

# ***OXFORDSHIRE REGISTRATION SERVICE***

## **Approved Venue Applications and Renewal Procedure**

**For**

## **Marriage Ceremonies and Civil Partnerships**

(Updated November 2015)

These notes have been produced to assist you before making an application for your premises to be approved. However, should you need further clarification, please contact Judith Vickars, Operational Service Manager on 01865 815127 or via email to [judith.vickars@oxfordshire.gov.uk](mailto:judith.vickars@oxfordshire.gov.uk)

**UNDER SECTION 26(1)(bb) OF THE MARRIAGE ACT 1949  
AND CIVIL PARTNERSHIPS  
UNDER SECTION 6 (3A)(a) OF THE CIVIL PARTNERSHIP ACT 2004.**

This guidance is issued by the Registrar General for England and Wales in accordance with her 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 amended (“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”.

### **Introduction**

The fee for this application is £2090 and must be submitted with the completed application form and cheque made payable to Oxfordshire County Council, to Oxfordshire Registration Service, 1 Tidmarsh Lane, Oxford, OX1 1NS.

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**

1. 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.

2. "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.

3. 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.

4. 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. Further guidance about the type of religious premises that may be approved is provided in paragraph 4.1 of this document.

5. 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.

6. 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;
- a Jewish synagogue.

7. 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.

8. 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.

9. In these instances, authorities should not revoke an approved premises grant of approval if the religious organisation lawfully refuses to host civil partnership registrations

#### **Further requirements set by Oxfordshire County Council:**

10. The premises must be fully DDA compliant, to include where possible ramps, handrails, disabled parking and disabled toilet facilities. Where ceremony rooms are not on the ground floor suitable provision must be made to allow the registrar to be contacted should an objection wish to be raised, this could be by means of radio or video link or a responsible person being available and willing to raise an objection.

11. Two parking spaces should be reserved for the use of Registrars one hour prior to the ceremony.

12. A private room or area, preferably separate from the ceremony room, must be provided for the Registrars to perform the pre wedding interviews.

#### **Application Process**

13. 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.

14. 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.

15. The applicant must provide the following to the authority:

- The completed application form
- 4 copies of the plans of the premises which clearly identifies the room or rooms in which the proceedings will take place if approval is granted
- Current copy of the premises Fire Risk Assessment
- Payment of £2090 which can be made by cheque payable to Oxfordshire County Council or via Debit / Credit card by telephoning 0345 241 2489 Option 3

16. As soon as is practicable after receiving the application Oxfordshire County Council Registration Service will to publicise the application for a period of 21 days on their website:

17. The notice that publicises the application must:

- 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.

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

19. As soon as practicable after receiving an application Oxfordshire County Council Registration Service will arrange to 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). The Inspection will normally be carried out by the Operational Service Manager.

### **Conditions of Approval**

20. Oxfordshire County Council Registration Service will only grant approval if it is satisfied that the application has been made in accordance with the Regulations, that the premises fulfil the requirements set out in Schedule 1 or 1A to the Regulations as applicable (Annex A, & Annex B to this guidance) and that the premises fulfil any other reasonable requirements

that Oxfordshire County Council Registration Service considers appropriate to ensure the facilities provided at the premises are suitable.

21. Oxfordshire County Council Registration Service 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 Oxfordshire County Council Registration Service will notify its decision in writing to the applicant and any person that has given notice of objection to the application. If approval is refused, or conditions other than the standard conditions (i.e. those set out in Schedule 2, or 2A to the Regulations {Annex C or Annex D to this guidance}), attached to the approval, then Oxfordshire County Council Registration Service will notify the applicant of the right to seek a review of its decision.

22. If Oxfordshire County Council Registration Service has granted approval, it will provide the applicant with the standard conditions together with any additional conditions that it has attached to the approval.

23. The period of the licence starts on the date on which it is granted and will expire three years from this date, unless it is revoked, extended or reinstated. 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 Oxfordshire County Council Registration Service immediately if there is any change to the details that were included in the application, such as a change in holder of the approval.

24. Immediately after the grant of the approval, the holder of the approval must tell Oxfordshire County Council Registration Service the name, address and qualification of the responsible person. The responsibilities of the responsible person are detailed in Annex A & B, but in short he or she is responsible for ensuring compliance with the standard conditions of approval

## **CHANGES AFTER THE APPROVAL**

25. 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

### **Grant of Approval**

26. The grant of approval will run for three years from the date on which it is granted, unless it is revoked, extended (see paragraph 22) or reinstated (see paragraph 24). Any change in the ownership of the premises will also change the holder of the approval. Any change to the details or name of the premises on the application must be notified to the authority.

27. Once your licence has been granted (Certificate of Approval), it should be displayed at all times, the Notification of Approval of Premises for Civil Marriage & Civil Partnerships should be available for inspection by a member of the public at any time. The Conditions of Approval must be complied with, and again, these conditions should be available for inspection by the public together with the plans submitted with the original application which show the rooms which are approved. Should any of the conditions attached to the approval not be complied with, authorities will arrange to meet the holder of the approval and explain to them the remedial steps required and confirm this advice in writing if asked to do so with a time scale of when the condition must be met by.

## **EXPIRY AND RENEWAL OF APPROVAL**

28. The renewal process is the same as the approval process but can be commenced when the current approval has less than twelve months left to run. An application for renewal made within this period will if, necessary, extend the approval until that application has been finally dealt with. A renewal should be expressed to take effect from the date on which the current approval expires.

29. If an approval expires before any application to renew is made but an application is made within one month of the expiry, the approval will be reinstated. The reinstated approval will then continue until such time as the application for renewal is finally dealt with.

### **Revocation**

30. Subject to the exception outlined in paragraph 10, in general Oxfordshire County Council Registration Service 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 Oxfordshire County Council Registration Service must deliver a notice in writing to the holder of the approval confirming its revocation.

31. The Registrar General for England and Wales may direct Oxfordshire County Council Registration Service to revoke an approval if he 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 will direct Oxfordshire County Council Registration Service (in writing) to do so. Oxfordshire County Council Registration Service must then revoke the approval with immediate effect and notify the holder of the approval that it has done so.

32. When an approval has been revoked, the holder of the approval must immediately notify any couples who had arranged proceedings on those premises that this is the case. Whilst it is not their responsibility to do so, authorities may also ask the superintendent registrar or civil partnership registrar who has accepted a booking or been given a notice of marriage or civil partnership to notify the couple that the approval has been cancelled and the certificates or schedule for the proceedings will not be issued.

### **Reviews**

33. An applicant is able to seek a review of a decision made by an authority 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 (Annex A). The application for review should be delivered to the proper office of the authority. The Proper Officer should ensure that the review is carried out by individuals who were not involved in the earlier decision.

34. On determining whether to uphold the original decision, vary the decision or substitute a different decision the authority 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.

### **Additional Information**

35. Oxfordshire Registration Service has issued additional guidance and special conditions for venues wishing to licence an outside structure these can be found at Annex B

36. Oxfordshire Registration Service has issued two formal documents (Guidance for those who wish to marry at an approved premise and Guidance for those who wish to register a civil partnership at an approved premise), which, if the licence is granted, will be enclosed with the certificate and notification of approval and a copy must be passed on to anyone who wishes to marry or register a civil partnership at these approved premises.

37. It is essential that the local superintendent registrar, civil partnership registrars are notified without delay of changes to the register of approved premises.

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

## Annex A

### The Conditions attached to the Grant 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 “qualification”), indicate that he is in a position to ensure compliance with these conditions.

2. The responsible person or, in his absence, an appropriately qualified deputy appointed by him, shall be available on the premises for a minimum of one hour prior to and throughout each of the proceedings.

3. The holder must notify the Oxfordshire County Council Registration Service:

- of his / her name and address immediately upon him / her becoming the holder of an approval under regulation 7(2); and
- of the name, address and qualification of the responsible person immediately upon the appointment of a new responsible person.

4. The holder must notify Oxfordshire County Council Registration Service immediately of any change to any of the following

- the layout of the premises, as shown in the plan submitted with the approved application, or in the use of the premises
- the name or full postal address of the approved premises
- the description of the room or rooms in which the proceedings are to take place
- the name or address of the holder of the approval; and
- the name, address or qualification of the responsible person.

5. The approved premises must be made available at all reasonable times for inspection by Oxfordshire County Council Registration Service

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. (1) Save as provided below, 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.

(2) Non-alcoholic drinks 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 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 Oxfordshire Registration Service's Superintendent Registrar or her Deputy.

11. (1) Any proceedings conducted on approved premises shall not be religious in nature

(2) In particular, the proceedings shall not

- include extracts from an authorised religious marriage service or from sacred religious texts;
- be led by a minister of religion or other religious leader;
- involve a religious ritual or series of rituals;
- include hymns or other religious chants; or,
- include any form of worship.

(3) But the proceedings may include readings, songs, or music that contains 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 Oxfordshire County Council Registration Service as a venue for marriage in pursuance of section 26(1)(bb) of the 1949 Act and the formation of civil partnerships under section 6(3A)(a) of the 2004 Act 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 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.

15. A private room or area, preferably separate from the ceremony room in which proceedings take place for one hour prior to and during the proceedings

16. Two designated parking spaces to be reserved for the use of the Registrars one hour prior to the proceedings

17. It is a requirement that a music system is provided for all marriage rooms (this should be able to handle both CD's and IPOD and android music systems) for larger rooms and outside areas a PA system will also be required.

## Annex B

### Essential Information for Venues wishing To License an Outside Structure

1. If you are considering including an existing outside structure in your venue or building a new structure you must speak to the Oxfordshire Registration Service to ensure that it will be acceptable.

2. Any venue wishing to construct an outside structure to be used for the celebration of civil marriages and the formation of civil partnerships must obtain the relevant planning approval before applying to licence the structure.

3. The structure must be permanent and immovable, have a fixed roof and solid floor. 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.

4. The front should be open and sufficiently wide to enable the ceremony party to enter. Please be mindful that wedding dresses come in all shapes and sizes so remember to allow plenty of room at the front. Steps and a ramp ( to make it DDA compliant) may need to be provided if the structure is raised above the surrounding ground level.

5. The structure should be sufficient size (minimum 3m x 3m square or equivalent) to accommodate the following:-

- Two Registration staff
- A table (size minimum 1.0m x 0.5m) and two chairs
- The couple
- Two witnesses
- Comfortable space in which the ceremony can be conducted

6. An appropriate microphone system should be available for the Registrars to use which will allow all guests to hear the ceremony.

7. Consideration should be given to the area immediately in front of the structure where the guests may be seated or standing

8. The main reason why a ceremony may not take place in the outside structure will normally be because of inclement weather. Inclement weather can include wet, cold, heat, wind and other extreme conditions.

Note: It is the Approved Premises responsibility to ensure that the use of any outside structure continues to meet the planning permissions required by the relevant planning authority.

**If an outside structure is approved then the following will be applied:-**

Special licence Conditions

1. The structure must be regularly available to be used for the celebration of civil marriage ceremonies or the formation of civil partnerships
2. The structure will only be approved if it forms part of a larger venue, which must include one, or a number of other approved ceremony rooms.
3. No food or drink may be consumed in the outside structure one hour prior to and during the ceremony
4. Any other activities taking place in the grounds especially near to the outside structure and the adjacent area to be used for guests are to be kept separate from any ceremony
5. Whenever a ceremony is booked within an outside structure another licenced ceremony room must be kept readily available so that, if for any reason the ceremony has to be moved inside venue staff are able to set up the room at short notice.
6. The maximum number of guests attending an outside ceremony must not exceed the maximum number of guests permitted in the other ceremony room. This is to ensure the entire party could move into the other ceremony room if it became necessary.
7. The structure must provide a seemly and dignified venue in which civil marriage and civil partnerships may be celebrated.
8. 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 after discussion with the couple and the venue. The decision of the registration staff is final.
9. It is the responsibility of the Approved Premise to make this clear to the couple at the time of booking. (We would suggest the couple signs a separate form at the time of booking)
10. These conditions will also apply to any non-statutory ceremony provided by Oxfordshire Registration Service
11. Oxfordshire Registration Service reserves the right to amend, add to, delete or otherwise change these conditions from time to time, and in this respect the decision of the Oxfordshire Registration Service is final.

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**APPLICATION FORM**

**APPLICATION FOR A PREMISES TO BE APPROVED 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.**

*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.*

1. Full names and private address of applicant. If the application is made by a **Limited Company**, please give the address of the registered office.

.....  
.....  
Tel: ..... Fax: .....  
E-mail address:.....  
Website Address:.....

2. Is the person or Company named above the occupier of the premises? **YES / NO**  
If **No** please give names and address of occupiers.

.....  
.....  
Tel: ..... Fax: .....  
E-mail.....  
Website Address.....

3. Name, postal address and telephone number of the premises which is the subject  
of this application.

.....  
.....  
Tel: ..... Fax: .....  
E-mail.....  
Website Address.....



**Please ensure you read the following information carefully and ensure you include all requested documents, the fee and that you sign the declaration below.**

- The fee of £2090. Payment can be made by cheque (made payable to Oxfordshire County Council) or by credit/debit card (please call 0345 241 2489 – select option 3)
- A current copy of your fire risk assessment, any current public entertainment licence and any other type of licence.
- A detailed floorplan clearly showing the room(s), in which it is intended that marriages or civil partnerships will take place with all their dimensions, and locations of fire doors and fire appliances. If the application is to be submitted in hard copy this should be no larger than A3.
- I can confirm that any additional planning consent required, has been obtained from the planning authorities and evidence has been enclosed.

**Yes / No / Not Applicable**

- I understand that:
  - a) All new premises will be inspected for suitability before approval is granted and if this application is successful, may be subject to subsequent inspection as well as venues renewing their licence.
  - b) Public notice of the application will be given by advertisement on the Oxfordshire County Council website, with a period 21 days for objections.
  - c) Approval, if granted, will be for a three year period, subject to revocation.
  - d) The premises must satisfy the local authority on fire precautions, health and safety, environmental health and planning.
- I declare that:
  - a) The premises is not a religious building.
  - b) The premises will be regularly available for public use for either the solemnization of marriages or the registration of civil partnerships.
  - c) I will comply with the standard conditions and any local conditions attached.

I am applying for the named premises to be approved for the solemnization of marriages and the registration of civil partnerships. I have read and understood Oxfordshire County Council's requirements accompanying with this application form.

Signature of applicant .....

Print Name.....

Position Held.....

Date.....