



Licensing your venue for Civil Marriages and Civil Partnerships



Providing Registration Services for



Introduction

Kent County Council (KCC) is responsible for providing the Registration Service in Kent and the London Borough of Bexley.

This includes the registration and celebration of civil marriages and civil partnerships and the licensing of venues where civil marriages and civil partnerships may take place.*

This booklet provides information and guidance about the licensing process.

Licensed venues are more commonly called "Approved Premises" and can include hotels, stately homes, civic halls, castles and similar places. In Kent and Bexley, we have also licensed many other 'unusual' venues such as a lighthouse, windmill, brewery, and a wildlife park. Many venues also have gazebos or other free standing garden structures where marriages may be celebrated.

KCC welcomes applications in respect of all types of venues that meet the requirements and conditions detailed in this booklet.

Before making an application, applicants are advised to arrange an inspection visit by the Licensing Team. There is no charge for this service and it provides an excellent opportunity to discuss an application and ensure the venue is suitable.

If you require advice or assistance please contact :-

Registration Quality & Standards Team
Telephone: 03000 414003
Email: kentish.ceremony@kent.gov.uk

Kent Libraries, Registration & Archives
The Archbishops Palace
Mill Street
Maidstone
Kent ME15 6YE

Website: www.akentishceremony.com

*More information can be found via The Marriage Act 1949, the Civil Partnership Act 2004 and The Marriages and Civil Partnerships Regulations 2005.

NOTES

In this booklet the term "Approved Premises" means "Approved Premises for the solemnization of civil Marriages under The Marriage Act 1949, and the registration of civil partnerships under The Civil Partnership Act 2004".
Licence means the approval of any premises pursuant to The Marriages and Civil Partnership (Approved Premises) Regulations 2005

The registration and approval authority is Kent County Council. Throughout this document it will be referred to as KCC.

Civil Marriages & Civil Partnerships

When can ceremonies take place?

Civil marriages and partnerships may take place between the hours of 8.00am and 6.00pm on any day of the week including weekends and bank holidays. The latest start time for a ceremony is 5.00pm.

Who carries out the ceremonies?

All civil marriages are solemnised by a Superintendent Registrar (the Celebrant) and registered by a Registrar of Marriages. Unlike a civil marriage, a civil partnership is legalised by a registration. However, couples may wish to enhance their registration with a ceremony and KCC is pleased to provide a ceremony combined with the registration. Staff are provided by KCC and will normally arrive at the venue 45 minutes prior to the start of the ceremony or 30 minutes prior to a registration.

Who books the ceremonies and organises the KCC staff?

All bookings for ceremonies are taken and agreed by the venue and KCC will provide the venue with access to an on-line ceremony booking system. Whilst ceremonies may take place on any day, the final decision on whether or not to accept a booking rests with the venue.

Couples will be responsible for paying KCC a fee for the booking, preparation of the ceremony/paperwork and attendance of the staff at a ceremony. These fees can be found on www.akentishceremony.com.

Will KCC staff be available?

Providing the couple is legally able to enter into a marriage or partnership, KCC will guarantee staff for all bookings accepted by a venue. However, on days when there are a large number of bookings, a venue and the couple may be asked to move the timing of a registration/ceremony to ensure that registration staff are available.

Other Ceremonies

In addition to civil marriages and partnerships, other ceremonies may be held at approved premises:-

These currently include the following:-

Renewal of Vows – this is for couples who wish to renew their marriage or civil partnership vows. Normally these take place on anniversaries or where the couple may have had a ceremony abroad or at certain events during a couples relationship.

These ceremonies have no legal basis and although the preferred option is to perform them in the licensed room(s) they can take place in any other agreed room/area within the venue or in the venue grounds.

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What type of venue is suitable?

Licence requirements

All applications must meet the following requirements as set out in the Schedule 1 of The Marriages and Civil Partnerships (Approved Premises) Regulations 2005. These 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 2004 Act [*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

The following additional licence requirements have been agreed by KCC and will apply to all licences issued for Approved Premises. They may be amended from time to time by KCC.

The Licence Holder must:-

6. Ensure that the premises are covered by an appropriate public liability insurance policy
7. Provide toilet facilities for the use of registration staff, the couple to be married and any guests attending the marriage.

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Licence 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 the County of Kent. They may be amended from time to time on the instructions of the Registrar General.

These require 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
 - (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.

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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.

 The licence holder may use the following words to describe an "Approved Premises" licence:-

"Approved by Kent 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.

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Additional Licence Conditions

The following additional licence conditions which have been agreed by KCC, will apply to all licences issued for Approved Premises. They may be amended from time to time by KCC.

A "Kentish Ceremony" (Marriage or Civil Partnership Ceremony)

15. The "Kentish Ceremony" marriage or civil partnership ceremony whereby couples may personalise their civil wedding or civil partnership must be available in all Kent Approved Premises for Civil Marriages and Civil Partnerships as appropriate and agreed with the licence holder.

The Licence holder must ensure that :-

16. Once a couple have booked the ceremony room/area for a ceremony provided by KCC, that KCC is informed as soon as possible using the Ceremony On-Line Booking System (CaRA) provided by KCC. More information on CaRA will be provided once a venue is licensed.
17. The licence notice and comments and suggestions notice issued by KCC are displayed in a prominent position within the main entrance to the building.

Any person booking the accommodation for a marriage or civil partnership ceremony must be informed of:

19. Any limitations imposed on the size of the ceremony party due to the size of the ceremony room, and
20. Any special conditions imposed on the usage of the premises for civil marriages and civil partnerships.

The following will have free and unfettered access to the Approved Premises when required:-

21. Representatives of KCC carrying out Inspections in respect of the licence.
22. Registration Staff officiating at a civil marriage or civil partnership have access to the ceremony room at least one hour before the ceremony is due to begin.
23. Where possible, access should be available for disabled persons.

Special Licence Conditions

26. KCC reserves the right to apply special licence conditions, in addition to those set out in this booklet, to any licence as it considers necessary, and at any time during the three year life of the licence.

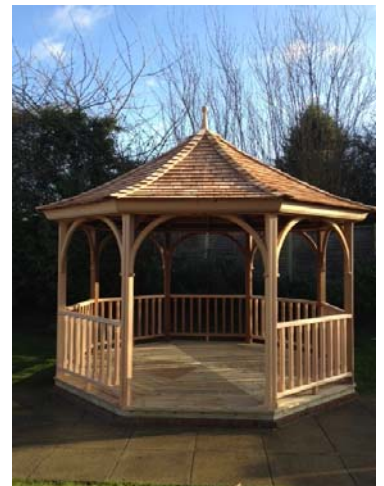
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Outside Gazebo/Garden Structures

If you are considering licensing an existing outside gazebo/garden structure, or constructing one, you should seek advice from the KCC Licensing Team to ensure that it will be acceptable.

What structures are acceptable?

- A freestanding or gazebo structure must be permanent and immovable and in this respect the decision of the County Council on what is considered "permanent" and "immovable" will be final.
- The structure must have a brick, stone, concrete or wooden base.
- The structure should have a 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 front should be open and sufficiently wide to enable the ceremony party to enter. Steps may need to be provided if the structure is raised above the surrounding ground level.
- The structure should be of sufficient size (minimum floor area of 3.5m x 3.5m) to accommodate the following:-
 - Two Registration staff
 - a table (size approx. 3' x 2') and two chairs
 - the Couple (Bride and Groom or two Partners)
 - comfortable space in which the ceremony can be conducted
- The decision of the County Council on what is considered sufficient space will be final.
- The structure should be located within a reasonable distance from one of the indoor licensed areas in case the ceremony needs to be moved inside at short notice. The decision of the County Council on what is considered a suitable distance will be final
- The structure should be provided with electric light and power. The venue may wish to consider purchasing or fitting the structure with a good quality PA system.
- Consideration should be given to the area immediately in front of the structure where guests may be seated or stand. Soft ground should be avoided and a hard standing may need to be provided. Sufficient room must be available for a central aisle to allow the ceremony party to make their entrance.
- The structure must be regularly available to be used for the celebration of civil marriage ceremonies or the formation of civil partnerships.
- The structure will only be approved if it forms part of a larger venue which must include either one or a number of other approved ceremony rooms.
- Whenever a ceremony is booked within an outside structure another licensed ceremony room must be kept available so that if for any reason the ceremony has to be moved inside, venue staff are able to set up the room at short notice.



Planning decision

Applicants are advised to consult with their local planning authority to check whether constructing a gazebo would require planning permission or constitute development. A copy of any existing planning decision's should be enclosed with the application.

KCC reserve the right to contact the planning authority where any doubt occurs.

If a freestanding or gazebo structure is approved then the following Special Licence Conditions will be applied

- Civil marriages and civil partnerships will normally only be celebrated in a free standing/ gazebo structure during BST (British Summer Time). This is usually the last Sunday in March until the last Sunday in October. Any ceremonies outside these dates must be subject to the agreement of the Kent Registration Service.
- The free standing/gazebo structure and the adjacent area to be used for guests should be roped or barriers erected so as to restrict access one hour prior to and during the ceremony. No food or drink may be consumed in this restricted area one hour prior to and during the ceremony.
- Any other activities taking place in the grounds, especially near to the free standing/gazebo structure and the adjacent area to be used for guests, are to be kept separate from any ceremony.
- Whenever the gazebo/garden structure is booked for a ceremony one of the venue's other licensed ceremony rooms must be kept available, so that it may be used if for any reason the ceremony cannot take place outside.
- The main reason why a ceremony may not take place in the gazebo/garden structure will normally be because of inclement weather.
- The decision as to whether a ceremony has to be moved into a ceremony room inside the venue will be made by the registration staff after discussion with the couple/partners and the venue.

Some examples of suitable structures



Essential requirements

Fire and Health & Safety

The applicant will be deemed by KCC to be the responsible person (or acting on their behalf) under the Regulatory Reform (Fire Safety) Order 2005, to ensure that a fire-risk assessment has been carried out on the premises.

The assessment is required to reduce the risk of fire, and make sure that all people who might be on the premises can escape if there is a fire. KCC staff may ask the applicant at the time of inspection to produce the fire-risk assessment or confirm in writing that one has been carried out.

The applicant may be required to provide confirmation of a current fire-risk assessment at any time during the life of the licence.

Advice may be obtained from the local Fire Authority. Please follow the attached link www.communities.gov.uk/fire/firesafety

KCC is obliged to consult the Fire Authority. The Fire Authority may wish to inspect the premises and any recommendations regarding fire precautions, alarms, signage etc. may need to be resolved prior to a licence being approved or become a special condition of the licence.

KCC will also consider the health and safety of both the registration staff and public who visit the premises.

KCC staff will not be responsible for the evacuation of ceremony guests in an emergency, this will be conducted by the responsible person.

Planning decision

Applicants are advised to consult with their local planning authority to check whether use as an approved premise for civil marriages and civil partnerships would constitute development or change of use. Equally, if you are considering constructing a gazebo or other outside structure you should seek the advice of the local planning authority. A copy of any existing planning decisions relating to the venue, and which could affect its use for marriage and partnership ceremonies, should be enclosed with the application.

If retrospective planning permission is required and subsequently refused, KCC may revoke the licence and there will be no refund of fees.

KCC reserve the right to contact the planning authority where any doubt occurs.

Public Liability/Third Party Insurance

The building or structures to be licensed must have public liability (third party) insurance cover during the three year period of the licence. The applicant must provide evidence of this insurance when making the application and may, at the discretion of KCC, be required to confirm this insurance cover at any time during the licence period. Such insurance should normally be for a minimum of £5m (five million pounds) in respect of any one act, unless otherwise agreed with KCC, and subject to advice from the venues' insurers.

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Practical issues to consider

Car Parking

Where car parking is available, two free or reserved car parking spaces should be provided for the use of the registration staff. These spaces should be near to the main entrance of the building/ceremony room and must allow ease of access and exit so that the registration staff may leave the venue quickly once the ceremony is finished.

The applicant will be responsible the access arrangements for the bridal or partners' car. Special licence conditions may be applied by KCC where it is considered that car parking or access may cause a nuisance to neighbours.

Food and drink

No food or drink may be served and/or consumed within the ceremony room/area one hour before and during the ceremony. In respect of a gazebo or outside structure KCC will agree an area around the gazebo or structure where food and/or drink may not be served or consumed.

Food and/or drink can be served and consumed elsewhere at the venue but the applicant is responsible for ensuring that no food and/or drink is brought into the ceremony room/area or the agreed area around a gazebo or outside structure. It may be advisable not to serve alcoholic drinks until after the ceremony. Food and drink may be served immediately after the ceremony has concluded.

Interviewing the couple

Registration staff are legally required to interview the couple prior to the ceremony to check the details to be entered in the marriage register and registration documents, and to confirm the content of the ceremony. These interviews must be confidential. Ideally we do require access to a private/separate room to carry out this process. Often with a marriage, the groom can be interviewed in the ceremony room.

If the bride is using a room at the Approved Premises to prepare for the ceremony, the interview can take place there. If the bride is arriving at the venue immediately prior to the ceremony, the registration staff will use their discretion to select the most appropriate time and location for the interview to take place.

Civil partnership couples may also follow this arrangement or they may require entirely separate arrangements. They are still required to be interviewed by the registration staff. This applies to both a ceremony and registration and a registration only.

Guests

The Licensing Team can advise you about the number of guests that can be comfortably accommodated within the ceremony room/area. KCC may place a restriction on the number of guests dependant upon the constraints of the room/area.

Lighting

Lighting levels must be satisfactory, to enable to registrar to complete the paperwork.

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Acoustics

Dependant upon the size of the ceremony room or area, a venue may consider the need for a microphone and amplification system to ensure that all the guests can hear the ceremony.

A microphone and amplification system may need to be provided by the venue where a freestanding or gazebo structure is approved.

Music

Couples may choose to have music played before, during and after their ceremony and a venue is required to provide a music system which can be operated either by a member of the venue's staff or someone nominated from the guests. Alternatively if live music is to be provided space, without compromising the area needed to conduct the ceremony, it should be made available either in the ceremony room or adjacent to it. The Registrar or Celebrant will not normally operate the music system.

Music should normally be of a secular nature although music that contains an incidental reference to religion may be permissible.

The venue is responsible for ensuring compliance where necessary with Performing Rights and Phonographic Performance licence requirements.

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 (1) a religious marriage ceremony and (2) is separate from the civil ceremony.

Ideally there should be a measurable break between the end of the civil ceremony and the start of any blessing e.g. 30 minutes. However, if a religious blessing were to regularly follow ceremonies at particular Approved Premises, or be considered part of the service being offered, there may well be a religious connection which would be incompatible with the licence requirements and may lead to KCC having to consider revoking the licence.

Confetti

The licence holder will need to decide whether to allow confetti to be thrown.

Emergency Callout Service

KCC operates an Emergency Callout Service so that approved premises may contact a duty officer in case of an emergency affecting a ceremony or the non attendance of registration staff. The arrangements and details of the special contact telephone number will be issued to approved premises with their licence.

Booking Terms and Conditions

It is advisable for venues to develop their own terms and conditions for any bookings taken.

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What is the application process?

Inspection

KCC offer a free inspection service to all applicants. This provides an ideal opportunity to discuss in greater detail the suitability of the venue and to fully understand the arrangements and commitments required before submitting an application.

Application Procedure

All applications must be made on a KCC Approved Premises Application Form. The licence fee includes the registration of one ceremony room. Applicants may register any number of ceremony rooms and an additional fee is payable for each one (see page 15).

Advertisement

KCC will advertise the application on the Councils website. A period of 21 days is available for any person or organisation to make comment on the application.

Fire Risk Assessment

A current fire risk assessment will need to be submitted with the application form. KCC is obliged to consult with the local fire safety office. The fire safety office may wish to audit/inspect the premises and any recommendations regarding fire precautions, alarms, signage etc. may need to be resolved prior to a licence being approved or become a special condition of the licence.

The Licence

The licence normally takes between 8-10 weeks to process. The licence is valid for a period of 3 years.

The Licence Notice (certificate)

The licence notice (A4 size) must be displayed prominently and permanently, preferably at the main entrance to the venue. Additional copies can be provided for other parts of the venue or for display in the ceremony room/area.

Comments and Suggestions Notice

A "Comments and Suggestions" notice (A4 size) must also be displayed prominently and permanently at the main entrance to the venue. Additional copies can be provided for other parts of the venue or for display in the ceremony room/area.

Refusal by KCC to approve a licence

If a licence is not approved the applicant will be given notice in writing together with the reasons for the decision.

An applicant who is aggrieved in relation to :-

- The refusal by Kent County Council to grant a licence , or
- The attachment of additional of special conditions to the grant of a licence,

may seek a review by a Member Review Panel of Kent County Council's Regulation Committee or the London Borough of Bexley's Regulation Committee (if the venue is in the Bexley area). There is a separate charge for this.

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Fire Awareness

The following information is advisory. Please contact your local Fire Safety Office for advice specific for your venue. A list of Fire Safety Offices is shown on the next page.

Guidance on Fire Risk Assessments and Emergency Plans

FIRE RISK ASSESSMENTS

A fire risk assessment will help you determine the chances of a fire occurring and the dangers from a fire that your premises pose to the people who use it. This assessment method shares the same approach as that used by general health and safety risk assessments.

Step 1 Identify potential fire hazards in the premises, *these include - sources of ignition, sources of fuel and cooking.*

Step 2 Decide who might be in danger, in the event of a fire or while trying to escape from it, *these can be employees or guests* noting their location.

Step 3 Evaluate the risks arising from the hazards and decide whether your existing fire precautions are adequate or whether more should be done to get rid of the hazard or to control the risks.

These can include the provision of a fire detection/warning system.

Step 4 Record your findings and details of what action you have taken as a result. You must inform your employees of any significant findings. Prepare an emergency plan (*see guidance below*)

Step 5 Keep the assessment under review and revise it where necessary.

EMERGENCY PLANS

The purpose of the emergency plan is:

- To ensure that the people in the premises know what to do if there is a fire; and
- To ensure that the premises can be safely evacuated.

A single line drawing of the premises will assist in the process of developing the emergency plan, showing the position of any known hazards and what fire precautionary measures have been provided.

It will be the responsibility of the premises/responsible person at the venue to evacuate all guests in the event of an emergency.

Guidance and a checklist regarding fire risk assessments can be found on <https://www.gov.uk/government/publications/fire-safety-risk-assessment-5-step-checklist>

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Kent Fire Safety teams

Kent fire safety teams are available from 9am to 5pm Monday to Friday and an answer phone is available out of hours.

Business fire safety helpline

For free, friendly advice on making your business compliant with fire safety regulations.

Phone: 01622 212442

Email : businessfiresafety@kent.fire-uk.org

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Promotion of the licence

The Licence Holder or any person or persons employed or acting on his/her behalf may not imply in any advertisement, statement or document that Kent County Council, Kent Registration Service or the Registrar General recommends the Approved Premises as a venue for civil marriages or civil partnerships.

Licence holders may use the following words to describe the grant of a licence as an Approved Premise:-

" Approved by Kent County Council as a venue for the solemnization of Civil Marriages and the formation of civil partnerships ".

Renewing a licence

The licence may be renewed at the end of its 3 year period.

Revoking a licence

Kent County Council 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 in that Kent County Council no longer considers the premises as a suitable venue for the solemnization of civil marriages and the formation of civil partnerships.
- If directed to do so by the Registrar General.

The Licence Holder may revoke the licence at any time within the three year licence period.

Transfer of Licence

The licence is not transferable between premises. However, the licence, subject to the approval of KCC, may be transferred between Licence Holders. This would normally apply on the sale of a venue or appointment of a new Manager.

Compliance

Registration staff will comply with any rules and regulations affecting the "Approved Premises" providing that they do not conflict with:-

- *KCC's Requirements and Conditions for Approved Premises for Civil Marriages and Civil Partnerships*
- *Regulations and/or Code of Practice issued by the Registrar General*
- *the various Marriage Acts and Regulations*
- *the Civil Partnership Act and Regulations*
- *their statutory responsibilities*

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These fees apply from 1 April 2020 to 31 March 2021

Licensing Fees

Application Fee—includes one ceremony room	£2000.00
Each additional room (at time of application)	£100.00
Additional ceremony room added during the licence	£500.00
Appeal against refusal of licence/licence conditions/decision to revoke	£1000.00

More information regarding all the ceremonies that KCC provide, including information on fees for ceremonies can be found on www.akentishceremony.com

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