How to become a Licensed Venue
(Approved Marriage Premises)
for Civil Marriage and Civil Partnership

Guidance Notes
Please ensure that you have read these notes before completing an application form

Before completing the application form you must:

- Be satisfied that no planning permission is necessary for the venue to hold marriage or civil partnership ceremonies on the premises.
- Have a copy of the plan of the premises, clearly showing the room/rooms to be used for ceremonies and pre-marriage interviews.
- Have a copy of the Public Liability insurance.
- Have a fire risk assessment.
- Have the appropriate fee for this application, payable by card, cheque or BACS. Cheques should be made payable to East Sussex County Council. To make payment by card or BACS contact Carole Bailey, Registration Support Officer on 01273 481107.

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1. INTRODUCTION

Since the introduction of legislation in the 1990s\(^1\) there has been a much wider choice of venues that may be used for civil marriages. More recent civil partnership and same sex marriage legislation also allows same sex couples to hold civil ceremonies at licensed venues, also known as ‘Approved Premises’.

All couples are allowed to have a civil ceremony in any district of England or Wales and not just the district in which they live.

The laws are intended to allow civil marriage and civil partnership ceremonies to take place regularly in hotels, stately homes, civic halls, theatres, restaurants, and any premises that are readily available to the public, without compromising the fundamental principles of English marriage law and Parliament’s intention to maintain the ‘solemnity and dignity’ of the occasion.

Please do not be overwhelmed by the requirements and conditions set out in this booklet. Whilst ESCC sets minimum standards for Approved Premises, these are only issued as guidelines and need to be assessed against the age, condition and type of building.

If a business or venue owner is considering whether to hold marriages or civil partnerships within their premises or couples wish to hold their ceremony in a particular location, then ESCC is very willing to work with them to make being an Approved Premises a successful venture.

ESCC is totally committed to this service and will promote all Approved Premises through the publication of their ceremonies brochure and through advertising via the internet and other opportunities that may arise.

All our licenced venues appear on our website listing. There is also a facility to advertise in our Register Offices.

If you require any advice or assistance, please contact:

Carole Bailey
Registration Support Officer
Eastbourne Register Office
Town Hall
Grove Road
Eastbourne
East Sussex
BN21 4UG
Tel: 01273 481107
E-mail: carole.bailey@eastsussex.gov.uk

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\(^1\) Legislation that currently provides for the approval of premises for civil marriages and civil partnerships is: Marriage Act 1949; Civil Partnership Act 2004; The Marriages and Civil Partnerships (Approved Premises) Regulations 2005; The Marriages and Civil Partnerships (Approved Premises)(Amendment) Regulations 2011; Equality Act 2010
2. WHAT TYPE OF PREMISES IS SUITABLE?

Structure:-
An 'Approved Premises' must be a permanent immovable structure providing a room suitable for marriage or civil partnership ceremonies, or any boat or vessel that is permanently moored. The ceremony room must be readily identifiable within the premises. This will preclude legal ceremonies from taking place in the open air, a tent, marquee or other temporary structure and in most forms of transport. A **private house is unlikely to be an appropriate venue for civil marriage or civil partnership ceremonies.** It would not be known to the public as a civil ceremony venue or be regularly available for their use. The main use, situation, construction and state of repair of the premises may make it unsuitable for ceremonies if, in the opinion of East Sussex Registration, it is not a seemly and dignified venue for proceedings.

Marriages and civil partnerships must be solemnised in premises with open doors, which the Registrar General interprets to mean that the public must be allowed unfettered access to witness a ceremony and make objections prior to or during the ceremony.

Gazebos:-
A gazebo will be considered for licensing provided it is a permanent structure, large enough to accommodate six people, the registrar’s table and chairs. It must be in a quiet area of the grounds. A suitable room inside must be available in case of bad weather.

Secular:-
The premises must be secular in nature and have no recent or continuing connection with any religion. This effectively rules out any building whose description, purpose or appearance is still considered to be linked to religion. Premises where a religious group meets occasionally may be suitable if the primary use of the premises is secular.

Dignified and Seemly:-
The premises must provide a seemly, dignified and solemn location for the celebration of civil marriages and civil partnerships and must be separate from any other activity on the premises at the same time as the ceremony. ESCC will consider the primary use, situation, state of repair and construction of the premises when making its decision.

Regularly Available:-
The premises must be regularly available to the public for ceremonies. It will be the decision of the applicant to determine the number of ceremonies that will take place during the licence period and when the Approved Premises is available.

Fire and Health & Safety:-
The premises must have the benefit of such fire precautions as may reasonably be required. ESCC is required to consult the fire authority and be assured that the premises comply with requirements. ESCC will also take into consideration the health and safety of the registration staff and public who will be attending ceremonies.
Planning Consent:-
Applicants must be satisfied that they do not need planning permission to regularly hold marriage or civil partnership ceremonies on the premises.

Provision of Rooms:-
A suitable room or rooms must be provided for ceremonies. Another private room must also be provided for the Registrars to hold a confidential interview with the couple prior to a marriage or civil partnership ceremony. Where the ceremony room will not be available until immediately before the ceremony, a separate area or room must be provided where guests may wait.

A marriage or civil partnership ceremony may only take place in a room approved within the licence. If, for some reason, that room is unavailable, the licence and therefore the ceremony, MAY NOT be transferred to another unlicensed room. For this reason you may wish to license more than one room on the premises.

3. LICENCE REQUIREMENTS FOR APPROVED PREMISES

All applications must meet the following licence requirements:-

- Statutory Requirements – Schedule 1 of The Marriages and Civil Partnerships (Approved Premises) Regulations 2005
- Additional Requirements set by ESCC that apply to all applications.

Statutory requirements:-
The following approval requirements, as set out in Schedule 1 of The Marriages and Civil Partnerships (Approved Premises) Regulations 2005, will apply to all licences for “Approved Premises” in East Sussex. They may be amended from time to time on the instructions of the Registrar General.

These require that:

1. 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.

2. The premises must be regularly available to the public for use for—
   (a) the solemnization of marriages; or
   (b) the formation of 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 authority [or, in England, 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) religious premises as defined by section 6(2) of the Civil Partnership Act 2004;
(b) a register office, but this paragraph does not apply to premises in which a register office is situated, provided that the room which is subject to approval is not the same room as the room which is the register office.

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

Additional Licence Requirements set by ESCC:
The following additional licence requirements have been agreed by ESCC and will apply to all licences issued for Approved Premises. They may be amended from time to time by ESCC.

The Licence Holder must:

6. Ensure that the premises are covered by an appropriate public liability insurance policy.

7. Ensure that the licensed premises comply with all legislative requirements relating to health and safety. It is the licensee’s responsibility to ensure such compliance. It is the licensee’s responsibility to ensure the health and safety of Registration Staff and ceremony guests at all times.

8. Where possible (depending on the age and construction of the building) provide facilities accessible for those with disabilities. Where this is not possible due to the age and construction of the building, this must be clearly communicated to couples intending to hold their ceremony on the premises.

9. Where possible, (depending on the age and construction of the building), provide a separate room to be used for legally required pre-ceremony questioning of the couple by the Registrar and in the event of objections during the ceremony. The room should be accessible without having to enter the ceremony room itself. ESCC does not consider hotel bedrooms to be appropriate for this confidential interview.

10. Where parking is available, provide two free and reserved car parking spaces for the use of the registration staff. As staff may have to travel to a number of different venues in one day, spaces should be as near as possible to the main entrance and allow ease of exit so that staff may leave the venue quickly once the ceremony is over. Parking for the bridal or partners car and for any guests is at the discretion of the licence holder and/or their representative(s).

11. Provide clean and accessible toilet facilities for the use of registration staff, the couple and any guests attending the ceremony.
4. APPLICATION PROCEDURE

A licence applicant must:-

- **be a named individual** who may be the proprietor or trustee of the premises concerned. If the application is made on behalf of a limited company, the names and addresses of all the directors must be listed. If the applicant is not the owner of the premises, he/she must confirm that he/she has the approval of the owner to apply for a licence.

- **submit the application form** completed in full, together with a copy of a plan of the premises, showing clearly the rooms to be used as ceremony and interview rooms, a copy of the public liability insurance certificate, a copy of the fire risk assessment, confirmation of relevant planning consent (if applicable) and the relevant payment.

- **appoint either him/herself or (an)other person(s)** as ‘the Responsible Person’ who will be the main point of contact for East Sussex County Council, the Registration Officers and the public at all times. Further details about the responsibilities of the ‘Responsible Person’ are contained within the Licence Conditions (points 1 and 2 refer).

Upon receipt of your licence application, ESCC will:-

1. Ensure that the application is complete and will acknowledge its safe receipt.

2. Contact the fire authority for approval of the premises’ fire risk assessment.

3. Arrange for the Ceremonies Team Leader for the district in which your premises are situated to contact you to arrange a mutually convenient date and time for an inspection. The Ceremonies Team Leader will go through a checklist with you.

4. Place an advertisement on the East Sussex County Council website to seek any objections to the application. These must be made during the statutory period of 21 days and must be considered by the Proper Officer for Registration before a final decision on the granting of the licence is made.

5. Arrange for public access to the application and plans at Eastbourne Register Office, Town Hall, Grove Road, Eastbourne, East Sussex, BN21 4UG, during normal office hours.

6. Take into account the statutory requirements of the General Register Office, incorporated in this document.

This procedure will take about six to eight weeks and provided that no objections have been received and all other requirements are met, the licence will be granted.

**License conditions** which apply to all license holders and their representative(s) are detailed overleaf (pp 8-11). Please ensure that the license holder and all Responsible Persons are aware of these conditions, and make a copy available for their reference at all times.
5. GRANTING THE LICENCE AND THE CONDITIONS ATTACHED

Once a licence has been granted, the Licence Holder must comply with the following Licence Conditions:

- Statutory Conditions – Schedule 2 of the Marriages and Civil Partnership (Approved Premises) Regulations 2005

- Additional Conditions set by ESCC which apply to all approved premises

- Special Conditions set by ESCC which apply to individual approved premises.

**Statutory conditions:**

The following Licence Conditions as set out in Schedule 2 of The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 will apply to all licences for Approved Premises in East Sussex. They may be amended from time to time on the instructions of the Registrar General.

Schedule 2 of ‘The Marriages and Civil Partnerships (Approved Premises) Regulations Act of 2005’ requires that:

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 … and

   (b) of the name, address and qualification of the responsible person immediately upon the appointment of a new responsible person.

4. The holder must notify the authority immediately of any change to any of the following –

   (a) the layout of the premises, as shown in the plan submitted with the approved application, or in the use of the premises;

   (b) the name or full postal address of the approved premises;

   (c) the description of the room or rooms in which the proceedings are to take place;
(d) the name or address of the holder of the approval; and

(e) the name, address or qualification of the responsible person.

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

6. A suitable notice stating that the premises have been approved for the 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. 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.

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 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 shall not be religious in nature.

   (2) In particular, the proceedings shall not –
      (a) include extracts from an authorised religious marriage service or from sacred religious texts;
      (b) be led by a minister of religion or other religious leader;
      (c) involve a religious ritual or series of rituals;
      (d) include hymns or other religious chants; or,
      (e) include any form of worship.

   (3) But the proceedings may include readings, songs, or music that contain an incidental reference to a god or deity in an essentially non-religious context.

   (4) For this purpose any material used by way of introduction to, in any interval between parts of, or by way of conclusion to the proceedings shall be treated as forming part of the proceedings.

12. Public access to any proceedings in approved premises must be permitted without charge.
13. Any reference to the approval of premises on any sign or notice, or on any stationery or publication, or within any advertisement may state that the premises have been approved by the authority as a venue for marriage in pursuance of section 26(1)(bb) of the 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.

For reference:
The licence holder may use the following words to describe an “Approved Premises” licence:

“Approved by East Sussex County Council as a venue for the solemnization of civil marriages and the formation of civil partnerships”

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.

Additional Licence Conditions set by ESCC:-
The following additional licence conditions, which have been agreed by ESCC, will apply to all licences issued for Approved Premises. They may be amended from time to time by ESCC.

15. Civil marriage and civil partnership ceremonies must be conducted by a (Deputy) Superintendent Registrar for the district in which your venue is located and registered by a (Deputy) Registrar of that same district. Licence holders would not be expected to supply anyone to conduct the ceremony, nor must they permit anyone other than staff from East Sussex Registration to officiate at a ceremony.

16. Without the presence of a (Deputy) Superintendent Registrar and a (Deputy) Registrar there can be no marriage or civil partnership. The licence holder should only accept a provisional booking until the couple has confirmed their booking with the East Sussex Ceremonies team. Couples should be advised to speak to East Sussex Registration as soon as they have made a provisional booking with their venue.

17. Civil ceremonies can take place any time of the day or night but certain times will incur a surcharge. As the attendance of Registration staff is required, licence holders should not confirm the time of any ceremony until the couple has spoken to the East Sussex Ceremonies team.

18. The Responsible Person should notify attending registration staff of the fire evacuation procedures and how to call a First Aider.

19. The ceremony and interview rooms must have suitable heating and ventilation to maintain the comfort of the ceremony parties and their guests.

20. The ceremony room must have suitable lighting to all parts of the room. If necessary, a table lamp or similar must be provided for the (Deputy) Registrar, and located where the
entry is to be made in the Register and where the couple must check and sign the Register. 
Please note that we do not allow the use of lit candles before or during the ceremony 
unless they are in covered lanterns. Battery operated candles may be used.

21. The ceremony room must have a minimum of four chairs for the couple and registration 
staff, together with a desk or table large enough to accommodate the Register.

22. The number of guests attending a ceremony must not exceed that shown on the licence 
application and the license notice supplied for display.

23. The person(s) booking the premises for a ceremony must be made aware of:
   - any limitations imposed by accessibility of the premises
   - any limitations imposed on the size of the ceremony party by the size of the 
     ceremony room and the agreed capacity listed on the license (see point 22 above)
   - the fact that public access to the ceremony must be permitted.

24. The use of confetti is at the discretion of the licence holder.

25. A telephone should be made available for the registration staff if required.

26. The ceremony room should not, in the opinion of the officiating Registrars, be disturbed by 
noise from other activities at the premises. Any reasonable request from the officiating 
Registrars to ensure that the ceremony may proceed undisturbed should be complied with.

27. The ceremony room and other rooms to be used should be set up and ready at least one 
hour before the agreed start time for the ceremony.

**Special licence conditions:-**
ESCC reserves the right to apply special licence conditions, in addition to those set out above, to 
any licence at any time as it considers necessary.

**Duration:-**
The Licence will be valid for a period of three years.

**Renewal:-**
Licence holders may apply to renew a licence not more than twelve months and not less than six 
months before the expiry of the existing licence. The normal application procedure and fees will 
apply. Fees are due at the time of application.

**Revoking a license:-**
ESCC has a policy for comments and complaints, all complaints are investigated. If complaints are 
received regarding Approved Premises and, if those comments are ignored or the conditions of 
the licence abused, ESCC may revoke the licence. No refund of fees will be made if a licence is 
revoked.

**Refusal of an application to license:-**
If approval is not granted to an application, the applicant will be notified in writing of that decision, 
the reasons why, and how they may appeal against that decision should they wish to.
6. GENERAL GUIDANCE

Acoustics:-
If the room is large enough to require it, a microphone and amplification should be provided for use by the registration staff, the couple and any other person who is to give a reading to ensure that all the guests hear the ceremony.

Fees:-
A fee is payable by the couple for the attendance of the Registration staff. This is paid by the couple direct to the East Sussex Ceremonies team at the time of booking. Current fees can be found at [www.eastsussex.gov.uk/community/registration/registeramarriage/civilceremonies/fees/](http://www.eastsussex.gov.uk/community/registration/registeramarriage/civilceremonies/fees/)

Flowers:-
Flower arrangements will be at the discretion of the couple and the venue. Please ensure that any table arrangements allow for the accommodation of the Register and accompanying paper work.

Music:-
Couples may choose whether or not to have music for their ceremony and a music system should be available for them with either a member of your staff or one of the guests operating it or, if available, space to accommodate musicians. All music must be secular and the registration staff will make the final decision where necessary.

Photographs:-
Photographs taken during the ceremony are at the request of the couple but cannot include photographs of the legal Register entry. Any reasonable request by Registration staff regarding the taking of photographs should be adhered to.

Ushers:-
A member of staff should be available, where appropriate, to close the doors after the entrance of the bride and to open them as the bride and groom depart at the end of the ceremony.

Videos:-
Videos taken during the ceremony are at the discretion of couple but cannot include footage of the legal Register entry. Any reasonable request by Registration staff regarding filming should be adhered to.

Water & tissues:-
It is very helpful for nervous couples and for registration staff to have a carafe of water and four glasses, and a box of tissues, provided in the Interview Room and in the Ceremony Room.
7. WORKING IN PARTNERSHIP

ESCC intends that the licensing of Approved Premises should work as a partnership between the County Council and the venue. Each works individually and together within the partnership to promote civil ceremonies and to provide couples with a unique and memorable ceremony.

Registration staff will:

1. Notify the Responsible Person(s) on duty of their arrival at the premises and liaise with them over the arrangements for the ceremony.

2. Abide by any rules and regulations affecting the building and/or property provided that they do not conflict with:
   - ESCC’s Requirements and Conditions for Approved Premises for Civil Marriages and Civil Partnerships
   - Regulations and/or the Code of Practice issued by the Registrar General
   - The various Marriage Acts and Regulations
   - The Civil Partnerships Act and Regulations
   - Their statutory responsibilities.
8. THE EAST SUSSEX CEREMONIES TEAM

Ceremonies Hub West:

For Crowborough and Lewes Register Office bookings, and bookings at licensed venues in the Crowborough and Lewes areas:

Telephone: 0345 60 80 198

Email: ceremonieshub.west@eastsussex.gov.uk

Ceremonies Hub East:

For Eastbourne and Hastings Register Office bookings, and bookings at licensed venues in the Eastbourne and Hastings areas:

Telephone: 0345 60 80 198

Email: ceremonieshub.east@eastsussex.gov.uk