



BEDFORD BOROUGH COUNCIL

GUIDANCE NOTES FOR APPLICANTS

Under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005, an approval may be granted by the Local Authority for the performance of civil marriages and civil partnerships in approved premises.

Having regard to the primary use, situation, construction and state of repair, the premises must, in the opinion of the Local Authority, be a seemly and dignified venue for the proceedings. The responsibility for ensuring this standard rests with the holder of the approval.

Registration staff have the right to refuse to perform a civil marriage or civil partnership if they are not satisfied that the terms and conditions of the approval are being fully met.

Planning Consent requirements

As part of the application process you are required to complete a declaration section 4 (d) of this declaration states the following:

d) I have consulted the planning authority as to whether planning consent is required and attach evidence that it is content that the premises may be used for Marriages and Civil Partnerships

Please note that the Local Planning Authority cannot provide ad-hoc letters of support, as the planning process is a public one, and not simply a private matter between the Council and an individual applicant.

For many premises where weddings are not the sole use of the land or building this will be a case of demonstrating that planning permission is not required. This could necessitate operators of each premises applying for, and obtaining if appropriate, a Lawful Development Certificate for either an existing or proposed use (also known as CLEUD or CLOPUD applications) from the Council as Local Planning Authority.

In some cases, particularly if the premises are only used for weddings, planning permission will be needed from Bedford Borough Council as Local Planning Authority.

Details of how to make a Lawful Development Certificate or Planning application can be found on our website:

<https://www.bedford.gov.uk/planning-and-building/apply-for-planning-permission/planning-application-forms/>

Professional advice may be required as the onus is on the applicant to support their application with the evidence/information necessary. We recommend **allowing a minimum of 3-6 months** in advance of your wedding licence application for a decision, and re-submission if necessary. A Lawful Development Certificate and planning applications will normally only need to be made once, unless the nature or scale of the use changes.

What premises may be registered?

Any building which is a permanent, immovable structure providing it has a postal address and will be **regularly available to the public**. This could also include a boat or other vessel, which is permanently moored and incapable of moving under its own power. The standard of accommodation provided should be no less than that which is currently provided by the Borough's Register Offices.

What premises cannot be registered?

- A tent, marquee or other similar moveable structure, or a vehicle, boat, balloon or aircraft that is capable of moving under its own power or direction.
- A building whose primary use could render it unsuitable if that use could be considered to demean the proceedings or bring them into disrepute.
- Premises that have a current or past connection with any religion, religious practice or persuasion. A chapel in a stately home, a disused church or chapel (or a building with stained glass windows depicting a religious image) are examples of a previous religious connection. However, premises in which a religious group may meet occasionally may be suitable if the primary use of the building is secular.
- A private house (unless being set up for business purposes) is not considered an appropriate venue as the primary use of the premises would make it unsuitable, it would not be regularly available to the public and it is unlikely to have adequate fire, planning and health and safety standards to meet current requirements.

What criteria apply to the building in which the proceedings will take place?

- There must be free, unhindered and open access by the public to the designated room(s) and these must be clearly signposted outside and within the building for one hour prior to and during the event. Members of the public have the legal right to attend and object if they feel they have the necessary grounds to do so.
- The licensee must make every effort to ensure that there is easy access by the disabled to the designated room(s)
- Car parking spaces should be provided for the Register Office staff as near to the main entrance of the building as possible. (The licensee must ensure that there are two designated parking spaces available for registration staff at least one hour before the ceremony start time and as near to the main entrance of the

building as possible. If this is not possible then the licensee must have permission in writing (e-mail or letter or fax) in advance from the Superintendent Registrar, Proper Officer or Proper Officer's Representative as to suitable alternatives – which may include the licensee arranging and paying for taxis etc. as required.)

- The premises must regularly be available to the public and must not be subject to membership of any club, society, group or other restriction.

What criteria apply to the room(s) in which the proceedings will take place?

- The designated room(s) must be identifiable as a distinct part of the premises and be separate from any other activity occurring in the premises whether accompanying the event or not. The designated room(s) should not contain any facilities for dispensing alcohol or food. Where this is unavoidable, the applicant must ensure that:
 - any such facility is closed and is not available for at least one hour before the Proceedings
 - adequate screening is provided to conceal the facility from the guests.
- A civil marriage or civil partnership can only take place in the room(s) designated on the approval
- The room(s) in which the proceedings take place must be maintained to a high standard of decor, repair, furnishing and cleanliness
- When a marriage or civil partnership is being conducted in an outside structure (only those listed on the approval) there must be sufficient space for at least the couple, 2 registration officers and 2 witnesses to be underneath throughout the ceremony - including any chairs and tables required
- Any items of a religious nature (in design or intent) must be removed at least one hour prior to a ceremony and not be replaced until after the Registration staff have left the premises.
- The holder of the approval must provide a separate, secure and suitably furnished private room with telephone facilities for use by the Superintendent Registrar/ Registrar for at least one hour before the event to interview the couple. The exact location of this room must be shown on the plan.
- The holder of the approval will be required to appoint a "Responsible Person" and to have nominated deputies to act in their absence. The Responsible Person or deputy will be required to be available on the premises for a minimum of one hour before and during the proceedings. The Responsible Person's occupation, seniority or level of responsibility in relation to the premises must indicate that he/she is in a position to ensure compliance with all the conditions to be applied to the approval.

- The holder of the approval will be responsible for setting up and clearing away all furniture within the designated room(s) and for ushering guests to and from the designated room(s).
- The holder of the approval is responsible for supplying an appropriate, suitable music system for use during the proceedings. This can be a fixed or moveable piece of equipment.

How many rooms can be designated?

- There is no limit to the number of rooms that can be designated, provided each room meets the criteria above.
- We would always recommend at least two rooms being licensed, where possible, to allow flexibility.
- Some civil marriages and civil partnerships may involve as few as 6 people so smaller rooms should not be ruled out.
- Rooms on the approval do not have to be used; they can simply be available as “back up” in case the normal room (s) is rendered unusable at short notice e.g. a conservatory flooded due to a leak in the roof.
- Once the approval has been granted additional rooms cannot be added unless a completely fresh application is made – including full fees being paid. (It may be more cost effective to wait until applying for a renewal after 3 years)

Health and Safety and other Regulations

- The premises must comply with all requirements relating to health and safety, fire and planning regulations. It is the licensee’s responsibility to ensure such compliance.
- It is the responsibility of the holder of the approval to ensure the personal safety of Registration staff and guests at all times.

Before and during the ceremony

- The operation of any music system, by a person supplied by the premises, must be in accordance with instructions issued by the Superintendent Registrar/Registrar
- The arrangements for and the content of each ceremony (such as readings, music etc) must meet with the prior approval of the Superintendent Registrar of the district in which the approved premises are situated.
- Marriages or civil partnerships on approved premises may very occasionally be followed by a celebration; commemoration or blessing of the couple's choice, providing that it is not a religious ceremony and is totally separate from the civil ceremony this could create a religious connection - which could breach the

approval and may lead to the revocation of the approval.

- The holder of the approval must comply with any reasonable instructions given by the Superintendent Registrar/Registrar, or any other Officer connected with the Registration Service in connection with the organisation or conduct of the proceedings.
- The holder of the approval must not divulge any information relating to any couple being married or registering a civil partnership nor any details relating to the proceedings to any third party before, during or after the ceremony.
- Smoking is not permitted in the event room immediately before or during the ceremony proceedings.
- Further advice on the conduct of the proceedings can be obtained from the local Superintendent Registrar.

Other

- The holder of the approval must ensure that any complaints by members of the public concerning the use of the designated room(s) are directed immediately to the Superintendent Registrar.
- The Proper Officer must be informed immediately of any changes to the building, structural or otherwise, any change of use or to any of the information contained in the application form or of any change of Responsible Person appointed by the holder of the approval.
- The holder of the approval is not permitted to imply in any advertisement that either the Council or the Registration Service recommend the approved premises as a venue for marriage or civil partnership. However, it is in order for the licensee to state in any advertisement that the premises are approved for civil marriages, civil partnerships and celebratory services.

Additional Information

The approval and guidelines also applies to the conducting of Celebratory Services (such as Naming Ceremonies, Renewal of Marriage Vows and Renewal of Civil Partnership Vows), as authorised by the Local Authority. These are not statutory services (unlike civil marriages and partnerships) so can be conducted outside.

If you require further information or advice, please contact the Licensing Team at licensing@bedford.gov.uk or by telephone on 01234 267 422