



BOURNEMOUTH, CHRISTCHURCH AND POOLE REGISTRATION DISTRICT

**APPLICATION FOR PREMISES
TO BE APPROVED AS A
VENUE FOR
CIVIL MARRIAGES AND CIVIL PARTNERSHIPS**

**GUIDANCE NOTES
AND CONDITIONS OF LICENCE**

***PLEASE READ PRIOR TO
SUBMITTING AN APPLICATION***

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NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN BE GRANTED

In these Notes, “the Acts” means the Marriage Act 1949, the Civil Partnership Act 2004 and the Same Sex Marriage Act 2013, and “the Regulations” means The Marriages and Civil Partnerships (Approved Premises) Regulations 2005/3168.

The non-returnable fee for this application is **£1,750.00**, payable upon receipt of our invoice. Payment to be submitted with the application to **Mrs Kathy Andrews, Superintendent Registrar, Bournemouth, Christchurch and Pool Council, Town Hall, Bournemouth BH2 6DY.**

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 as set out in Schedule 1 of the Regulations (Requirements for the Grant of Approval of premises that are not religious premises) and “proceedings” hereafter means the solemnisation of marriages or the formation of civil partnerships:

- Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the Council, be a seemly and dignified venue for the proceedings (being the solemnisation of marriages and registration of civil partnerships).
- The premises must be regularly available to the public for use for the solemnisation of marriages or the formation of civil partnerships.
- The premises must have the benefit of such fire precautions as may reasonably be required by the Council, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of persons employed in or visiting the premises as the Council considers appropriate.
- The premises must not be a “religious premises” (or a register office), that is, 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 registration of civil partnerships in pursuance of the Civil Partnership Act or the solemnisation of marriages in pursuance of section 26(1)(bb) of the 1949 Act and the Same Sex Marriage Act 2013.
- The room or rooms in which proceedings 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 Council will have regard to the following Guidance from the Registrar General:

- The law is intended to allow civil marriages and civil partnerships 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. The term 'premises' is defined in Regulation 2(1) of the Regulations and there are restrictions introduced in Schedule 1 to the same. These will mean that certain premises would not be suitable for approval.
- Marriages and civil partnerships must take place in readily identifiable premises and parts of premises. This will preclude marriages from taking place in the open air, in a tent, marquee or any other temporary structure and in most forms of transport.
- Marriages and civil partnerships must be solemnised or formed in premises with open doors, which the Registrar General interprets to mean that the public must have unfettered access to witness the marriage and make objections prior to or during the ceremony.
- A private house would not be approved as venue for marriages or civil partnerships. The Acts and Regulations do not allow for marriages or civil partnerships to be conducted in private residences except under a Registrar General's Licence (death bed marriage or civil partnership).
- The primary use of a building would also render it unsuitable if that use could demean marriage or civil partnerships and bring them into disrepute.
- The secular nature of civil marriage and civil partnerships precludes the use of any building with a past, recent or continuing religious connection. This effectively rules out any building or room, the description, purpose or appearance of which 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(s) 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.
- Marriages and civil partnerships on approved premises may be followed by a celebration, commemoration or blessing of the couple's choice, providing that, it is not a religious marriage or civil partnership ceremony and is separate from the civil ceremony. However, if a religious blessing were to regularly follow marriage and civil partnership ceremonies in a 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 Council having to consider revoking approval.

On approval being granted, each licenced premises will be listed on the Council's website with a hyperlink to their own website.

CONDITIONS TO BE ATTACHED TO GRANTS OF APPROVAL

The following are standard conditions from Schedule 2 of The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 and the Civil Partnership Act 2004 which must be attached to all grants of approval of premises which are not religious premises (for both Marriages and Civil Partnerships):

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 ('their qualifications'), 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 each of the proceedings.
3. The holder must notify the authority:
 - a) of their name and address immediately upon them 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 the proceedings are to take place;
 - 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 made available at all reasonable times for inspection by the authority.

6. A suitable notice stating that the premises have been approved for the solemnisation of marriages in pursuance of Section 26(1)(bb) of the 1949 Act and the registration of civil partnerships under Section 6(A)(a) of the Civil Partnership Act 2004, 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 ceremony.
7. No food or drink may be sold or consumed in the room in which the proceedings take place for one hour prior to or during those proceedings however, non-alcoholic drinks only may be consumed prior to the 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 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 the 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.
11. Any reading, music, words or performance which forms part of the proceedings 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 proceedings shall be treated as forming part of those proceedings. The Regulations require specifically that:
 - (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; or,
 - (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 used 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(1)(bb) of the Marriage Act 1949 and 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, the Registrar General or any of the officers or employees of either of them.

ADDITIONAL INFORMATION

The authority may request further information that we consider is reasonable to accompany an application.

The following are local conditions that are attached to the grant of approval by the authority under guidance issued by the Registrar General and for the purposes set down in the Regulations being “such further conditions as it considers reasonable in order to ensure that the facilities provided at the premises are suitable and that proceedings on the premises do not give rise to a nuisance of any kind”.

14. A private room separate from the room(s) in which proceedings will take place shall be provided for the purpose of pre-ceremony interviews by the Registrar.
15. Suitable parking provision shall be made within your grounds for the Registrars. Failure to comply with this condition on any occasion may result in the licence being withdrawn.
16. Registration staff employed by the Registration Authority are qualified and are the only people duly authorised to conduct Legal Weddings and Civil Partnerships at a licenced venue. The conduct of such ceremonies by religious or independent ‘celebrants’ may be deemed to be misleading to the public who may construed they are witnessing a legal ceremony. (Please note points 10 and 11 above). This could also, in the view of the authority, pose a threat to the solemnity of a ceremony and the use of unsuitable contents could therefore question the suitability of the venue for other lawful proceedings.
17. Should a couple request to use an Independent Celebrant at a licenced venue, they should be referred in the first instance to BCP Registration Service for advice. Secondly, they should be informed that after speaking to a Registrar, if they still insist on using an independent Celebrant, a sign will have to be put on display outside the ceremony room advising guest that the ceremony will not be legal and BCP council will not be held responsible or liable for the proceedings or it’s contents. A sign will be attached to the Licence certificate and it will be the licence holders responsibility to advise all staff involved with ceremony bookings of this condition of licence and for the display of notice if and when required.
18. Regarding outside marriage areas it is the venue’s responsibility to provide, free of charge to couples, a suitable public-address system in order that all attendees

can hear the ceremony properly. Hand held microphones are not acceptable to the authority. **Registrars will not conduct ceremonies in the rain.** It is therefore the responsibility of the Hotel to discuss alternative arrangements in advance with the couples to prevent any problems arising on the day. The authorised outside structure must be available for the Registrars to use for the preparation of documents and for couples to be able to sit and sign the Register, therefore a table and two chairs must be placed inside the structure on the day of the ceremony.

To Assist the public with obtaining advice regarding the legal requirements needed to marry or have a Civil Partnership, please add link to your ceremony section of your website.
<https://www.bournemouth.gov.uk/BirthsDeathsMarriages/marriages-and-civil-partnerships/serve-your-notice-of-marriage/serving-your-notice-of-marriage.aspx>

The Council reserves the right expressly to vary the local conditions which variation or addition shall become effective upon notice being given to a licensee with regard to such requirements that will relate, amongst other things, to disabled access, a separate room for pre-proceedings questioning by the registrar, toilet facilities, the seating capacity of the relevant room(s) and car parking provision.

Failure to comply with or breach of any of these conditions may result in the licence being revoked either by the registration authority or the Registrar General.

If you are in any doubt about any of the above please contact **Mrs Kathy Andrews 01202-454948 (direct line)**

ADDITIONAL INFORMATION

RENEWAL

The holder may apply for the renewal of an approval when the current approval has between three and six months still to run. An application for renewal made in this period will extend the current approval until the application has been finally dealt

with. However, any renewal will run from the expiry date of the current/last approval.

REVOCAATION

- The Council may revoke an approval if it is satisfied, acting reasonably e.g. with regard to the Equality Act 2010, and 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 proceedings on the approved premises.
- When an approval has been revoked the Regulations require the former holder to notify any couples who had arranged to marry on the premises.

REVIEWS

- An applicant may seek a review by the Council of its decision to refuse to grant an approval, to attach local conditions, to refuse to renew an approval or to revoke an approval.
- All reviews will be held by the 'Registration Appeals Sub-Committee' which comprises five elected Councillors and is established for this purpose. The Sub-Committee has the power to confirm the decision, rescind it or vary it with the imposition of fresh or further conditions.
- There will be no additional fee for a review of the Council's decision to refuse to grant an approval, to attach local conditions or to refuse to renew an approval.
- Applicants should note that a direction by the Registrar General to revoke an approval is not subject to review by the Council.

REGISTRATION

Details of approved premises will be held for public inspection by the Council. These details will be copied to the Superintendent Registrar and to the Registrar General who will periodically circulate the details to all Superintendent Registrars.

Please sign to confirm you have read and accepted the terms and conditions. Keep one copy for your reference and return the other with the completed application form.

Name: _____

Position: _____

Signature: _____

Dated: _____