Marriage and civil partnership handbook for non-religious venues

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April 2020
Introduction and background information

Thank you for your interest in becoming a venue licenced to hold civil ceremonies.

We welcome enquiries and applications from all types of venues, not just stately homes and hotels, as couples all have their own individual wishes.

This handbook sets out our arrangements for the licensing of non-religious venues as approved premises. It also offers practical information and guidance to help you manage ceremonies at your venue.

Before making an application, you may wish to arrange an initial visit to discuss the arrangements and commitment required. If so, do please contact us to arrange a visit.

If you have any comments on the process, then please do let us know as we always want to improve the process by making it as simple and straightforward as possible.

If you require advice or assistance, please contact –

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Part 1  The licencing procedure

The licence procedure is straightforward

1. Once we have received your completed application form we will arrange for an advert to be placed on our website.
2. We will send you a notice to display for 21 clear days.
3. We will consult with the Fire Service.
4. Staff from the local office will visit you to inspect the rooms. They will also be able to offer practical advice to you.
5. At the end of the public consultation period, we will consider any objections.
6. If approved, we will send you your licence. We will also add your details to the public register on our website.

The licence
The licence is valid for three years from the date of approval. Rooms added at a later date will require a further application and payment of a new licence fee.

Fees
We set the application fees for licensing venues each year. Current fees are available on our website. The fee is non-returnable and must be submitted with the application, it can be paid by cheque (made payable to North Yorkshire County Council) or by BACS payment.

Objections to an application
The application will be advertised on our website. A period of 21 clear days is available for any person or organisation to make comment on or to object to the application.

Where objections to an application are made by any person, these will be considered when making the decision as to whether to approve the application or refer it for a decision to a panel of elected members of the County Council.

Fire precautions and health and safety
The health and safety of visitors is the responsibility of the venue.

A fire risk assessment is required as part of the licensing process and we also consult with the Fire and Rescue Service. You will need to produce a current and up-to-date fire risk assessment at the time of application and you may be required to provide confirmation of a current fire-risk assessment at any time during the life of the licence. Please enclose an up-to-date action plan showing the progress to rectify any issues arising from the risk assessment.

Public Register
We maintain a register of all licenced venues, which is open to public inspection. We do this primarily through our website and we encourage venues to send us some additional details to help publicise their venue. These would be a picture of your venue, your contact details for enquiries for the public and a link to your website.
**Before you apply**

Please think carefully about which rooms you would want on the licence, you can have ten rooms included as part of the standard fee. We are unable to make amendments to a licence once granted, the only means to change a licence is to reapply. If in doubt, include the room, there is no requirement that you have to use a particular room or offer it to couples.
Part 2  The licence requirements

Licence requirements
To obtain a licence, all venues must meet the licence requirements set out in law and those additional requirements set by the County Council. These requirements are set out in detail in Appendix 1 and Appendix 2.

Main requirements

- The venue must be a permanent immovable structure comprising of at least one room, or any boat or other vessel which is permanently moored.
- Marriages and civil partnerships cannot legally be held in the open air, in tents, marquees or any other temporary structure.
- The venue must be in keeping with the solemnity and dignity of the marriage or civil partnership ceremony.
- The premises must not be religious premises.
- The premises must be regularly available for the solemnization of civil marriages or the formation of civil partnerships.
- The rooms(s) or area(s) where ceremonies take place must be identifiable and accessible. This is because the public must have unrestricted access to witness the marriage or civil partnership and/or make an objection prior to or during the ceremony.
- No charge may be made to any member of the public attending a ceremony.
- The venue should where possible comply with disabled access requirements. However it is accepted that this may not always be possible given the age, construction and style of a building. If disabled access is not possible then measures must be in place for a disabled objector to voice their concerns.

Within the venue
Within the venue, individual rooms or areas are licensed; registrations and ceremonies may only take place within these rooms or areas. There is no limit to the number of rooms that can be approved, however full details must be included in the application.

Whilst the ceremony rooms do not have to be separate from other activities at the venue they must not be affected by any other activity taking place at the venue before and during a ceremony.

The room or area will need to be provided with a table (for signing the legal documents) and a chair. There should also be enough space where the couple, two witnesses and the two registrars will stand.

The ceremony room should be ready one hour before the agreed start time for the ceremony.

Interview room
In addition to the ceremony room a further separate room or area must be available for a confidential interview with the couple before the ceremony. This must not be an occupied bedroom.
Freestanding, ‘gazebo’ structures and Terraces
A freestanding or ‘gazebo’ structure must be permanent and immovable (tents and marquees would not be licensable). This will usually be taken to mean a solid floor and a roof.

- The structure must have a brick, stone, concrete or wooden base.
- The structure should have a permanent and 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 a ceremony in comfort for at least the following: two registration staff, one table, at least two chairs, the couple and two witnesses.

You should also consider whether there are any factors that could interrupt or disturb the ceremony, for example noise from passers-by or traffic.

In addition, where the use of such structures is weather dependent, specific, an alternative (non-weather dependent) room must be available and licenced for ceremonies.

Ceremonies in the open air
The majority of the ceremony is first held outside, with the legal part held in a licensed room, usually with just the couple, their witnesses and the Registrars. This type of ceremony is always weather dependent and is only available from 1st April to 31st October. As a separate script is required and so that there are no surprises on the day for the couple, we must be notified in advance; we strongly advise venues to discuss this option with us if you think this may appeal to your couples. This also includes ‘covered terrace areas’ which may be licensed for ceremonies.

Where the guests are not covered by the structure or terrace, or the terrace is not fully enclosed, the ceremony would be weather dependent and therefore only available from 1st April to 31st October.

The responsible person
The venue must have a person appointed as the responsible person. This person is the main link between the venue and the County Council. They will need to be present before, during and after the ceremony to assist the registrars with any issues that may arise.

The licence holder may be the responsible person but usually deputies are appointed. The duties of the responsible person are detailed at Appendix 3.

The licence notice
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.

Promotion of the licence

The licence holder or anyone employed or acting on their behalf may not imply in any advertisement, statement or document that the County Council or the Registrar General recommends the venue for civil marriages or civil partnerships. The licence holder may wish to use the following words to describe an approved premises licence -

"Approved by North Yorkshire County Council as a venue for the solemnization of civil marriages and the formation of civil partnerships"

We supply a paper copy of the licence which you may place on public display.

Changes to the licence

We require immediate notification of any of the following changes:

(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 address of the approved premises;
(c) the description of the room or rooms in which the proceedings are to take place;
(d) the name and address of the holder of the approval; or
(e) the name, address or qualification of the responsible person.

Renewing a licence

The holder may apply for the renewal of an approval when the current approval has twelve months to run. An application for renewal made in this period will extend the current approval until the application has been finally dealt with. Any renewal will run from the expiry date of the current approval.

We will contact approved premises within 12 months of the expiry of their licence to remind them of the expiry date and the renewal procedure.

Revoking a licence

We may revoke the licence if –

- Any conditions attached to the grant of the licence have been broken.
- The use or structure of the approved premises has changed and we no longer consider the premises as a suitable venue.
- If directed to do so by the Registrar General.
Part 3 Other important information

Booking ceremonies
All ceremony bookings MUST be agreed with the staff at your local registration office.

Food and drink
No food or alcohol may be sold and/or consumed within the ceremony room or area one hour before or during the ceremony.

Food and drink can be served and consumed elsewhere at the venue but the applicant is responsible for ensuring that no food and/or alcohol is brought into the ceremony room or area.

The timetable on the day
There is a sample timetable of the order of events on the day at Appendix 5.

Guests
Guests should be assembled in the ceremony room 15 minutes before the start of the ceremony.

The registrars have the discretion not to proceed with a ceremony if any of the party or either of the couple is threatening, abusive or seemingly under the influence of drink or drugs.

The venue’s responsible person will be expected to deal with inappropriate behaviour by guests.

Music
Couples often choose to have music played before, during and after their ceremony. Any music system must be operated either by a member of the venue staff or someone nominated from the guests. Alternatively if live music is to be provided space should be made available without compromising the area needed to conduct the ceremony.

Music should be of a secular nature although music that contains words such as 'heaven' or 'angels' in a pop song may be allowed.

The venue is responsible for ensuring compliance where necessary with any copyright licence requirements.

Photographs
Photographers must not cause any delays to the ceremony.

We have a code of conduct for photographers which will be given to all couples booking a ceremony; which the responsible person should be aware of. This is available from our website.

Car parking
Where car parking is available one car parking space should be reserved for the use of the registration staff. These spaces should be near to the main entrance so that the registration staff may leave promptly once the ceremony is finished.
Celebration, commemoration or blessing
Marriages and civil partnerships at approved premises can be followed by a celebration, commemoration or blessing, providing that it is not a religious marriage ceremony and is separate from the civil ceremony.

The venue must make it clear to couples wishing to have a ‘follow-on’ ceremony that the civil ceremony conducted by registration staff is an essential legal requirement prior to any subsequent, non-legal celebration.

There should be a break between the end of the civil ceremony and the start of any blessing.

If a religious blessing were to regularly follow ceremonies, or be considered part of the service being offered, there may deemed to be a religious connection which would be incompatible with the licence requirements and may lead to us revoking the licence.

Non-statutory ceremonies delivered by independent celebrants
If a venue allows independent celebrants to deliver non-statutory ceremonies on its premises then the public should be made aware that the celebrant is not associated with the County Council.

Registration contact details and out-of-hours service
Venues will be issued with contact details of their local registration office. We also operate an out-of-hours service so that approved premises may contact a duty officer in case of an emergency affecting a ceremony.
Appendix 1   Licence requirements

The following are the key legal requirements a venue must meet.

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

2. The premises must be regularly available to the public for use for the solemnization of marriages and the registration (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 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 of the Civil Partnership Act 2004;*

* “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.

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.
## STANDARD CONDITIONS

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 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 and 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.
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<td>6.</td>
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| 7. | (1) Save as provided in (2) 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 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. | 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 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.  
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.  
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 solemnized 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 partnership 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.

**LOCAL CONDITIONS**

15. All ceremony bookings will be subject to the availability of registrars and the couple’s legal capacity to enter into the marriage or civil partnership.

16. Where car parking is available, the holder of the licence should be able to ensure the provision of one car parking space for registration staff on days when ceremonies are taking place.

17. There should be an additional room, distinct from where the ceremony will take place, available for the Registrar to interview the couple, separately and in private, prior to the ceremony at least 30 minutes before the ceremony is due to begin. *This must not be an occupied bedroom.* The Responsible Person should ensure that couples are ready to be interviewed so that the ceremony may start promptly at the time arranged.

**SPECIAL CONDITIONS (*sample*)**

18. * There should be adequate arrangements for disabled access OR
   * There should be adequate arrangements for disabled access. Notice to be displayed at the entrance to indicate that assistance with entry will be provided and how to summon that assistance OR
   * There should be adequate arrangements for disabled access. When using the first floor room there must be sufficient members of staff available for one hour before, during and for half an hour after the ceremony to assist members of the public who are disabled with entering and leaving the premises.

   The County Council may attach such further conditions to an approval as it considers reasonable in order to ensure that facilities provided at the premises are suitable and that proceedings on the premises do not give rise to a nuisance of any kind.

**NOTE:** Standard conditions set out in paras. 1-14 above have been laid down by the Registrar General and local conditions, from para. 15 onwards, above, have been determined by the North Yorkshire County Council. There is no right of appeal against the imposition of conditions 1-14, you may, however appeal against the imposition of conditions in paragraphs 15 onwards.
Appendix 3  The responsible person

Every venue must have a designated responsible person. They are the main link between the venue and the County Council. The venue must appoint a responsible person immediately after approval of the licence; we advise that deputies to the responsible person are also appointed.

This role is important both legally and in ensuring the smooth running of ceremonies and the responsible person and their deputies are accountable for ensuring compliance with the conditions of the licence.

The responsible person or their deputy must enforce the conditions attached to the approval by:

- being present on the day when the registration team arrive at the venue (normally 30 minutes prior to the start of the ceremony) and throughout the ceremony in the same room
- being aware that the time booked with the registrar is the time the ceremony starts
- ensuring that the couple are ready promptly to be interviewed by the registrar prior to the ceremony
- ensuring that there is a separate room available for the couple to be interviewed in private
- controlling timing with couples; registrars cannot always wait for no-shows or late starts because couples are having photographs taken. If a follow-on ceremony at another venue is in jeopardy, registrars will leave 20 minutes after the start time if the couples are not ready by that time
- controlling access to alcoholic drinks prior to a ceremony; drunken behaviour is a legal impediment to a marriage or civil partnership and registrars can and will refuse to go ahead with a ceremony in such circumstances
- keeping noise from neighbouring rooms or outside areas to a minimum during the ceremony
Appendix 4 Timetable of registration officers’ attendance at the Ceremony

1. The registration staff will arrive at the venue 30 minutes before the ceremony. They will advise reception of their arrival. It is assumed that there will be staff on hand from the venue to help and assist the guests as they arrive e.g. where the room is, cloakroom facilities etc. Staff from the registration service will not be available to do this.

2. They will then need to meet up with the responsible person on duty and view the room in use for that ceremony. Registration staff may also need somewhere to be able to leave coats, briefcases etc. safely until after the ceremony.

3. The couple will then be interviewed separately. Whilst this is being done, the responsible person should arrange for the guests to be seated in the room.

4. Once the preliminaries have been completed, the ceremony can take place. One format may be as follows: the Registration staff will enter the Ceremony Room and take their seats followed by the couple, either together, or if wished one partner may enter first, followed by the other, possibly on an escort’s arm. The couple may wish to have some different music played at this point. Once the couple have taken their positions, the music should then be stopped.

5. The Superintendent Registrar or her deputy will then conduct the ceremony. If desired by the couple this may of course be recorded.

6. Once the ceremony has ended (this takes between 15–30 minutes) the couple, the witnesses and the registrars will sign the necessary legal documents. Music may be played at this point, and indeed may help to overcome the halt in official proceedings. The writing takes about 3 to 4 minutes on average. At this point photographs of “the signing of the register” may take place. It may be that the party may also wish to go on to another location for more photographs, e.g. the garden.

7. At this point the registration staff will take their leave.

It may be that the staff will have other ceremonies to attend, so your co-operation in ensuring the ceremony starts promptly would be much appreciated. This is in order to avoid potential difficulties with later bookings at other venues which could be compromised by the late arrival of Registration staff.