

WEST SUSSEX REGISTRATION SERVICE

Application & Renewal Procedure for Approved Premises

Marriages and Civil Partnerships

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

If you are applying for a new licence, and you haven't already spoken to us please 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 email:
bsdregistrationOV@westsussex.gov.uk

Introduction

This information supplements the Marriages and Civil Partnership (Approved Premises) Regulations as amended in December 2011 by the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011, (hereafter referred to as “the Regulations”)

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, legal proceedings may only take place in the rooms approved. It is therefore essential that the owners of premises and local authorities ensure both the application and the approval are clear in this area.

An application for approval/renewal must be made by the proprietor or trustee of premises. Where made on behalf of a limited company the application should give the address of the company’s registered office. The application can only be made to the authority in which area the premises are located and a separate application should be made for each premises.

The applicant must provide the following to the authority:

- a) An online application on our [website](#)
- b) Building plan indicating the licensed rooms and linked outdoor area
- c) Room plan for each licensed room and a plan of the linked outdoor area
- d) A dated copy of your current Fire risk assessment
- e) A copy of your current Public liability insurance
- f) The Fee

Please read before completing the application form

“Proceedings” in the these guidance notes means the solemnization of marriages or the registration of civil partnerships

1. Premises requirements

The laws relating to “approved premises” are intended to allow proceedings to take place regularly in hotels, stately homes, civic halls and similar premises without compromising the solemnity of the occasion.

The 2005 regulations (as amended) define “premises” as “built premises” together with “linked outdoor areas”.

“Built premises” are defined as a permanently immovable structure comprising at least a room or any boat or other vessel which is permanently moored.

“Linked outdoor areas” are now defined as “any areas within the boundary of the land of which the built premises form part, which are not built premises and which may be used in common with the built premises”.

In addition, there are other statutory requirements that must be met before an approval can be granted.

Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.

The room or rooms in which the proceedings are to take place must be identifiable by description as a distinct part of the premises.

The premises must not be religious premises.

The premises must:-

- a) **be regularly available to the public** for the solemnization of marriages and registration of civil partnerships.
- b) **have a current fire risk assessment** in accordance with the Regulatory Reform (Fire Safety) Order 2005, having consulted with the fire and rescue authority, and reasonable provision for the health and safety of persons employed in or visiting the premises as the authority considers appropriate.
- c) have public liability insurance

2. Application Process

On receipt of an application the authority is required to place a public notice on the West Sussex County Council website for a period of 21 days to allow for any objections. During this time a full review of the paperwork is undertaken along with any site visits which may be necessary, and assuming there are no objections or outstanding actions, the licence will be issued. At the same time the full application will be sent to the West Sussex Fire & Rescue Service for their consideration.

The application will be available for review by interested parties at West Sussex Registration Services, Crawley Library, Southgate Avenue Crawley, RH10 6HG by prior appointment.

3. Granting Approvals

The authority 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 and conditions set out in the approval and that the premises fulfil any other reasonable requirements and conditions which the authority considers appropriate to ensure the facilities provided at the premises are suitable. (For conditions see 11 and 12)

The licence period starts on the date on which it is granted, and will last for three years.

4. Objections

The authority will consider any objections to the application. The decision about whether to approve the premises sits with the authority, and any decision made will be considered in light of any objections made.

5. Expiry and Renewal

The renewal process is the same as the approval process but can be commenced when the current approval has less than twelve months to run. If received in time 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 provided an application for renewal is made within one month of the expiry

date. The reinstated approval will then continue until such a time as the application for renewal is finally dealt with. The licence will be back dated to the expiry date.

If an application for renewal is made a month or more after expiry, the full application procedure has to be followed prior to any further approval being granted. **Any proceedings arranged at the venue within that time must be postponed or moved to another venue after fresh notices have been given.**

Please be aware that if the licence expires no bookings will be taken until the application is approved.

6. Revocation

The authority may revoke an approval if the holder has failed to comply with one or more conditions of the approval, or the use or structure of the premises has changed and the premises are no longer suitable for any proceedings 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 an authority to revoke an approval if it is considered that there have been breaches of law relating to the proceedings on the approved premises.

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.

7. Reviews

An applicant may seek a review of a decision made by the 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.

The County Council will 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.

8. Register of approved premises/ West Sussex CC website

The authority maintains an up to date register of the approved premises in its area. This is available for public inspection during normal working hours.

Your venue will also be featured on the WSCC website. We ask you to provide a contact number and email for couples to contact you, a "Usual Selling Point" and photos for your venue.

9. Fees

Current fees can be found on our [website](#) .Fees are reviewed annually in April and are exempt from V.A.T.

10. Changes after the approval is granted

It is not possible to outline all potential circumstances in which a change may occur after the approval. A change in layout or adding an additional room or structure would require a fresh approval to be granted, following the same application process.

A change of holder of the approval, the responsible person or an increase in room numbers (subject to fire regulations) in most instances would not require a fresh approval.

11. Conditions to the grant of approval

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.

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

The holder must notify the authority immediately of any of the following changes:

- a) the name and address of the holder of the licence or ownership of the building
- b) the name, address and job title of the responsible person or deputy responsible person(s)
- c) the layout of the premises, as shown in the plan submitted with the approved application
- d) the name or full postal address of the approved premises
- e) the description of the room or rooms in which the proceedings are to take place, including names of the room(s)

The approved premises must be available at all reasonable times for inspection by the authority.

The premises should display a current approved venue licence.

A suitable notice identifying the couple 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 during the proceedings.

No food or drink may be sold or consumed in the room which the proceedings take place for one hour prior to and during those proceedings.

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.

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.

The arrangements for and content of the proceedings must meet with the prior approval of the superintendent registrar for West Sussex County Council.

Any proceedings conducted on approved premises shall not be religious in nature. In particular the proceedings shall not:

- a) include extracts from an authorised religious marriage service or from 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

The proceedings may include readings, songs or music that contain an incidental reference to a god or deity in an essentially non-religious context. This should be checked with the Superintendent Registrar in advance of the ceremony. Included in this are any material used by way of introduction to, in any interval or by way of conclusion to the proceedings

Public access to any proceedings in approved premises must be permitted without charge.

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 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.

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.

10. WSCC – Venue Ambassadors

WSCC will allocate one of our registrars as a Venue Ambassador who will be a point of contact you and your link with the service.

Once appointed they will contact you and arrange a visit before your first ceremony.

11. WSCC Additional conditions

- a) 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.
- b) The responsible person (or their nominated deputy) shall assist the registrars with any reasonable requirements to ensure the ceremony runs smoothly and in a timely fashion.
- c) The responsible person must be present in the room or agreed linked outside area during the ceremony.
- d) The room or agreed linked outside area 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.
- e) Rooms and agreed outside linked areas must have a table of adequate size at which the registrar may sit and have good lighting for the completion and signing of the schedule.

- f) A suitable adjacent private room must be made available for the registrars at least 30 minutes before the ceremony to allow the registrars to interview the couple .
- g) Two parking spaces on or near the premises shall be provided free of charge for the registrars.
- h) There is reasonable provision for access by the disabled.
- i) 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 authority to discriminate on the grounds of the sexuality of the couple the Council reserves the right to revoke this approval.
- j) Ceremonies planned for agreed linked outdoor areas must have a contingency plan for all guests for poor weather and the couple must be made aware of this.
- k) Registrars have the final say as to whether a ceremony can proceed outside.
- l) If couples request animals of any nature to be part of the ceremony the venue is responsible for ensuring all legal requirements and health and safety needs of including an animal in a public event are met.