

# Pembrokeshire County Council

## Annex A

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



The current fee for this application is **£1550** for new applications and **£1070** for renewals and must be submitted with the application to the **Registration Manager, Register Office, Pembrokeshire Archives, Haverfordwest, SA61 2PE** with the application form. Should the application be unsuccessful, a refund of £900 will be made for new applications and £700 for renewals.

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 in Schedule 1 to the Regulations:

1. Having regard to their primary use, location, 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 premises must be regularly available to the public for use for the solemnisation of marriages or the registration (formation) of civil partnerships and must provide satisfactory evidence that no planning permission is necessary for the use of the venue for marriages and civil partnerships.
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) Premises that are religious premises (as defined by section 6A(3C) of the Civil Partnership Act)\*
  - b) A 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.*

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

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, in respect of civil partnerships, religious premises) without compromising the solemnity of the occasion.
2. The term ‘premises’ is defined in Regulation 2(1) as **‘built premises together with linked outdoor areas’**.
3. Built premises are defined as a permanently immovable roofed structure comprising at least a room or any boat or other vessel which is permanently moored. “Linked outdoor areas” are 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”.
4. Any premises outside this definition, such as most forms of transport, or land which is not land of which the built premises form part would not be eligible for approval. The minimum requirement for approval is that there must be built premises, whether or not there are any linked outdoor areas.
5. For new applications for approval as Approved Premises, a plan of the premises must be submitted. The plan must show both the built premises (and the room or rooms within the built premises for which approval is sought and which are to be used for proceedings) together with the proposed locations for outdoor proceedings and the boundary of the land of which the built premises form part.
6. The proposed location of outdoor proceedings must be discussed and agreed in advance, together with suitable contingency arrangements due to inclement weather.
7. The location for the proceedings must be identifiable by way of description to the public and a suitable notice must be displayed at each public entrance to the premises (both the built premises and the linked outdoor areas) stating (i) that the premises have been approved for the proceedings; (ii) a description of the location of the outdoor proceedings; (iii) directions to the outdoor proceedings.
8. The premises may be used for the solemnisation of marriages and the registration of civil partnerships and must be regularly available to the public for use for both events.
9. Owners or occupiers of premises will not be able to refuse to host either marriages or civil partnerships on the grounds of sexual orientation. Under the terms of the Equality Act (Sexual Orientation) Regulations 2007 (which came into effect on 30 April 2007) it is unlawful for a person concerned with the provision to the public of goods, facilities or services to discriminate against a person who seeks to use those goods, facilities or services on the grounds of the sexual orientation of that person. The holder of an approval who does not allow premises to be used for both marriage and civil partnership, or who provides accommodation, services or facilities for one and not the other, is liable to legal action as a result. In common with other equality legislation, this action would need to be taken by the parties concerned against the holder of the approval. The local authority that granted the approval has no powers to act or intervene, unless, of course, it is the holder of the approval.

10. The requirement that the premises must be regularly available to the public for use for the solemnization of marriages, or the formation of civil partnerships. This will preclude a private house from being approved.
11. Marriage/civil partnerships must be solemnised in premises with open doors, which the Registrar General interprets to mean that the public must have unfettered access to witness the marriage/civil partnership and make objections prior to or during the ceremony.
12. Marriage/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 ceremony and is separate from the civil ceremony. However, if a religious blessing were to regularly follow marriage/civil partnership ceremonies on 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 local authority having to consider revoking the approval.

The premises must also fulfil the following requirements set by the authority:

- (a) The Responsible Person on the day of the ceremony must make themselves known to the registration staff on their arrival and be available for 30 minutes before and for the duration of the ceremony.
- (b) A suitable separate room or area must be made available for the registrar to speak to couples prior to the ceremony.
- (c) Adequate toilet facilities must be available.
- (d) Separate car parking must be available for two cars for registration staff use on the day.
- (e) There must be no noise from elsewhere on the premises to interfere with the conduct of the marriage/civil partnership ceremony.
- (f) Wherever possible, adequate provision must be made for disabled person's access.
- (g) Removal and clearance of confetti is the responsibility of the proprietor or trustee.
- (h) The Responsible Person must ensure that no food or drink to be sold or consumed in the marriage/civil partnership room(s) one hour before and during the ceremony.
- (i) The Responsible Person must ensure that the ceremony room is prepared a minimum of 30 minutes prior to the ceremony.
- (j) The maximum number of permitted occupants for the marriage/civil partnership room(s) will be specified at inspection. The local authority retains the right to refuse to conduct the marriage/civil partnership if this number is exceeded. (N.B.

the number of permitted occupants includes all participants in the ceremony e.g. registration staff, venue staff, photographers, etc).



**Annex B**

**THE CONDITIONS TO BE ATTACHED TO GRANTS OF APPROVAL**

The authority must attach the following standard conditions from Schedule 2 to the Regulations to any approval. Proceedings means the solemnisation of a marriage or the registration of a civil partnership and does not refer to any other activities on the premises.

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 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 notify the authority immediately of any change to any of the following-
  - (a) the layout or boundary of the land of which the built premises form part, 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, or addition or amendment to the outside areas pre-agreed;
  - (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 proceedings and identifying and giving directions to the room or outdoor location 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 and during those proceedings.
8. All proceedings must take place in a room or outdoor area which was identified as one to be used for that purpose on the plan submitted with the approved application.
9. The room or outdoor area 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 as part of the civil marriage or partnership 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;
  - (c) 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. The holder must ensure that all couples are informed that they must make arrangements with the Registration Service of Pembrokeshire County Council for attendance at their ceremony. Dates and times are arranged with the Registration Service and preferred dates and times cannot be guaranteed.

- 14.** Any decision to delay or cancel a ceremony is at the discretion of the registration staff attending on the day. Pembrokeshire County Council will not accept liability for any loss or delay as a result of:-
- 1) any cancellation of the ceremony or if the registration is stopped from proceeding because:-
    - a) it would be void if it went ahead
    - b) it would result in an offence under the Marriage or Civil Partnership Acts or any other statutory provisions
    - c) it would be against the public interest
    - d) of unacceptable conduct or anti-social behaviour of anyone involved in the ceremony or any invited or uninvited guest
  - 2) of lateness or non-arrival of the couple
  - 3) of the failure of any registration staff to attend because of a force majeure event
  - 4) of any request by either one of the couple to delay or cancel the ceremony
  - 5) of the failure of the couple to pay the required fee
  - 6) of the failure of the couple to complete the appropriate legal preliminaries
  - 7) of the failure or neglect of the licensed venue (please note that the approval of any venue by Pembrokeshire County Council is only provided insofar as it is accepted as a licensed venue to hold civil ceremonies and Pembrokeshire County Council do not accept any liability in the event of any shortcomings of such a venue)
- 15.** Any outside celebratory proceedings are limited to the months of April – October and will not be delivered unless agreed in writing between Pembrokeshire County Council and the couple.
- 16.** Where an outdoors ceremony has been agreed, then the Registrar on behalf of Pembrokeshire County Council reserves the right to determine where the ceremony will be held should there be adverse weather conditions. The Registrar is the final arbiter in such matters and no refunds will be given should the ceremony not take place in the agreed location.
- 17.** 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 1994, 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.
- 18.** 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.

# Pembrokeshire County Council



## Annex C

### ADDITIONAL INFORMATION

#### RENEWAL AND REINSTATEMENT

1. The holder may apply for the renewal of an approval when the current approval has less than eighteen 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.
2. 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.

#### REVOCAATION

3. 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.
4. The Registrar General may direct the authority to revoke an approval if, in his 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.
5. 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

6. 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.
7. 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.
8. 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

9. 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.



**Annex D**

**GUIDANCE FOR THOSE WHO WISH TO MARRY  
ON APPROVED PREMISES**

1. As soon as a couple have made provisional arrangements for their marriage on approved premises they should be advised to contact Pembrokeshire Register Office, Pembrokeshire Archives, Prendergast, Haverfordwest, Pembrokeshire SA61 2PE. Tel. 01437 775176 or email [ceremonies@pembrokeshire.gov.uk](mailto:ceremonies@pembrokeshire.gov.uk)
2. Without the presence of the Superintendent Registrar and a Registrar there can be no marriage and any arrangements for the use of the premises depend entirely on their availability. It is, therefore, essential that the couple make an advance booking for their attendance at their proposed marriage as soon as an arrangement is made. A fee for this attendance will be payable.
3. The couple will also have to give a notice of marriage to the Superintendent Registrar of the district(s) in which they live. This notice must be given in person by each of the couple and is valid for twelve months. The couple should, therefore, attend the register office(s) where they live as soon as notice can be given. There is a twenty-eight day 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 undertake before notice of marriage 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 to take place on the Approved Premises are dependent on:
  - (a) the attendance of the Superintendent Registrar and a registrar for the district in which the premises are situated; and,
  - (b) the issue of a schedule for marriage by the Superintendent Registrar(s) to whom notice of marriage was given.
6. The couple should be advised that only a civil, non-religious ceremony can be permitted by the Superintendent Registrar. The content of the ceremony must be agreed in advance with the Superintendent Registrar who will be attending the ceremony.
7. Any rights of copyright for music, readings etc permitted at the ceremony are a matter for the couple and the holder of the approval.

## **Pembrokeshire County Council**

### **Annex E**

#### **GUIDANCE FOR THOSE WHO WISH TO REGISTER A CIVIL PARTNERSHIP ON APPROVED PREMISES**

1. As soon as a couple have made provisional arrangements for their civil partnership on Approved Premises they should be advised to contact Pembrokeshire Register Office, Pembrokeshire Archives, Prendergast, Haverfordwest, Pembrokeshire SA61 2PE. Tel. 01437 775176 or email [ceremonies@pembrokeshire.gov.uk](mailto:ceremonies@pembrokeshire.gov.uk)
2. Without the presence of the Civil Partnership Registrar there can be no civil partnership registration and any arrangements for the use of the premises depend entirely on their availability. It is, therefore, essential that the couple make an advance booking with the Civil Partnership Registrar for their attendance at their proposed registration in order that a booking can be accepted. A fee for this attendance will be payable.
3. The couple will also have to give a notice of civil partnership to an authorised person of the registration authority in which they live. This notice must be given in person by each of the couple and is valid for twelve months. The couple should, therefore, attend the register office(s) where they live as soon as notice can be given. There is a twenty-eight day waiting period after notice has been given before the civil partnership can take place.
4. If either of the couple is subject to immigration control, there will be further procedures to take before notice of civil partnership can be given. The local registration authority can advise further on these procedures.
5. The couple should be warned that any arrangements made for a civil partnership to take place on the Approved Premises are dependent on:
  - (a) the attendance of the Civil Partnership Registrar for the area in which the premises are situated; and,
  - (b) the issue of the civil partnership schedule by the registration authority for the area in which the premises are situated.
6. The couple should be advised that only a civil, non-religious registration can be permitted by the Civil Partnership Registrar. The contents of any proceedings must be agreed in advance by the Civil Partnership Registrar who will be attending the registration.
7. Any rights of copyright for music, readings etc permitted at the registration are a matter for the couple and the holder of the approval.