specific planning requirement for marriage ceremonies or civil partnerships, planning permission may be required if using rooms for proceedings constitutes a change of use of the premises. If you are in any doubt about whether planning permission is required you should contact your local planning authority.
7. Civil proceedings at approved premises may be followed by a celebration, commemoration or blessing of the couple's choice, providing that it is not a religious marriage ceremony and is separate from the civil ceremony. However, if a religious blessing were to regularly follow marriage 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 County Council having to consider revoking the approval.
8. The holder of the approval must ensure that there is at all times an individual with responsibility for ensuring compliance with the conditions of the licence, ("the responsible person"), and that the responsible person's occupation, seniority, position of responsibility in relation to the premises, or other factors, (their "qualification"), indicate that they are in a position to ensure compliance with these conditions.
9. The responsible person (or an appropriately qualified deputy) shall be available on the premises for a minimum of one hour prior to the ceremony and throughout the duration of the proceedings.

10. The holder must notify the County Council of the name, address and qualification of the new responsible person immediately upon the appointment of a new responsible person.

11. The holder must also notify the County Council 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 proceedings are to be held

d) the name or address of the holder of the approval, and

e) the name, address or qualification of the responsible person.

12. Suitable Notices 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 identifying and giving directions to the room in which a marriage ceremony is to take place must be displayed at each public entrance to the premises for one hour prior to the ceremony and throughout the ceremony.

13. 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.

14. All ceremonies must take place in a room which was identified as one to be used for ceremonies on the plan submitted with the approved application.

15. The room in which a ceremony is to take place must be separate from any other activity on the premises at the time of the ceremony.

16. The arrangements for and content of each marriage ceremony must meet with the prior approval of the Superintendent Registrar of the district in which the approved premises are situated.

17. Any reading, music, words or performance which forms part of a ceremony must be secular in nature; for this purpose any such 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.

18. 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 County Council as an approved premises for ceremonies but shall not state or imply any recommendation of the premises or its facilities by the County Council, the Registrar General or any of the officers or employees of either of them.

19. There should be adequate arrangements for disabled access, including, the use of temporary ramps as required.

20. A separate room, distinct from that where the ceremony will take place, should be available to allow for any pre-ceremony questioning by the Superintendent Registrar.

21. The premises must have adequate toilet facilities.

22. There should be adequate car parking for guests. Two designated parking spaces must be made available for registration staff attending weddings to allow unfettered access and egress to the premises.

23. There must be adequate insurance cover for any liabilities that may arise during the conduct of a ceremony, including accident or negligence for which the public may seek compensation, as it is the owner of the premises' liability to meet such claims.

Licensing a garden structure

If an application includes a garden structure then the following requirements and conditions are applicable.

1. Any structure must be permanent and immovable and in this respect the decision of the County Council on what is considered "permanent" and immovable" will be final.
2. The structure must have a solid base which is permanently fixed to the ground (any structure moved from that originally shown on the submitted plan shall immediately invalidate any licence).
3. The structure should have a full waterproof roof. The roof should be supported by at least three brick, stone, concrete or wood pillars or walls and a doorway. The space between pillars may have trellising or other decoration. The roof should overhang the structure to provide shelter from strong/hot sunshine and/or rain.
4. The structure should be of sufficient size to accommodate the following: Two Registration Staff, A table large enough to accommodate the register and two chairs, The Couple (Bride and Groom or two Partners), Comfortable space in which the ceremony can be conducted.

The decision of the County Council on what is considered sufficient space will be final.

5. The structure should be provided with electric light and power wherever possible.
6. An appropriate microphone system should be installed or made available for the Registrars to use if requested which will allow all guests to hear the ceremony.
7. Any venue wishing to use/construct a structure for the celebration of civil marriages and the formation of civil partnerships must obtain the relevant planning approval before applying to licence the structure.
8. The structure must be regularly available to be used for the celebration of civil marriage ceremonies or the formation of civil partnerships.
9. The structure will only be approved if it forms part of a larger venue, which must include one or more approved ceremony rooms.
10. No food or drink may be consumed in the structure one hour prior to and during the ceremony.
11. Any other activities taking place in the grounds, especially near to the structure and the adjacent area to be used for guests, are to be kept separate from any ceremony.
12. Whenever a ceremony is booked within a garden structure another licensed ceremony room must be kept available so that if for any reason the ceremony has to be moved inside, venue staff are able to do this at short notice (30 minutes). The main reason why a ceremony may not take place in the structure will normally be because of inclement weather. Inclement weather can include wet, cold, heat and other extreme conditions.
13. The maximum number of guests attending at a garden structure ceremony must not exceed the maximum number of guests permitted in the other ceremony room. This is to ensure that the entire party could move into the other ceremony room if it became necessary.
14. The structure must provide a seemly and dignified venue in which civil marriage ceremonies and civil partnerships may be celebrated.
15. The decision as to whether, because of inclement weather, a ceremony has to be moved into a ceremony room inside the venue will be made by the Registration Staff. The decision of the Registration Staff is final. It

is the responsibility of the Approved Premise to make this clear to your clients at the time of booking. (We would suggest that a separate form is signed by the clients at the time of booking.)

The County Council reserves the right to vary these terms and conditions at any time without prior notification and will endeavour to inform applicants in writing of any changes which may affect the holding of the licence.

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