

# BUCKINGHAMSHIRE REGISTRATION SERVICE

## APPROVED VENUE APPLICATION & RENEWAL PROCEDURE

The following information should be read and noted before making an application for a new licence or renewal of an existing licence.

If you are applying for a new licence, we would ask you call to arrange a visit for us to inspect the premises for suitability before making an application.

If you have any queries or to arrange a visit, please call Karen Collins, Registration & Coroner's Service Manager on 01296 387371 or e-mail

[registrationservice@buckinghamshire.gov.uk](mailto:registrationservice@buckinghamshire.gov.uk)

## NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN BE GRANTED

The fee for this application is £2250.00 and must be submitted with the application form to Buckinghamshire Registration Service, Walton Street, Aylesbury, Bucks, HP20 1XF, payments are to be made by BACs / Online / Card.

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 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 proceedings.
2. The licensed room(s) must be regularly available to the public for use for the solemnisation of marriage or the registration (formation) of civil partnerships irrespective of whether or not the couple wish to hold their reception at the premises.
3. The premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire/fire and rescue 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 not be:
  - a. Religious premises as defined by section 6(2) of the Civil Partnership Act 2004\*
  - b. A register office, but this paragraph does not apply to premises in which a register office is situated provided that the room that is subject to approval is not the same room as the room which is the register office

\* "religious premises" means premises which are used solely or mainly for religious purposes, or have been so used and have not subsequently been used solely or mainly for other purposes

5. The room or rooms in which the proceedings (marriage or civil partnership) will be held if approval is granted must be identifiable by description as a distinct part of the premises.

The premises must also fulfil the following requirements set by Buckinghamshire Council:

6. The room(s) in which proceedings will be held, if approval is granted, shall be easily accessible to elderly and disabled persons.
7. The Equality Act (Sexual Orientation) Regulations 2007 require providers of goods, facilities and services to ensure that they are not treating their customers unfairly on the grounds of sexual orientation. If the holder of an approval is deemed by the local authority to discriminate on the grounds of the sexuality of the couple the Council reserves the right to revoke this approval.

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

1. The law relating to “approved premises” is intended to allow proceedings to take place regularly in hotels, stately homes, civic halls and similar premises without compromising the fundamental principles of English law and Parliament's intention to maintain the solemnity of the occasion.
2. The term “premises” is defined in Regulation 2(1) 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 requirements in Schedule 1 that must be met before an approval can be granted.
3. The premises must be a seemly and dignified venue for the proceedings, which must take place in an identifiable and distinct part of those premises. The primary use of the building would render it unsuitable if that use could demean proceedings or bring them into disrepute.
4. The premises must not be religious premises as defined by section 6(2) of the Civil Partnership Act 2004. These are premises which are used solely or mainly for religious purposes, or which have been used solely or mainly for religious purposes and have not been subsequently used for other purposes. A building that is certified for public worship would fall into this category as would a chapel in a stately home or hospice. However, premises in which a religious group meets occasionally might be suitable if the other criteria are met.
5. The premises must not be any part of a register office on the plan submitted by the authority and approved by the Registrar General under the Registration Service Act 1953. Any rooms in the same premises as the register office that aren't on the plan, e.g. a council chamber in the same town hall, can be approved but a room in a register office cannot be approved. However, an authority can set its fee for attending a marriage or civil partnership on approved premises at the same level as the prescribed fee for marriage or civil partnership in a register office.
6. Under the terms of the Equality Act (Sexual Orientation) Regulations 2007 (which came into effect on 30 April 2007) require providers of goods, facilities or services to ensure that they are not discriminating against a person who seeks to use those goods, facilities or services on the grounds of sexual orientation. The holder of an approval, who does not allow premises to be used for both, is liable to legal action. In common with other equality legislation, the parties involved would need to take action against the holder of the approval as the local authority has no powers to act or intervene, unless of course it is the holder of the approval.
7. The requirement that the premises must be regularly available for use by the public will preclude a private house from being approved.

## **THE CONDITIONS TO BE ATTACHED TO GRANTS OF 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 they are in a position to ensure compliance with these conditions.
2. The responsible person or, in their absence, an appropriately qualified deputy appointed by them, shall be available on the premises for a minimum of one hour prior to, and throughout, each of the proceedings. (Proceedings mean the solemnisation of a marriage or the registration of a civil partnership and does not refer to any other activities on the premises.)
3. The holder must notify the authority:
  - a. of his 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.
4. The holder must also 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 the proceedings are to take place
  - d. the name or address of the holder of the approval
  - 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 proceedings and identifying and giving directions to the room in which the proceedings are to take place must be displayed at each public entrance to the premises for one hour prior to and throughout the proceedings.
7. No food or drink may be sold or consumed in the room in which proceedings take place for one hour prior to, or during, those proceedings.
8. All proceedings 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.
9. The room in which the proceedings are to take place must be separate from any other activity on the premises at the time of the proceedings.
10. 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, as the case may be, in which the approved premises are situated.
11. (1) Any proceedings conducted on approved premises shall not be religious in nature.  
(2) In particular the proceedings 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
- e. include any form of worship

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

(4) For this purpose any material use by way of introduction to, in any interval between parts of, or by way of conclusion to the proceedings shall be treated as forming part of the proceedings.

12. Public access to any proceedings 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(l)(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 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 of marriage or the civil partnership document, but before the proceedings, 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 proceedings.

The following conditions have been approved by Buckinghamshire Council:

15. The responsible person or, in their absence, an appropriately qualified deputy appointed by them, is the accepted agent for the premises and thus will accept the responsibility that all health and safety requirements, within an accepted test of reasonableness and agreements made at the licensing appointment, are met to ensure that all staff and guests are in a safe environment. They will also have overall responsibility for all fire evacuations and regulations relating to the event.
16. The proceedings must not be adversely affected or interrupted by noise from any other activities.
17. The room in which the proceedings take place must be comfortably furnished with sufficient seating for guests and occupation must not exceed the maximum number of people permitted to occupy each room under the fire risk assessment.
18. Rooms must have sufficient tables for use by the registration team and an additional small room must be made available for the Registrar to interview the couple prior to the proceedings.
19. Two parking spaces are to be made available to the registration team unless notified to the contrary.
20. The room for which a licence has been applied must be easily accessible to elderly persons and the disabled and adequate toilet facilities must be close by.
21. There shall be a suitable waiting area other than a bar or reception area.
22. Any change in the responsible person or nominated deputy must be notified in writing to the Registration Service within seven days of the change.

23. The Equality Act (Sexual Orientation) Regulations 2007 require providers of goods, facilities and services to ensure that they are not treating their customers unfairly on the grounds of sexual orientation. If the holder of an approval is deemed by the Local Authority to discriminate on the grounds of the sexuality of the couple the Council reserves the right to revoke this approval.
24. The registration service does not provide a service on the following Bank Holidays – Christmas Day, Boxing Day, New Year's Day, Easter Friday and Easter Sunday. Staff are available on all other days of the year.

## **APPLICATION PROCESS & ADDITIONAL INFORMATION**

### **Application Process**

A completed application form with a payment for £2250.00 made by BACs / Online / Card is sent to Buckinghamshire Registration Service with current copies of the premises fire risk assessment, any public entertainment licence, Health & Safety policy, public liability insurance, confirmation from the local planning authority that they are happy for civil ceremonies to take place, plus a plan showing the rooms intended to be used for proceedings.

All rooms that might be used for proceedings, including those intended as a contingency, should be indicated clearly on the plans, and proceedings may only take place in those rooms once approval is granted. Once the approval has been granted additional rooms cannot be added unless a completely fresh application is made – including the full fee being paid again (£2250).

The authority then places a public notice on the [Council's Consultation Portal](#) allowing an objection period of 21 days. During this time a full review of the paperwork is undertaken and assuming there are no objections which need review or action, the licence will be issued.

### **Renewal and Reinstatement**

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 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.

### **Revocation**

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.

The Registrar General may direct the authority to revoke an approval if, in their 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. This is not subject to review by the authority.

When an approval has been revoked the regulations require the former holder to notify any couples who had arranged to marry or register a civil partnership on the premises.

## Reviews

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.

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. 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.

## Registration

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

## **GUIDANCE FOR THOSE BOOKING A WEDDING OR CIVIL PARTNERSHIP IN AN APPROVED PREMISES**

1. As soon as a couple have made provisional arrangements for their marriage or civil partnership in an approved premises they should be advised to contact the Ceremonies Team on 01494 475092.
2. Without the presence of registration staff the ceremony will not be able to proceed. It is, therefore, essential that the couple make an advanced booking with Buckinghamshire Registration Service for staff to attend at their proposed ceremony. Bookings can be made up to 24 months ahead of time. A fee is chargeable by the registration service for their attendance, and this is payable upfront when booking the Registrars.
3. The couple will also have to each give a notice of marriage or civil partnership to the Superintendent Registrar(s) of the registration district(s) in which they live. These notices must be given in person and each is valid for one calendar year. The couple should, therefore, attend the register office(s) where they live as soon as notice can be given. There is at least 28 days waiting period after notice has been given before the marriage can take place.
4. If either of the couple is subject to immigration control there will be further procedures to take before notice of marriage or civil partnership can be given. The local Superintendent Registrar can advise further on these procedures.
5. The couple should be warned that any arrangements made for a marriage or civil partnership to take place on the approved premises are dependent on:
  - a. the attendance of registration staff for the district in which the premises are situated and
  - b. the issue of the authority or authorities for marriage to whom notice of marriage or civil partnership was given.
6. When notice is given in a different registration district from the one where the ceremony is taking place, the couple will have to collect their paperwork before the ceremony and ensure that it is delivered to the registration staff who are to attend the ceremony.

7. The couple should be advised that only a civil, non-religious ceremony can be permitted at the venue. The content of the ceremony must be agreed in advance with the registration staff who will be attending the ceremony.
8. Any rights of copyright for music, readings etc. permitted at the ceremony are a matter for the couple and the holder of the approval.

## **APPLICATION FORM FOR APPROVAL OF PREMISES AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS**

1. Type of approval: Renewal/New (please circle as appropriate)
2. Full name of the applicant:
3. Name and postal address of the parent company/holder of the licence: Venue name:  
Address:
4. Name, postal address and telephone number of the premises which are the subject of this application:  
Venue name:  
Address:  
Contact number(s):
5. Please describe the nature of the premises detailed at question 2 (e.g. hotel, stately home, civic accommodation) and the primary and other uses to which it is regularly put:
6. Please give details of the room(s) and state fire numbers for which a license is sought:  
Name of room  
Fire number limit for ceremony
7. Please record details of the person who will be responsible on the day of the ceremony (know as the Responsible Person) together with who will deputise in their absence:
  1. Name – Responsible person
  2. Position
  3. Contact number(s)
  4. Name – Deputy
  5. Position
  6. Contact number(s)
8. Please confirm whether the premise has the following:
  1. Public liability insurance Yes/No
  2. does this insurance cover use of the premises for ceremonies Yes/No
  3. a current fire risk assessment Yes/No
  4. any relevant licences eg. alcohol, entertainment Yes/No
  5. permission from the local planning authority to use the premises for Yes/No ceremonies
  6. the building has any recent or ongoing collection with religion, religious Yes/No practice or religious persuasion
  7. regularly available for public use for either the solemnisation of Yes/No marriages or the registration of civil partnerships
9. Please confirm you have read and understood the information contained in this form and Buckinghamshire Registration: Yes/No



10. Please confirm that the venue's representatives will comply with the standard conditions and any local conditions attached to that grant of approval, as set out in the above document: Yes/No

1. I apply for the premises, named in box 7 above, to be approved for the solemnisation of marriages and the registration of civil partnerships.

2. I attach the following information:

- a payment of £2250.00 made via BACs/Online/Card
- a plan showing all the room(s) in which it is intended that marriages or civil partnerships will take place
- a copy of planning permission from the local planning authority
- a copy of the current fire risk assessment and confirmation of testing for the fire fighting appliances
- a copy of your health & safety policy and a copy of the front cover of your accident book
- a copy of your employers & public liability insurance showing the expiry date

3. I understand that:

- the premises will be inspected for suitability before approval is granted and, if this application is successful, will be subject to subsequent inspection
- a public notice of the application will be placed on the Council's consultation portal with a period of 21 days for objections
- approval, if granted, will be for a three year period and is subject to revocation
- the premises must satisfy the local authority on fire precautions and health and safety provisions.

4. I declare that:

- I have read and understood the information contained in this form and Buckinghamshire Registration Service's 'Approved Venue Application/Renewal Procedure' booklet
- the building is not a register office or religious premises
- I have consulted the planning authority as to whether planning consent is required and attach evidence that it is content that the premises may be used for marriages and civil partnerships

5. I further declare that, if approval is granted:

- the premises will be regularly available for public use for either the solemnisation of marriages or the registration of civil partnerships
- I will comply with the standard conditions and any local conditions attached to that grant of approval.

This application must be made by the proprietor or a trustee of the premises. If successful the applicant will be the holder of the approval.

Signature of applicant:

Date:

Position held:

Please return this application form, relevant documentation and payment confirmation to:

*The Proper Officer for Registration Matters, Buckinghamshire Registration Service, Walton Street Offices, Walton Street, Aylesbury, HP20 1XF*