



Licensing Your Venue

for Civil Marriage and Civil Partnership Ceremonies

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Hampshire
County Council

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Information pack and application form

I. Introduction

Hampshire County Council (HCC) is responsible for providing the Registration Service in Hampshire. This excludes Southampton and Portsmouth City Council's who have their own registration districts.

The Registration Service includes the registration and celebration of civil marriage and civil partnership and the licensing of venues where these ceremonies may take place.*

Licensed venues are more commonly referred to as 'Approved Venues' and can include hotels, stately homes, civic halls and other similar premises. In Hampshire we have a number of more unusual venues, including a castle, an arboretum, a naval museum, a mill and even a zoo! Many venues also have permanent freestanding structures where civil ceremonies can be celebrated.

HCC welcomes applications from all types of venue which meet the requirements and conditions detailed in this booklet.



Sara Teers,
Head of Registration and Libraries in Hampshire

If you require advice or assistance regarding any licensing matter please contact:

registration.hq@hants.gov.uk

01962 847676

Registration HQ, Castle Hill, High Street, Winchester SO23 8UH

*For further information about the relevant primary legislation that provides for the approval of civil marriage and civil partnership you can access the following links:

Marriage Act 1949

Civil Partnership Act 2004

The Marriages and Civil Partnerships (Approved Venues) Regulations 2005

The Marriages and Civil Partnerships (Approved Venues)(Amendment) Regulations 2011

Equality Act 2010

Fire and Health & Safety

2. Civil Marriages and Civil Partnerships

2.1 When can ceremonies take place?

Civil marriages and civil partnerships can take place in any Hampshire Approved Venue between the hours of 08:00 and 20:00 on any day of the week, including weekends and bank holidays. Any ad-hoc requests for ceremonies to be held between the hours of 20:00 and 08:00 will be agreed at the discretion of HCC's registration service.

2.2 Who carries out the ceremonies?

All civil ceremonies must be carried out by a superintendent registrar and a registrar. Registrars will normally arrive at the venue up to 30 minutes before.

The superintendent registrar and registrars must be employees of the local authority. A civil partnership registrar is a person designated by the local authority as a registrar for its area.

It is essential that ceremonies are conducted at the appointed time as registrars are frequently required to deliver a number of ceremonies on a given day and may be required to attend other venues.

2.3 Who books the ceremonies and organises the registrars' attendance?

In the first instance the couple should make a provisional booking with the Approved Venue of their choice, alongside checking the availability of registration staff by contacting one of three ceremony co-ordination (CerCo) teams (see below). A fee will be payable to HCC in advance for the attendance of the registration staff at the ceremony. Current fees are listed on the **Registration Service website**. Once the registrar has been booked, the Approved Venue booking can also be confirmed by the couple.

CerCo teams can be contacted as follows;

Mid Hampshire – including Winchester, Alton and Eastleigh venues

ceremonies.midhants@hants.gov.uk

Telephone: 01962 845756

North Hampshire – including Basingstoke, Aldershot and Andover venues

ceremonies.northhants@hants.gov.uk

Telephone: 01252 317152

South Hampshire – including Fareham, and Petersfield, venues

ceremonies.southhants@hants.gov.uk

Telephone: 01329 246040

New Forest - introducing Romsey venues ceremonies.

ceremonies.southhants@hants.gov.uk

Telephone: 01329 316154

The CerCo team will provide confirmation of the registrars' attendance at the ceremony upon payment of a non-refundable booking fee. Details of HCC's fees, which include booking, preparation of the ceremony/paperwork and attendance of registrars at the event, can be found on **our website**.

Providing the couple is legally able to enter into a marriage or civil partnership, HCC will seek to ensure that staff are available to provide the ceremony accepted by the venue. However, at peak times of the year when there are a large number of bookings, the venue and the couple may need to consider the timing of their ceremony as the popular 2pm ceremony slots get booked very quickly, therefore the availability to supply registrars for this time can be limited.

2.4 What other ceremonies are offered?

In addition to the above, a range of other ceremonies can also be held at Approved Venues including;

- **Renewal of Vows** – a ceremony for couples who might wish to celebrate their commitment to each other in a unique and personal way. These ceremonies might take place on a special anniversary or in a situation where the couple may have married abroad. Alternatively, they can follow on from a marriage or civil partnership ceremony providing an opportunity to celebrate outdoors.
- **Naming Ceremony** – a ceremony to celebrate key life events such as the birth of a new baby, welcoming an adopted child/children or step-child into the family, or formally naming an older child. This ceremony can follow on from a marriage or civil partnership ceremony.

3. Licence Requirements

All applications must meet the requirements as set out in Schedule 1 of The Marriages and Civil Partnerships (Approved Venues) Regulations 2005. These may be amended from time to time on the instructions of the Registrar General.

'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 of this definition such as the open air, a tent, marquee or any other temporary structure, and most forms of transport, may not be eligible for approval. See section 6.9 for guidance on acceptable structures.

Approved venues must make sure that the licence is on permanent display in a prominent place. Venues with separate buildings with rooms licensed for ceremonies must have the licence on display in each building. Hampshire Registration will supply additional copies if necessary.

The Registration Service also requires that :

- a) The premises must, in the opinion of the authority, be a 'seemly and dignified' venue in terms of their primary use, situation, construction and state of repair.
- b) The premises must be regularly available to the public for:
 - The solemnization of marriages; and
 - The formation of civil partnerships.
- c) The premises must meet the necessary legal requirements with regard to fire safety precautions, having consulted with the fire authority. There must also be reasonable provision for the health and safety of persons employed in or visiting the premises, again meeting the necessary legal requirements, and as considered appropriate by the local authority.
- d) The applicant must consult their local planning authority as to whether planning consent/change of use, is required and provide evidence that the premises may be used for marriage and civil partnership.
- e) The premises must not be religious premises as defined by the Marriages (Approved Venues) Regulations 1995 and section 6A (3C) of the 2004 Act (Civil Partnership Act 2004).
- f) The room/rooms to be approved for ceremonies must be clearly identified (i.e. named) as a distinct part of the overall premises.

3.1 Additional Licence Requirements

The following additional requirements have been agreed by HCC and will apply to all licences issued for approved venues. They may be amended from time to time by HCC.

The licence holder must ensure that:

- (a) The premises are covered by an appropriate public liability insurance policy of a minimum of £5million.
- (b) Room occupancy (identified in Fire Risk Assessment document) is not exceeded and this includes the couple, guests and registrars plus any other attendees (e.g. photographers, musicians, singers etc).

- (c) The couple are advised that a marriage or civil partnership cannot take place unless the legal notice (of marriage or civil partnership) has been given, which cannot be more than 12 months, or less than 29 days, before the date of the ceremony.

4. Licence Conditions

4.1 The following licence conditions as set out in Schedule 2 of The Marriages and Civil Partnerships (Approved Venues) Regulations 2005, will apply to all licences for Approved Venues in the registration district of HCC. They may be amended from time to time on the instructions of the Registrar General.

These require that:

- (a) The holder of the approval must ensure that there is at all times (and on the premises) 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 'qualification'), indicate that they are in a position to ensure compliance with these conditions. Full details of the role of Responsible Person can be found in **Appendix I**. The Responsible Person may delegate these duties to a 'deputy' as named on the licence application.
- (b) The Responsible Person or, in their absence, an appropriately qualified deputy, shall be available on the premises for a minimum of one hour prior to, and throughout, each of the ceremonies.
- (c) The holder must notify the authority immediately of a change to any of the following;
- name and address immediately upon becoming the holder of an approval
 - name, address and qualification of the Responsible Person immediately upon the appointment of a new Responsible Person
 - layout of the premises, as shown in the plan submitted with the approved application, or in the use of the premises;
 - name or full postal address of the Approved Venues
 - description of the room or rooms in which ceremonies are to take place
 - location/s of the room/s that will be used for the statutory pre-ceremony interview.
- (d) The Approved Venue must be made available at all reasonable times for inspection by the authority
- (e) The licence must be permanently displayed in a prominent position (usually in the main entrance), and a suitable notice identifying and giving directions to the room in which the ceremony is to take place, must be displayed at each public entrance to the premises for one hour prior to and throughout the ceremony.
- (f) 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 the proceedings. Once the ceremony has taken place, food and drink may be consumed.
- (g) All ceremonies must take place in a room which has been identified for that purpose on the plan submitted with the approved application. No other rooms will be permissible for this purpose.
- (h) The room in which ceremonies are to take place must be separate from any other activity on the premises at the time of the proceedings.
- (i) The seating capacity as specified at the point of inspection should not at any point be exceeded.
- (j) The arrangements for and content of the ceremony must meet with the prior approval of the Superintendent Registrar of the District in which the approved venues are situated.
- (k) Any civil ceremony conducted in an Approved Venue should not contain any religious content. 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 service of rituals
 - include hymns or other religious chants
 - include any form of worship
 - the civil ceremony must be completed before any religious ceremony or blessing takes place.

This applies to **all or any part** of the ceremony.

- (l) Public access to the Approved Venue must be permitted without charge during any proceedings, enabling the public to object to a marriage or civil partnership should they wish (and have grounds) to do so.
- (m) The granting of the licence by HCC does not imply any recommendation of the premises or its facilities by the authority, the Registrar General, or any of the officers of either of them. No literature or advertisement produced by the premises should suggest that this is the case, this will include any communication via social media such as Facebook or Twitter.

The licence holder may use the following words to describe an 'Approved Venue' licence:

'Approved by Hampshire County Council as a venue for the solemnization of civil marriages and the formation of civil partnerships'.

- (n) If a change of name to the Approved Venue occurs further advice must be sought from the appropriate CerCo team as in some cases the former name will need to appear on the ceremony documents.
- (o) Where possible, access must be available for disabled persons, and any provisions, or exemptions, must comply with the Disability Discrimination Act.

4.2 Access

The following will have access to the approved venues when required:

- (a) Representatives of HCC carrying out inspections in respect of the licence.
- (b) HCC's registration staff officiating at a civil marriage or civil partnership require access to the ceremony room and the interview room at least 30 minutes before the ceremony is due to begin.

4.3 Special Licence Conditions

HCC reserves the right to apply special licence conditions, in addition to those set out in this information pack, to any licence as it considers necessary, and at any time during the three year life of the licence.

5. Application Process and Procedure

5.1 Application procedure

All applications must be made on an HCC Approved Venue Application Form, a copy of which can be found in **Appendix II** and on the **HCC website**.

Your completed application and documents as indicated should be sent to: **registration.hq@hants.gov.uk**

Your application should be accompanied by:

- Current copies of the premises' fire risk assessment showing seating numbers
- Confirmation of Public Liability Insurance (see section 7.3 for details)
- Confirmation from the local planning authority that they support civil ceremonies taking place in the venue
- Plan no larger than A3 clearly indicating the room or rooms where ceremonies will be held
- Location of pre-ceremony interview room indicated on the plan.

It is important that all of the rooms that are intended to be used for the purpose of ceremonies are clearly indicated on the plans, since ceremonies may only take place in those rooms once the approval is granted. If an additional room/s is added after the approval is granted, a fresh approval will be required subject to the full current licence fee, even if the licence for rooms previously approved is still current. (see section 6.7 for details).

An application for a license cannot be progressed until all required documentation has been sent to Registration HQ as your documents form part of the inspection process.

5.2 Inspections

Senior staff from the HCC Registration Service will inspect the venue upon receipt of a completed application form. The inspection provides an opportunity to discuss in greater detail the arrangements and commitments required. The Registration Service reserves the right to make additional site visits to ensure that the conditions of the licence are adhered to.

Venues may request a 'speculative' inspection whereby advice and guidance will be provided before a venue decides whether or not to proceed with an application. There is no charge for a speculative visit. Should the venue decide to proceed, a further full inspection will be required on receipt of the completed application and the appropriate fee.

5.3 Advertisement

After your application is received arrangements will be made for an inspection by a registration manager. A full review of your application and supporting documents will be undertaken and following the inspection HCC will advertise your application on the County Council's electronic public notice portal.

The full application will be available for review by interested parties for a period of 21 days. Such applications will be held at the Winchester Discovery Centre, Jewry Street, Winchester, SO23 8SB

6. The Licence

The licence application normally takes 90 days to process and is valid for a period of three years. If a licence lapses, no bookings can be taken or ceremonies take place on the premises, even if arranged earlier when the licence was still valid. It is therefore essential that a renewal is applied for in advance.

HCC may only grant an approval if it is satisfied that the application has been made in accordance with the regulations and that the premises fulfil the requirements set out in the approval.

6.1 The licence (Grant of Approval)

The licence (A4 size) must be displayed prominently and permanently, preferably at the main entrance to the venue. Additional copies can be provided for other parts of the venue or for display in the ceremony room(s)/area.

6.2 Refusal to approve a licence

If a licence is not approved the applicant will be given notice in writing together with the reasons for the decision. It is therefore recommended that venues seek advice from HCC before submitting a licence application (see section 5.2).

An applicant who is aggrieved in relation to the refusal by HCC to grant or renew a licence, or the attachment of additional or special conditions to the licence, may seek a review by HCC's Executive Member for Policy and Resources. There is an additional charge for this as indicated on **our website**.

6.3 Renewing a licence

The licence may be renewed anytime within the last year of its three year period, allowing a minimum period of three months for processing.

6.4 Revoking a licence

In a situation where a licence is revoked or a venue changes hands responsibility will rest with the former licence holder to notify any couples who had booked a ceremony to be held on the premises.

HCC may revoke a licence if:

- Any conditions attached to the grant of the licence have been broken.
- The use or structure of the approved venue has changed in that HCC no longer considers the premises as a suitable venue for the solemnization of civil marriages and the formation of civil partnerships.
- If directed to do so by the Registrar General.

6.5 Transfer of licence (ie an approved venue changes management or ownership)

The licence is not transferable between premises. However, subject to the approval of HCC, the licence may be transferred between licence holders. This would normally apply when a venue is sold or a new manager appointed, when notification must be provided in writing to HCC's Registration Service within seven days of the change. In the event of a change of licensee the role of Responsible Person as outlined in **Appendix I** will be applied.

6.6 Compliance

Registration staff will comply with any rules or regulations affecting the 'Approved Venues' providing that they do not conflict with:

- HCC's Requirements and Conditions for Approved Venues for Civil Marriages and Civil Partnerships
- Regulations and/or Code of Practice issued by the Registrar General
- The various marriage acts and regulations
- The Civil Partnership Act and Regulations
- Their statutory responsibilities

6.7 Licensing Fees

Current fees are stated on the **Registration Service website**.

You will be invoiced once all documentation has been received. Payment must be made by BACS.

6.8 Outside/garden structures

If you are considering licensing an existing outside/garden structure, or constructing one, you should in the first instance seek advice from **registration.hq@hants.gov.uk** to ensure that it will comply with licensing requirements. Please refer to **Appendix III** for further guidance.

6.9 Acceptable Structures

Applicants are advised to consult with their local planning authority to check whether constructing a permanent freestanding structure would constitute development. A copy of any existing planning decisions should be enclosed with the application. HCC reserves the right to contact the planning authority where any doubt occurs.

- A freestanding structure must be permanent and immovable and in this matter the decision of HCC on what is considered 'permanent' and 'immovable' will be final.
- The structure must have a brick, stone or concrete base.
- The structure should have a waterproof roof, which ideally should be tiled, although other coverings will be considered. The roof should be supported by brick, stone, concrete or wood pillars or walls. The space between pillars may have trellising or other decoration.
- The structure should be of sufficient size to accommodate the following, whilst leaving comfortable space in which the ceremony can be conducted:
 - Six people (two registration staff, the couple and two witnesses)
 - Six chairs
 - A table at which the registrar can write in an open register.
- The decision of HCC on what is considered sufficient space will be final.
- The structure must be regularly available to be used for the celebration of civil marriage ceremonies or the formation of civil partnerships.
- The structure will only be approved if it forms part of a larger venue which must include either one or a number of other approved ceremony rooms and be detailed on the application form (see section 5.1)
- Whenever a ceremony is booked within an outside structure another licensed ceremony room, capable of accommodating the wedding party and all their guests, must be kept 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.
- It must be made clear to the couple that an outside venue ceremony will not proceed in the event of inclement conditions.
- The decision as to move a ceremony from an approved outside structure to a ceremony room inside, because of inclement weather, may be made on the day by the registration staff after discussion with the couple and the Responsible Person.

7.0 Essential requirements

7.1 Fire and Health & Safety

The applicant will be deemed by HCC to be the Responsible Person (or acting on their behalf under the Regulatory Reform Fire Safety Order 2005), to ensure that the fire risk assessment has been carried out on the premises.

The assessment is required to reduce the risk of fire and make sure that all people who may be on the premises can escape quickly and safely. Your application must include a copy of your fire risk assessment and state the seating capacity of each room to be licenced.

The applicant may be required to provide confirmation of the current fire risk assessment at any time during the life of the licence.

Advice may be obtained from the local fire authority. Please follow **this link**.

HCC is obliged to consult the fire authority. The fire authority may wish to inspect the premises and any recommendations regarding fire precautions, alarms, signage, occupancy etc. may need to be resolved prior to a licence being approved, or become a special condition of the licence.

Couples must be made aware that the seating capacity, as agreed by the fire authority and as shown on the licence, must not be exceeded. It is the responsibility of the Responsible Person to ensure that room capacities are adhered to. Registration staff will be unable to proceed with the ceremony if seating capacities are exceeded.

Registrars are not responsible for the evacuation of ceremony guests in an emergency. This role will fall to the Responsible Person.

7.2 Planning Permission

Applicants are advised to consult with their local planning authority to check whether use as an approved venues for civil marriages and civil partnerships would constitute development or change of use. Equally, if considering constructing a freestanding or other outside structure seek the advice of the local planning authority. A copy of any existing planning decisions relating to the venue, and which could affect its use for marriage and civil partnership ceremonies, should be enclosed with the application.

If retrospective planning permission is required and subsequently refused, HCC may revoke the licence and there will be no refund of fees. Venues must not advertise as being licensed and available for Civil Ceremonies until any necessary planning permission has been received and the venue licence has been issued.

HCC reserves the right to contact the planning authority where any doubt occurs.

7.3 Public Liability/Third Party Insurance

The building or structure to be licensed must have public liability (third party) insurance cover during the three year period of the licence. The applicant must provide evidence of this insurance when making the application and may, at the discretion of HCC, be required to confirm this insurance cover at any time during the licence period. Such insurance should normally be for the minimum of £5m (five million pounds).

8.0 Local conditions required by HCC

8.1 Equality Act (Sexual Orientation) Regulations 2007

– The Acts require that providers of goods, facilities and services ensure that customers are not treated unfairly on the grounds of their sexual orientation. If the holder of an approval is deemed by HCC to discriminate on the grounds of the sexuality of the couple, the Council reserves the right to revoke this approval.

<http://www.legislation.gov.uk/ukpga/2010/15/schedule/27>

8.2 Car Parking

– Two free and reserved car parking spaces should be provided for the use of registration staff attending at an approved venue. These spaces should be made available approximately 1 hour before a ceremony is due to begin. They should where possible be near to the main entrance of the building/ceremony room and must allow ease of access and exit so that the registration staff may leave the venue quickly once the ceremony is finished.

8.3 Private Interview Room

– A private interview room must be made available for the use of registration staff who are required to individually interview both the couple in advance of the ceremony taking place. Pre-ceremony interviews cannot take place in occupied hotel bedrooms or in the back of cars.

8.4 Lighting

– Lighting levels must be sufficient to enable the registrars to complete the necessary paperwork.

8.5 Food and Drink

– The Responsible Person will ensure that no food or drink is consumed in the ceremony room for one hour prior to or during the ceremony.

8.6 Noise and acoustics

– The proceedings must not be adversely affected or interrupted by noise from any other activities.

Dependent upon the size of the ceremony room or area, a venue may consider the need for a microphone and amplification system.

A microphone and amplification system may need to be provided by the venue where a permanent freestanding structure is approved. Due consideration should also be given to mobile hearing loops for people with a hearing impairment.

8.7 Music

– Couples may choose to have music played before, during and after their ceremony and the venue is required to provide a music system which must be operated either by a member of the venue's staff, or someone nominated from the guests. Alternatively, if live music is to be provided, sufficient space should be made available, without compromising the room capacity or the area needed to conduct the ceremony.

Music must be of a secular nature and agreed in advance with the CerCo team.

<http://www.prsformusic.com/pages/default.aspx>