

Shropshire Registration Service

Approved Venue Licencing Guidance

*Information to applicants for the approval of
premises as venues for civil marriage and
civil partnership ceremonies*

IMPORTANT:

Before considering an application for premises to be approved for the purposes of the solemnization of civil marriages and civil partnerships please understand that applicants must:

- *have contacted Shropshire Council's Planning Department to ascertain whether a change of planning permission is necessary for the use of any premises as a venue for civil marriage. You must be able to supply written evidence to Shropshire Registration Service of the outcome of that enquiry.*
- *understand that a Premises Licence granted by Shropshire Councils Public Protection department for the purpose of allowing a number of events at your premises, provides no assurance that planning permission is not required, you must consult with Shropshire Council's Planning Department.*

This guidance is issued by the Registrar General for England and Wales in accordance with his duties under the Marriage Act 1949 and the Civil Partnership Act 2004.

- The guidance supplements the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 as amended¹ ("the 2005 Regulations") to provide the public, local authorities, registration officers and faith groups with information on the regime to approve premises for the solemnization of civil marriages and the registration of civil partnerships.
- The guidance focuses on the detailed processes for the approval of premises and the conditions associated with an approval. It is not intended to provide information more generally on the legal requirements for marriage and civil partnership in England and Wales. Nor does it cover the approvals process for the certification of places of worship or registration of the same for religious marriage.
- The Regulations refer to "proceedings", defining these as the solemnization of marriages or the registration of civil partnerships and this guidance uses this term, where appropriate. It also refers to registration authorities and local authorities as "authorities".

Suitability of Premises – Requirements

- The laws relating to "approved premises" are intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, similar premises and religious premises without compromising the solemnity of the occasion.
- "Premises" are defined in the 2005 Regulations as a permanently immovable structure comprising at least a room or any boat or other vessel which is permanently moored. Any premises outside this definition, such as the open air, a tent, marquee or any other temporary structure and most forms of transport, would not be eligible for approval. In addition, there are other statutory requirements that must be met before an approval can be granted.
- 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 proceedings, which must take place in a room or rooms that are identifiable by description as a distinct part of those premises. The primary use of a building would render it unsuitable if that use could demean proceedings or bring them into disrepute.
- Premises that are religious premises (as defined by section 6A(3C) of the Civil Partnership Act) **may not** be approved for civil marriages. Following amendments to the 2005 Regulations made in December 2011, they may now be approved for the registration of civil partnerships.

- When approving premises under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005, it is intended that authorities approve premises for the registration of civil partnerships and the solemnization of civil marriages.
- When approved by an authority it is expected that the premises are made available regularly for the registration of civil partnerships and the solemnization of civil marriages. Owners or occupiers of premises will not be able to refuse to host either marriages or civil partnerships on the grounds of sexual orientation. However, this may not apply to premises that are owned or controlled by a religious organisation, though are not religious premises as defined in Regulation 5(1B) of the 2005 Regulations:
 - a church or chapel of the Church of England;
 - a church or chapel of the Church in Wales;
 - a place of meeting for religious worship included in the list of certified places maintained by the Registrar General under section 7 of the Places of Worship Registration Act 1855;
 - a place of meeting for members of the Society of Friends; or
 - a Jewish synagogue.
- The owners or occupiers of these premises, should they wish to, are able to refuse to host civil partnership registrations, providing they fall under the exceptions set out in Schedule 23 to the Equality Act 2010.
- If the conditions set out in Schedule 23 are met, then organisations relating to religion or belief (as defined), whose sole or main purpose is not commercial and where it is not acting under contract on behalf of a public authority, can rely on the exception to refuse to host civil partnership registrations on the premises which they own or control without the risk of a successful legal action against them for unlawful sexual orientation discrimination.
- In these instances, authorities should not revoke an approved premises grant of approval if the religious organisation lawfully refuses to host civil partnership registrations.
- The secular nature of civil marriage/partnership 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.

OTHER REQUIREMENTS BEFORE AN APPLICATION CAN BE CONSIDERED

- In addition to being satisfied that the requirements relating to the type of premises are met, the authority will want to be satisfied that the fire assessment in place at the premises is suitable for the intended purpose. The authority will liaise with Shropshire Fire and Rescue Service and Shropshire Council's public protection department in order to satisfy itself that the risk assessments submitted are adequate.
- The authority will also want to be content that no changes to planning permission are necessary for the use of the venue for marriages or civil partnerships. It is likely that the great majority of applications will not require separate planning permissions and the usual health and safety checks are likely to identify any concerns in this respect.
- Whilst there is no specific planning class applicable, applicants must consult with Shropshire Council and obtain any relevant planning permission.

- The public must have unfettered access to witness the marriage and make objections prior to or during the proceedings.
- Access to the premises must be available for people with disabilities
- All rooms that might be used for proceedings, including those intended as a contingency, should be indicated as such on the plan that accompanies the application, as once approval is granted, proceedings may only take place in the rooms approved. It is therefore essential that the owners of premises and authorities ensure both the application and the approval are clear in this area

THE APPLICATION PROCESS

BEFORE MAKING YOUR APPLICATION WE RECOMMEND THAT YOU INFORM YOUR NEIGHBOURS AND NEARBY BUSINESS'S OF YOUR INTENTIONS WITH REGARD TO THE HOSTING OF MARRIAGES AND CIVIL PARTNERSHIP CEREMONIES.

An application for approval may be made by the proprietor or trustee of premises. The application can only be made to the authority in which area the premises are located and a separate application should be made for each premises

The applicant must provide the following to the authority:

- a completed application form;
- a plan of the premises which clearly identifies the room or rooms in which the proceedings will take place if approval is granted; and
- a copy of the fire risk assessment for the premises dated within 12 months of the date of this application
- a copy of any relevant licences, e.g. under the licensing or entertainment legislation
- a copy of the current health and safety risk assessment for the premises.
- a copy of the current public liability insurance document pertaining to the premises
- evidence that the advice of Shropshire Council's planning department has been sought and given.
- payment of:
 - 3 Years - £1610.00 Including 2 rooms, Additional rooms £220.00 each
 - 5 Years - £2410.00 Including 2 rooms, Additional rooms £350.00 each
 - 7 Years - £3210.00 Including 2 rooms, Additional rooms £450.00 each
 - 10 Years - £4410.00 Including 2 rooms, Additional rooms £600.00 each

Payment can be made via internet banking using the following information:

Account Name: Shropshire ODR
Sort Code: 55 50 05
Account Number: 03200051
Reference: G0000 LJ

Please quote the name of the premises to be licenced

Alternatively, payment can be made by cheque payable to Shropshire Council.

Applications will not be considered until payment has been received in full.

As soon as is practicable after receiving the application Shropshire Council will publicise the application on its authority's website for a period of 21 days.

The publication of the application will:

- identify the premises and the applicant;
- indicate the address at which the application, the plan accompanying it and any consents may be inspected;
- state that any person may give notice in writing of an objection to the grant of approval, with reasons for the objection, within 21 days from the date on which the notice is published; and
- state the address of the offices of the authority to which such notice of objection should be given.

In accordance with this notice, the authority will make the application, the plans and any consents available for public inspection during the working day.

As soon as practicable after receiving an application Shropshire Council will inspect the premises. In respect of religious premises only it may decide not to inspect if it considers that it is not necessary (because for example the premises are already used for religious marriages).

Applications for approval are likely to take 6 to 8 weeks to process from receipt to decision. This will include consultations with any relevant authorities, if necessary, inspection of the premises and consideration of any objections received. Couples will not usually be able to give notice of marriage/partnership at approved premises until approval has been granted.

GRANTING APPROVALS

The grant of approval by Shropshire Council, unless subsequently revoked will run for a minimum of three years (or for the extended period opted and paid for by the applicant) from the date on which it was granted.

Shropshire Council may refuse to grant approval, or attach such additional conditions to an approval that it considers appropriate. As soon as is practicable after making a decision Shropshire Council will notify its decision in writing to the applicant and any person that has given notice of objection to the application

If ownership of the premises changes then the new owners become the holders of the approval. The standard conditions require the holders of approvals to notify Shropshire Council immediately if there is any change to the details that were included in the application, such as a change in holder of the approval.

Immediately after the grant of the approval, the holder of the approval must tell the authority the name, address and qualification of the responsible person. The responsibilities of the responsible person are detailed separately, but in short he or she is responsible for ensuring compliance with the standard conditions of approval.

REVOCACTION

Shropshire Council have a staged approach to revocation as shown below:

Stage 1.

First instance of failure to comply with any of the terms and conditions of the approval of a licence:

A letter is sent to the Responsible Person and copied to the Licence Holder(s) to highlight any breaches and offer assistance in helping resolve any issues, whilst seeking a written assurance that they will not be repeated. The written assurance is to be received within 14 days.

Stage 2.

Where there have been further instances of non-compliance with National or Local terms and conditions of approval:

A letter is sent to the Responsible Person and Licence Holder(s) requiring written assurance, within 14 days, that there will be no future episodes where any conditions of approval are not adhered to.

Stage 3.

Revocation of Licence

Shropshire Council may revoke an approval if the holder has failed to comply with one or more conditions of the approval, or the use of structure of the premises has changed and the premises are no longer suitable for any proceedings. On deciding to revoke the approval Shropshire Council must deliver a notice in writing to the holder of the approval confirming its revocation.

The Registrar General for England and Wales may direct an authority to revoke an approval if he/she considers that there have been breaches of law relating to the proceedings on the approved premises. Before doing so the Registrar General must write to the holder of the approval stating the grounds on which she proposes that the approval should be revoked and providing the holder with a period of at least 14 days to make representations to her in writing.

If, following consideration of any representations received, the Registrar General decides that the approval should be revoked he/she will direct the authority (in writing) to do so. The authority must then revoke the approval with immediate effect and notify the holder of the approval that it has done so.

When an approval has been revoked, it is the responsibility of the holder of the approval to immediately notify any couples who had arranged proceedings on those premises that this is the case

REVIEW

An applicant is able to seek a review of a decision made by Shropshire Council to refuse an application or a renewal, to revoke an approval (other than when directed by the Registrar General as described above) or to attach conditions other than the standard conditions.

A charge of £1200.00 is levied by the authority for a review.

The application for review should be delivered to the proper office of the authority.

The review will be carried out by a different officer, committee or subcommittee that 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.

Once the outcome of a review has been determined Shropshire Council must provide notice in writing to the applicant or holder, stating its decision, the reasons for it and, if different to the original decision, the date on which it takes effect.

EXPIRY AND RENEWAL OF APPROVAL

The renewal process is the same as the approval process but can be commenced when the current approval has less than twelve months to run. 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.

If the holder fails to apply for renewal before the expiry date and the approval expires, it will be reinstated by an application for renewal made within one month of the expiry date and continue until the application has been dealt with.

REGISTRATION OF APPROVED PREMISES

Details of approved premises will be held for public inspection by Shropshire Council, copied locally and are sent to the Registrar General who will publicise them.

Shropshire Council must maintain an up to date register of the approved premises in its area. The register must include:

- the name and full postal address of the approved premises;
- the description of the room or rooms in which the proceedings are to take place;
- the name and address of the holder of the approval;
- the date of the granting and due date of expiry of the approval;
- if the approval is renewed, the date of renewal;
- if the approval is revoked, the date on which the revocation takes effect; and
- the name, address and qualification of the responsible purpose

CHANGES AFTER THE APPROVAL

It is not possible to outline all potential circumstances in which a change may occur after the approval. One common change might be to seek the use of an additional room (one that was not specified on the plan as being intended for proceedings) which would require a fresh approval to be granted following the same application process. Apart from where there is solely a change of holder of the approval it is likely that most instances will require a fresh approval, following the standard application process

Conditions

Please note Shropshire Council's local conditions are shown in italics, the other conditions are standard national conditions.

Proceedings means the solemnisation of a marriage or the registration of a civil partnership and does not refer to any other activity on the premises.

- The holder of the approval shall indemnify and keep indemnified the Authority against injury (including death) to any persons or loss of or damage to any property which may arise out of the act default or negligence of the holder its employees or agents against all claims, demands, proceedings, damages, costs, charges and expenses whatsoever in respect of the breach of any fire precautions recommended by the Fire Authority and any reasonable provision for the health and safety of persons employed in or visiting the premises and occurring during or in connection with a ceremony taking place on the premises which has been duly approved by the Authority as a venue for marriages in pursuance of Section 26(1)(bb) of the Marriage Act 1949 and civil partnerships in pursuance of Section 6 (3A)(a) of the Civil Partnership Act 2004.
- The premises must have the benefit of such fire precautions as may reasonably be required following consultation with the relevant authorities, and such other reasonable provision for the health and safety of persons employed in or visiting the premises as the authority considers appropriate.
- Without thereby limiting responsibilities under the above, the holder shall at all times insure with a reputable insurance company against all loss of and damage to property and injury to persons (including death) arising out of or in the consequence of any ceremony taking place in accordance with this approval against all actions, claims, demands, costs and expenses in respect thereof and in respect of any one act or default and the said insurance policy or policies shall be produced to the Authority together with the receipt(s) for the premiums at any time.
- 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 solemnisation of marriages in pursuance of Section 26(1)(bb) of the Act and the registration of civil partnerships in pursuance of Section 6(3A)(a) of the Civil Partnership Act 2004.
- Any reading, music, words or performance which form 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.
- Owners of premises subsequently approved will need to ensure that their staff are fully aware of this policy and that they draw it to the attention of all couples wishing to have their ceremony at the premises.
- The approved premises must be available at all reasonable times for inspection by the authority.
- A suitable notice stating that the premises have been approved for the solemnisation of marriages 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 Partnerships Act 2004, identifying and giving directions to the room in which a marriage/partnership ceremony is to take place must be displayed at each public entrance to the premises for one hour prior to and throughout the ceremony.
- All marriage ceremonies and civil partnership formations must take place in a room which was identified as one to be used for that purpose on the plan submitted with the approved application.
- Civil naming, re-affirmation of vows, citizenship and civil funeral ceremonies may be held anywhere within the building or grounds.

- The room in which a civil marriage/partnership takes place must be separate from any other activity on the premises at the time of the ceremony.
- 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 Shropshire Council as a venue for marriage in pursuance of section 26(1)(bb) of the Marriage Act 1949, and the formation of civil partnerships in pursuance of 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.
- Public access to any ceremony of marriage in approved premises must be permitted without charge
- Adequate car parking should be available for attendees of ceremonies on site or nearby.
- Two car parking spaces must be reserved for registration staff attending for the ceremony. These spaces must be reserved near to the main entrance of the building and be kept unobstructed for arrival and departure of registration staff.
- A separate room must be available prior to the ceremony for the Registrar to interview the couple. This room must be furnished with a large table (dining table height), 4 chairs and a telephone (a mobile telephone is acceptable). On arrival registration staff must be allowed immediate access to this room. The room should not be an occupied bedroom and should be private.
- Toilet facilities should be available for the public and readily available for use by registration staff.
- Lighting should be at a level appropriate for registration purposes
- Naked flames are not permitted on the table used by the registration officers for the purposes of registering the marriage or forming a civil partnership..
- Photography and the use of a video camera is permitted at certain times during the ceremony subject to prior arrangement with the registration staff, a full photography and videography policy is available on request.
- Approval given under the terms and conditions set down by Shropshire Council extends to the facilitation of other non-statutory ceremonies, such as Civil Naming and Civil Re-affirmation of Marriage Vows, when conducted on behalf of Shropshire Council.
- The premises must comply with the Disability Discrimination Act, unless exempt.
- All ceremonies are expected to commence at their appointed time. If any delay is in excess of thirty minutes the Registration Officers are instructed that they must leave in order to honour other ceremony obligations. The Registration Service or Shropshire Council bears no liability for any costs incurred by the venue under these circumstances.
- Other functions taking place simultaneously at the venue must not encroach upon, or detract from the solemnity of the ceremony, either physically, visually or aurally.
- Any bar area within the room in which a marriage ceremony is to take place should be adequately screened 1 hour prior to and during the ceremony.
- No food or drink may be sold or consumed in this room in which proceedings take place for one hour prior to or during those proceedings.

- No smoking to be permitted in the room in which proceedings take place for one hour prior to or during those proceedings,
- The arrangements for and content of each marriage/partnership ceremony must meet with the prior approval of the superintendent registrar of the district or the registration authority of the area, as the case may be, in which the approved premises are situated.
- The holder must notify the authority:
 - a. of his/her name and address immediately upon him 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.
 - c. Any changes to the layout of the premises, as shown on the plan submitted with the approved application, or in the use of the premises;
 - d. Any changes to the name or full postal address of the venue
 - e. Any changes to the name or address of the holder of the approval
 - f. Any changes to the name address or qualification of the responsible person.
- 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 *and liaise with registration staff over any matters affecting the ceremony.* The full list of responsibilities of the responsible person are detailed separately.

The duties of the Responsible Person are:

- The responsible person or, in his/her absence, an appropriately qualified deputy appointed by him/her, and agreed with Shropshire Council, shall be available on the premises for a minimum of one hour prior to each of the proceedings.
- To ensure that all conditions attached to the licence approval are observed;
- To ensure that the ceremony room is set up and arranged for the ceremony to take place, at least 30 minutes before the time appointed for the proceedings;
- To ensure the availability of the interview room at least 30 minutes before the time appointed for the proceedings;
- To put up all of the notices required at the public entrances of the building in accordance with condition for 1 hour before and during the ceremony;
- To ensure that no food or drink is consumed in the ceremony room for 1 hour before or during the ceremony;
- To meet and greet the couple who are to be married or form a civil partnership;
- To liaise with the registration team members on their arrival at and during their time on the premises to ensure that the ceremony runs smoothly and professionally;
- To escort the parties to the marriage or civil partnership the Registrar for their pre-ceremony interview;
- To escort the parties to the marriage or civil partnership and the ceremony guests to the ceremony room following;
- To escort the bride / civil partner to the Registrar for their pre-ceremony interview;
- To ensure that music where requested is played in accordance with the couples wishes at the appropriate times during the ceremony
- To ensure that the proceedings run to time and advise the parties that punctuality is essential as registration staff may have commitments later that day.
- To ensure the safe conduct of registration staff and their legal documents in attending the proceedings.

Working together with you

How we can work together

- Once your licence is granted, the details of your venue are published on a national list and on our local website. Our website will contain the direct link to the website of the venue in order that couples can easily navigate to see whether your venue is of interest.
- We ask that you also have direct links to our web pages in order that couples can find out more about the legal requirements, fees etc.
- We will support you at your wedding fayres and open days helping to provide couples with information and assist you in the promotion of your venue.
- We ask that you provide couples with a copy of our “Ceremonies in Shropshire” brochure which provides them with necessary information.
- Prior to the first ceremony taking place please contact the registration service to arrange for an on-site rehearsal to ensure that your team understand their roles and to give the registration service team an opportunity to familiarise themselves with your venue.

SHROPSHIRE COUNCIL
GUIDANCE FOR COUPLES WISHING TO MARRY OR REGISTER A
CIVIL PARTNERSHIP IN APPROVED PREMISES

1. As soon as a couple have made provisional arrangements for their civil marriage / partnership on approved premises they should be advised to contact Shropshire Registration Service on 0345 678 9016.
2. Registration staff will be provided, as far as possible, to carry out civil marriage/partnership on approved premises between the hours of 10.00 am and 5.30 pm seven days a week. The only exceptions to this are Christmas Day and Boxing Day. Bookings can be taken more than one year, but less than two years in advance. Bookings will be taken on a 'first come, first served' basis.
3. Couples should therefore contact the Registration Service (Tel: 0345 678 9016) to make a provisional booking before they make a firm booking with the approved premises.
4. No fee is charged by the Registration Service to make an advance booking within a year of the ceremony date, however, a non-refundable deposit is taken at the time of booking. An additional charge will be made for bookings over one year but less than two years in advance.
5. It is emphasised that no guarantee can be given that staff will always be available for any given day or time
6. Without the presence of the necessary Registration Officers there can be no civil marriage / partnership
7. A fee for the attendance of Registration Officers to conduct the ceremony will be payable one month before the date of the ceremony.
8. The couple will also have to give a notice of civil marriage / partnership to a Registration Officer from the District(s) in which they live. This notice must be given in person by each of the couple but is valid for twelve months. Both parties should, therefore, attend the register office where they live as soon as possible after notice can be given – if one or both parties are subject to immigration control notice will have to be given at a designated register office
<https://www.gov.uk/government/publications/designated-register-offices-in-england-and-wales>
9. The couple should be warned that any arrangements made for a civil marriage / partnership to take place on the approved premises are dependent on:
 - a. The attendance of the required Registration Officers for the District in which the premises are situated; and
 - b. The issue of the authority or authorities for civil marriage / partnership by the Registration Service to whom notice of civil marriage / partnership was given.
10. The couple should be advised that only a civil, non-religious ceremony can be permitted by the Registration Officer. Any music, reading, words or performance which form any part of the ceremony must be secular. The content of the ceremony must be agreed in advance with the Registration Service responsible for conducting / registering the event.
11. Any rights of copyright music, readings etc permitted at the ceremony are a matter for the couple and the holder of the approval.
12. The time that the ceremony is booked to take place with the Registration Service is the time that it is expected to commence. Should the ceremony not start at the appointed time due to the late or non arrival of the bride, groom or any family member or guest and the delay is for more than thirty minutes the Registration Officers are instructed to leave. It may be possible for them to attend later in the day to conduct the ceremony. This is discretionary and additional costs may be incurred.

**SHROPSHIRE COUNCIL
THE MARRIAGE ACT 1949 (AS AMENDED)
THE MARRIAGES (APPROVED PREMISES) REGULATIONS 1995
THE CIVIL PARTNERSHIP ACT 2004**

NOTICE IS HEREBY GIVEN that an application has been made by:

(Applicant Name)

being the proprietor or trustee of premises known as and situated at:

(Address)

for approval of a room(s) within those premises for the solemnisation of marriages in pursuance of Section 26(1)(bb) of the Marriage Act 1949 and the registration of civil partnerships in pursuance of Section 6(3A)(a) of the Civil Partnership Act 2004.

The application, together with a plan of the premises which accompanied it, may be inspected at the offices of the Registration and Celebratory Service, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND between the hours of 9am and 5pm Monday to Friday. An appointment may be made by calling 0345 678 9016.

Any person may give notice in writing of an objection to the grant of approval of such application, with reasons for such objection, within 21 days from the date of publication of this notice.

Such notice of objection should be given to me in writing at the above address.

Karen Burton
Superintendent Registrar