



**Policy for the approval of  
premises as venues for Civil  
Marriages and Civil Partnerships  
in the County of Flintshire**

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## Preface

This document provides information and guidance on the process for the approval of premises and the conditions associated with an approval in the County of Flintshire. This document is in four parts:

### Part 1

Information and guidance aimed at all premises that are to be approved for civil marriages and civil partnerships, or religious premises to be approved for civil partnerships only.

### Part 2

Information and guidance **specific to the approval of secular** (premises that are not religious premises e.g. hotels) premises for civil marriages and civil partnerships.

### Part 3

Information and guidance **specific to the approval of religious premises** for civil partnerships only.

### Part 4

Other information and guidance for couples wishing to solemnize a marriage or register a civil partnership on approved premises in Flintshire.

Note: This document is not intended to provide information on the legal requirements for marriage and civil partnership in England and Wales. Further information on the legal requirements for marriage and civil partnership can be obtained from the Council's website at [www.flintshire.gov.uk](http://www.flintshire.gov.uk) or [www.siryfflint.gov.uk](http://www.siryfflint.gov.uk)

## **PART 1**

### **Guidance for the approval of premises as venues for marriages under Section 26(1)(bb) of the Marriage Act 1949 and for civil partnerships under Section 6(3A)(a) of the Civil Partnership Act 2004**

When considering applications for the approval of premises as venues for marriages and for civil partnerships the Council must be satisfied that:

#### **Types of premises**

The laws relating to “approved premises” are intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, similar premises and religious premises without compromising the solemnity of the occasion.

“Premises” are defined as a permanently immovable structure comprising at least a room or any boat or other vessel which is permanently moored. Any premises outside this definition, such as the open air, a tent, marquee or any other temporary structure and most forms of transport, are not eligible for approval.

Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the Council be a seemly and dignified venue for the proceedings, which must take place in a room or rooms that are identifiable by description as a distinct part of those premises. The primary use of a building would render it unsuitable if that use could demean proceedings or bring them into disrepute.

Premises that are religious premises (as defined by section 6A(3C) of the Civil Partnership Act) may not be approved for civil marriages. However, they may be approved for the registration of civil partnerships and further guidance is provided in Part 4 of this document.

#### **Other requirements before an application can be considered**

In addition to being satisfied that the requirements relating to the type of premises are met, the Council will want to be satisfied that the fire assessment in place at the premises is suitable for the intended purpose. The Council will also want to be content that no planning permission is necessary for the use of the venue for marriages or civil partnerships.

#### **The application process**

An application for approval may be made by the proprietor or trustee of premises.

An applicant must provide the following information:

- an application in writing, including the name and address of the applicant (Appendix A – secular premises; Appendix B – religious premises);
- a plan of the premises which clearly identifies the room(s) in which the proceedings will take place if approval is granted (a minimum of two rooms to ensure a room is available as a contingency); and
- a fee to fund the approval process (refer to appropriate application form).

As soon as is practicable after receiving the application the Council will publicise the application for a period of 21 days on its website at [www.flintshire.gov.uk](http://www.flintshire.gov.uk) and [www.sirryflint.gov.uk](http://www.sirryflint.gov.uk)

The public notice will:

- identify the premises and the applicant;
- indicate the address at which the application, the plan accompanying it and any consents may be inspected;
- state that any person may give notice in writing of an objection to the grant of approval, with reasons for the objection, within 21 days from the date on which the notice is published; and
- state the address of the offices of the Council to which such notice of objection should be given.

In accordance with this notice, the Council will make the application, the plans and any consent available for public inspection during normal office hours i.e. 08:30 – 17:00.

As soon as practicable after receiving an application the Council will inspect the premises.

## **Objections**

The Council will consider any objections to an application. The decision about whether to approve premises sits with the Council, but it will however consider its decision in light of any objections made.

## **Granting approvals**

The Council will only grant approval if it is satisfied that the application has been made in accordance with the requirements set out in Schedule 1 (Appendix A(i)) or Schedule 1A (Appendix B(i)) attached to this document and that the premises fulfil any other reasonable requirements which the Council considers appropriate to ensure the facilities provided at the premises are suitable.

The Council may refuse to grant approval, or attach such additional conditions to an approval that it considers appropriate. As soon as is practicable after making a decision the Council will notify its decision in

writing to the applicant and any person that has given notice of objection to the application. If approval is refused, or conditions other than the standard conditions (i.e. those set out in Schedule 2 (Appendix A(ii)) or Schedule 2A (Appendix B(ii)) attached to the approval, the Council will notify the applicant of the right to seek a review of its decision.

Approval will be granted for a period of three years. The period starts on the date on which approval is granted, unless it is revoked, extended or reinstated.

If ownership of the premises changes then the new owners become the holders of the approval. The holders of approvals are required to notify the Council immediately if there is any change to the details that were included in the application, such as a change in holder of the approval.

Immediately after the grant of the approval, the holder of the approval must tell the Council the name, address and qualification of the responsible person. The responsibilities of the responsible person are detailed in Appendix A(ii) or Appendix B(ii); he or she is responsible for ensuring compliance with the standard conditions of approval.

### **Expiry and renewal of approval**

The renewal process is the same as the approval process but can be commenced when the current approval has less than twelve months left to run. An application for renewal made within this period will if necessary, extend the approval until that application has been finally dealt with. A renewal will be expressed to take effect from the date on which the current approval expires.

If an approval expires before any application to renew is made but an application is made within one month of the expiry, the approval will be reinstated. The reinstated approval will then continue until such time as the application for renewal is finally dealt with.

An approval can be extended or reinstated but if an application for renewal is made a month or more after expiry, the full application procedure has to be followed prior to any further approval being granted. Any proceedings arranged at the venue within that time must be postponed or moved to another venue after fresh notices have been given.

### **Revocation**

In general the Council may revoke an approval if the holder has failed to comply with one or more conditions of the approval, or the use or structure of the premises has changed and the premises are no longer suitable for any proceedings. On deciding to revoke the approval the Council will deliver a notice in writing to the holder of the approval confirming its revocation.

The Registrar General for England and Wales may direct the Council to revoke an approval if she considers that there have been breaches of law relating to the proceedings on the approved premises. Before doing so the Registrar General will write to the holder of the approval stating the grounds on which she proposes that the approval should be revoked and providing the holder with a period of at least 14 days to make representations to her in writing. If, following consideration of any representations received, the Registrar General decides that the approval should be revoked she will direct the Council to do so. The Council will then revoke the approval with immediate effect and notify the holder of the approval that it has done so.

When an approval has been revoked, the holder of the approval must immediately notify any couples who had arranged proceedings on those premises that this is the case. The Council will also ask the superintendent registrar or civil partnership registrar who has accepted a booking or been given a notice of marriage or civil partnership to notify the couple that the approval has been cancelled and the certificates or schedule for the proceedings will not be issued.

## **Reviews**

An applicant is able to seek a review of a decision made by the Council to refuse an application or a renewal, to revoke an approval (other than when directed by the Registrar General as described above) or to attach conditions other than the standard conditions (Appendix A(ii) or B(ii)). The application for review should be delivered to the Proper Officer of the Council. The Proper Officer will ensure that the review is carried out by individuals who were not involved in the earlier decision.

On determining whether to uphold the original decision, vary the decision or substitute a different decision the Council will provide notice in writing to the applicant or holder, stating its decision, the reasons for it and, if different to the original decision, the date on which it takes effect.

## **Register of approved premises**

The Council maintains an up to date register of the approved premises in the County. The register includes:

- the name and full postal address of the approved premises;
- the description of the room or rooms in which the proceedings are to take place;
- the name and address of the holder of the approval;
- the date of the granting and due date of expiry of the approval;
- if the approval is renewed, the date of renewal;
- if the approval is revoked, the date on which the revocation takes effect; and
- the name, address and qualification of the responsible person.

The Council will also indicate which of the premises (if any) are religious premises approved for civil partnerships.

The register will be available on the Council's website at [www.flintshire.gov.uk](http://www.flintshire.gov.uk) and [www.sirryflint.gov.uk](http://www.sirryflint.gov.uk). The Registrar General will circulate regularly details of all approved premises to every registration officer, and details are also available on the Directgov website.

## **Fees**

The fee for the attendance of the superintendent registrar and registrar at a marriage is a fee, set by the Council, which reasonably represents the costs to the Council of providing the same for a marriage solemnization.

The fee for the attendance of the civil partnership registrar at a civil partnership is a fee, set by the Council, which reasonably represents the costs to the Council of providing the same for a civil partnership registration.

The fee charged by the Council is exempt from VAT because it relates to a non-business activity of the Council.

## **Changes after the approval**

It is not possible to outline all potential circumstances in which a change may occur after the approval. One common change might be to seek the use of an additional room (one that was not specified on the plan as being intended for proceedings) which would require a fresh approval to be granted. Apart from where there is solely a change of holder of the approval the Council will require a fresh approval, following the standard application process.



## **PART 2**

### **Guidance specific for the approval of premises as venues for marriages under Section 26(1)(bb) of the Marriage Act 1949 and Civil Partnerships under Section 6(3A)(a)**

When considering applications from **secular premises** (e.g. hotels, stately homes), the Council must be satisfied that in conjunction with Part 1 of this document:

#### **Types of premises**

In addition to the requirements set out in Part 1:

- the premises must be regularly available to the public for use for the solemnization of marriages, or the formation of civil partnerships;
- must not be religious premises.

Any approval granted by the Council for secular premises is for both the solemnization of marriages and for the registration of civil partnerships.

The requirement to be regularly available will preclude any private house being approved.

#### **The application process**

The processes are as described in Part 1.

#### **Objections**

The processes are as described in Part 1.

#### **Granting approvals**

The processes are as described in Part 1.

#### **Expiry and renewal of approval**

The processes are as described in Part 1.

#### **Revocation**

The processes are as described in Part 1.

#### **Reviews**

The processes are as described in Part 1.

**Register of approved premises**

The processes are as described in Part 1.

**Fees**

The processes are as described in Part 1.

## **PART 3**

### **Guidance specific for the approval of religious premises as venues for civil partnership under Section 6(3A)(a) of the Civil Partnership Act 2004**

When considering applications for the approval of **religious premises** as venues for civil partnerships the Council must be satisfied that:

#### **Types of premises**

Religious premises are defined in the Civil Partnership Act as:

- premises which are used solely or mainly for religious premises, or
- have been so used and have not subsequently been used solely or mainly for other purposes.

To be approved religious premises must be premises as described above and must be one of the types listed below:

- a) a church or chapel of the Church of England;
- b) a church or chapel of the Church in Wales;
- c) a place of meeting for religious worship included in the list of certified places maintained by the Registrar General under section 7 of the Places of Religious Worship Act 1855;
- d) a place of meeting for members of the Society of Friends; or
- e) a Jewish synagogue.

Both (a) and (b) include a Cathedral Church.

The premises will be approved for the registration of civil partnerships and must be regularly available to the public for use for that purpose. However, there may be circumstances in which the proprietor or trustee of the premises has some flexibility in this regard and may, for instance, restrict use of the premises for civil partnership registrations to followers of the faith worshipped in the premises.

#### **Other requirements before an application can be considered**

In addition to the requirements in Part 1, the proprietor or trustee (the applicant) must satisfy the Council that the necessary consent or consents from the relevant governing authority for the religious organisation(s) concerned have been provided to allow the application to be made.

The governing authority is the body that the members of that religious organisation recognise as competent to give consent. It is up to the applicant to ensure that the proper consents are obtained.

## **Shared premises**

Where premises are shared under the Sharing of Church Buildings Act 1969, there should be a formal sharing agreement and the consent of all the “sharing Churches” must be included with the application. That Act also covers chapels in public places such as hospitals which may also be used by a number of different Churches. Again, the consents of all the Churches must be included.

Separately provision is also made for religious premises that are otherwise used by more than one religious organisation. Premises may for example be of one or more types and/or used by one or more other religious organisations. Again in these circumstances the consent of all the relevant governing authorities will be required.

The onus is entirely on the applicant to provide evidence that they have the necessary consents to make the application and where no consent is required, they will be required to complete a statement to this effect on the application form.

## **The application process**

The processes are as described in Part 1, with the additional requirement for the applicant to provide evidence to the Council that they have obtained the necessary consents described above. Unlike with secular premises where the Council are required to inspect the premises, in respect of religious premises the Council will not need to inspect the premises if they are already used for marriages.

Though the Regulations do not require the applicant to inform the congregation, or congregations of the premises that they intend to apply for the premises to be approved for civil partnership registrations, it is strongly advised as good practice that this approach be followed. Best practice would also be for applicants to take other steps such as making the application available for public display in their premises.

## **Objections**

The processes are as described in Part 1. The Council will not get involved in any disputes within religious organisations on individual applications for premises to be approved.

## **Granting approvals**

The processes are the same as in Part 1.

## **Expiry and renewal of approval**

The processes are as described in Part 1.

## **Revocation**

The processes are as described in Part 1 with the following additions:

- The Council will revoke an approval if it is notified that the required consent, has or will be withdrawn; or
- In respect of premises that did not previously require it, that consent is now or will be required.

The Council will revoke the approval immediately, to take effect on the day following which the notification has been received, or on the day on which consent will be withdrawn (whichever is later).

## **Reviews**

The processes are as described in Part 1.

## **Register of approved premises**

The processes are as described in Part 1.

## **Fees**

The processes are as described in Part 1.

## **PART 4**

### **General guidance for members of the public who wish to solemnize a marriage or register a civil partnership on approved premises**

#### **Guidance for those who wish to marry on approved premises**

As soon as a couple have made provisional arrangements for their marriage on approved premises they should contact the superintendent registrar for Flintshire.

Without the presence of this superintendent registrar (or their deputy) and a registrar there can be no marriage and any arrangements for the use of the premises depend entirely on their availability. It is, therefore, essential that the couple make an advance booking with this superintendent registrar for their attendance at their proposed marriage as soon as a booking can be accepted.

The couple will also have to give a notice of marriage to the superintendent registrar(s) of the district(s) in which they live. This notice must be given in person by each of the couple and is valid for twelve months. The couple should, therefore, attend the register office(s) where they live as soon as notice can be given. There is a fifteen day waiting period after notice has been given before the marriage can take place.

If either of the couple is subject to immigration control, there will be further procedures to take before notice of marriage can be given. The local superintendent registrar can advise further on these procedures.

The couple should be warned that any arrangements made for a marriage to take place on the approved premises are dependent on:

- a) the attendance of the superintendent registrar and a registrar for the district in which the premises are situated; and,
- b) the issue of the authority or authorities for marriage by the superintendent registrar(s) to whom notice of marriage was given.

When notice is given in a different registration district from the one where the marriage is taking place, the couple will have to collect the superintendent registrar's certificate(s) for marriage before the ceremony and ensure that it is delivered to the registrar who is to attend the ceremony.

The couple should be advised that only a civil, non-religious ceremony can be permitted by the superintendent registrar. The content of the ceremony must be agreed in advance with the superintendent registrar who will be attending the ceremony.

Any rights of copyright for music, readings etc permitted at the ceremony are a matter for the couple and the holder of the approval.

**Guidance for those who wish to Register a Civil Partnership on approved premises**

As soon as a couple have made provisional arrangements for their civil partnership on approved premises they should be advised to contact the registration authority for the area in which the premises are situated.

Without the presence of the civil partnership registrar there can be no civil partnership registration and any arrangements for the use of the premises depend entirely on his or her availability. It is, therefore, essential that the couple make an advance booking with the civil partnership registrar for his or her attendance at their proposed registration as soon as a booking can be accepted.

The couple will also have to give a notice of civil partnership to an authorised person of the registration authority in which they live. This notice must be given in person by each of the couple and is valid for twelve months. The couple should, therefore, attend the register office(s) where they live as soon as notice can be given. There is a fifteen day waiting period after notice has been given before the civil partnership can take place.

If either of the couple is subject to immigration control, there will be further procedures to take before notice of civil partnership can be given. The local registration authority can advise further on this.

The couple should be warned that any arrangements made for a civil partnership to take place on the approved premises are dependent on:

- a) the attendance of the civil partnership registrar for the area in which the premises are situated; and,
- b) the issue of the civil partnership schedule by the registration authority for the area in which the premises are situated.

The couple should be advised that only a civil, non-religious registration can be permitted by the civil partnership registrar. The contents of any proceedings should be agreed in advance by the civil partnership registrar who will be attending the registration. If the parties wish to have a ceremony before or after the registration of their civil partnership, this should proceed as discussed and agreed with the civil partnership registrar prior to registration. Where the registration is taking place on approved religious premises, the parties should discuss and agree how any religious ceremony can precede or follow the registration. The civil partnership registrar will not be acting as a civil partnership registrar during any such ceremony.

Any rights of copyright for music, readings etc permitted at the registration are a matter for the couple and the holder of the approval.

## **Designation of Civil Partnership Registrars**

A civil partnership registrar is a person who is designated by a registration authority as a civil partnership registrar for its area. Under the Registration of Births, Deaths and Marriages Regulations 1968 a minister of religion or authorised person is precluded from also acting as a registrar of marriages. There is no such restriction under civil partnership legislation although the designation of such persons will be for the purely secular role of civil partnership registrar.



**Appendix A**



**Application form for secular premises to be approved as a venue for marriages in pursuance of Section 26(1)(bb) of the Marriage Act 1949 and Civil Partnerships in pursuance of Section 6(3A)(a) of the Civil Partnership Act 2004**

This application must be made by the proprietor or a trustee of the premises. If successful, the applicant will be the holder of the approval. When completed, it should be forwarded to the Proper Officer for Registration Matters at Flintshire County Council, County Hall, Mold, Flintshire CH7 6NR, together with the appropriate fee payable to Flintshire County Council.

\*\*\*\*\*

I apply for the premises named at item 2 overleaf to be approved for the solemnization of marriages and the registration of civil partnerships.

I attach three copies of a plan of the premises showing all the room(s) in which it is intended that marriages or civil partnerships will take place.

I understand that:

- a) the premises will be inspected for suitability before approval is granted and, if this application is successful, may be subject to subsequent inspection;
- b) public notice of the application will appear on the Council's website for the same period and that the Council may also decide to publish it in other ways if it considers it necessary to do so;
- c) approval, if granted, will be for a period of three years and will be subject to revocation; and
- d) the Council will need to be satisfied that appropriate health and safety provision and fire safety is in place.

I declare that:

- a) I have read and understood the information contained in this form and Appendix A(i) and Appendix A(ii) to this document;
- b) the premises are not religious premises;
- c) the premises are not a register office; and
- d) I have consulted the local 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.

I further declare that, if approval is granted:

- a) the premises will be regularly available for public use for the solemnization of marriages and the registration of civil partnerships; and

b) I will comply with both the standard conditions (Appendix A(ii) of this document) and any further conditions that the Council considers reasonable that are attached to the approval.

\*\*\*\*\*

<p>1. Full names and private addresses of applicant. If the application is made by a limited company (or other incorporated business) please give the address of the registered office and where different state also the main trading address of the company.</p>	
<p>2. Name, postal address and telephone number of the premises which are the subject of this application.</p>	
<p>3. Please describe the nature of the premises referred to in question 2 (e.g. hotel, stately home, civic accommodation) and the primary and other uses to which they are regularly put.</p>	
<p>4. Is the person or company named in reply to question 1 the occupier of the premises?</p>	
<p>5. If the answer to question 4 is 'No' and there is another occupier, please give their name(s) and address(es)</p>	
<p>6. Please state here the maximum number of people permitted by the premises' fire risk assessment to occupy each room in which the proceedings are intended to be held.</p>	

<p>7. Do the premises currently have the benefit of any licence issued under the Licensing Act 2003 which may be relevant to this application (e.g for the provision of regulated entertainment). If so please attach a copy.</p>	
<p>8. Do you propose to include a gazebo and/or other permanent garden structure?</p>	
<p>9. Please identify a separate room for pre-proceedings questioning by the registrar.</p>	

Signature of applicant:

Date:

Interest in the premises:

If applying on behalf of a company or other incorporated business please state position in company, address for correspondence, contact telephone number and email address:

## **Notes of the requirements for an approval to be granted**

The requirements for approved premises are established by the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and Amendment Regulations 2011 (referred to in these notes as the Regulations). It is these that the Council must apply when considering an application for approval.

A non-returnable fee for this application must be submitted with the application to the Proper Officer for Registration Matters at Flintshire County Council, County Hall, Mold, Flintshire CH7 6NR, payable to Flintshire County Council.

The application must be made by the proprietor or trustee of the premises. When made on behalf of a limited company, or other incorporated business there should be a separate statement of the names and addresses of all the directors.

### **The premises must fulfil the following standard requirements in the Regulations:**

1. Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the Council, 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 Council, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of persons employed in or visiting the premises as the Council considers appropriate.
4. The premises must not be a register office.
5. The room or rooms in which the proceedings (marriage or civil partnership) will be held if approval is granted must be identifiable by description as a distinct part of the premises.

### **The premises must also fulfil the Council's following requirements:**

In considering the suitability of premises as a venue, the Council will have due regard to the following guidance from the Registrar General:

1. The law relating to "approved premises" is intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, religious premises and similar premises without compromising the solemnity of the occasion.
2. Premises are defined as a permanently immovable structure comprising at least a room, or any boat or other vessel which is permanently moored. Premises not within the meaning of this definition, such as the open air, a tent, marquee or any other temporary structure and most forms of transport, will not be eligible for approval.

3. The premises must be a seemly and dignified venue for the proceedings, which must take place in an identifiable and distinct part of those premises. The primary use of a building would render it unsuitable if that use would demean any proceedings or bring them into disrepute.
4. The premises must not be any part of a register office on the plan submitted by the Council and approved by the Registrar General under the Registration Service Act 1953.
5. The requirement that the premises must be regularly available for use by the public will preclude a private house from being approved.

**Appendix A (i)**

**Schedule 1: Requirements for the grant of approval of premises that are not religious premises**

1. Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the Council, 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 Council, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of persons employed in or visiting the premises as the Council considers appropriate.
4. The premises must not be:
  - a) religious premises;
  - b) a 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.

## Appendix A (ii)

### **Schedule 2: Conditions to be attached to grants of approval of premises that are not religious premises**

1. The holder of the approval must ensure that there is at all times an individual with responsibility for ensuring compliance with these conditions (“the responsible person”) and that the responsible person’s occupation, seniority, position of responsibility in relation to the premises, or other factors (his “qualification”), indicate that he is in a position to ensure compliance with these conditions.
2. The responsible person or, in his absence, an appropriately qualified deputy appointed by him, shall be available on the premises for a minimum of one hour prior to and throughout each of the proceedings.
3. The holder must notify the Council:
  - 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 Council 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 Council.
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. (1) 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 Council.
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 Council 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 Council, 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.

**Further conditions the Council considers appropriate upon grant of approval:**

15. All public notices to be displayed in English and Welsh.
16. The following requirements will apply to applications for gazebos and other garden structures:
  - a) the structure must be seemly and dignified;



- b) the structure must be permanent and immovable (it will have a brick, stone or concrete base and a roof supported by brick, stone, concrete, cast iron or timber pillars or walls);
- c) the space between any pillars may be partially filled by trellis or other decorative material.
- d) The structure's roof must not be open (this includes partially open e.g. ironwork), the roof must provide full permanent cover;
- e) the structure must be of adequate size to accommodate a minimum of six people, a table and two chairs;
- f) the structure should have electric power and light;
- g) ceremonies will usually be limited to the period between 1 April and 30 September and will place at the sole discretion of the (Deputy) Superintendent Registrar in conjunction with the responsible person at the approved venue;
- h) it is the responsibility of the licensee to reserve an alternative approved room for use on the date of the ceremony in the event of inclement weather;
- i) it is the responsibility of the licensee to provide amplification if it is deemed necessary for ceremonies and the responsible person(s) will ensure that any equipment is set-up prior to the start of ceremonies.

**Appendix B**



**Application form for religious premises to be approved as a venue for civil partnerships in pursuance of Section 6A(3C) of the Civil Partnership Act 2004**

This application must be made by the proprietor or a trustee of the premises. If successful, the applicant will be the holder of the approval. When completed, it should be forwarded to the Proper Officer for Registration Matters at Flintshire County Council, County Hall, Mold, Flintshire CH7 6NR, together with the appropriate fee payable to Flintshire County Council.

\*\*\*\*\*

I apply for the premises named at item 2 overleaf to be approved for the registration of civil partnerships.

I attach three copies of a plan of the premises showing all the room(s) in which it is intended that civil partnerships will take place.

I understand that:

- a) the premises may be inspected for suitability before approval is granted and, if this application is successful, may be subject to subsequent inspection;
- b) public notice of the application will appear on the Council's website for the same period and that the Council may also decide to publish it in other ways if it considers it necessary to do so.
- c) approval, if granted, will be for a period of three years and will be subject to revocation.
- d) the authority will need to be satisfied that appropriate health and safety provision and fire safety is in place.

I .....  
[Name]

.....[Position - Trustee/Proprietor]

(a) attach the written consent of.....

.....  
(Name and address of the person specified or governing authority), or

(b) confirm that consent is not required.

(c) if the premises are shared with other faith groups or Churches then ensure that sections d) and (e) and completed (as many times as necessary) as appropriate below:

(d) attach the written consent of.....

.....  
(Name and address of the person specified or governing authority), or

(e) confirm that no consent is required.

Where you have stated that consent is not required (in respect of one or more users) please complete the declaration below: The statement[s] in paragraph (b) [insert other paragraphs as appropriate] is [are] true to the best of my knowledge and belief.

..... Signed: applicant

I declare that:

- a) I have read and understood the information contained in this form and Appendix B(i) and Appendix B(ii) to this document;
- b) the premises are not a register office;
- c) I have consulted the planning authority as to whether planning consent is required and attach, where it is required, that it is content that the premises may be used for civil partnerships.

I further declare that, if approval is granted I will comply with the standard conditions (Appendix B(ii) to this document) and any local conditions that the Council considers reasonable that are attached to the approval.

\*\*\*\*\*

1. Full names and private addresses of applicant. If the application is made by a limited company (or other incorporated business) please give the address of the registered office and where different state also the main trading address of the Company	
2. Name, postal address and telephone number of the premises which are the subject of this application.	

<p>3. If the premises are certified for religious worship under the Places of Worship Registration Act 1855 or registered for the solemnisation of marriages under the Marriage Act 1949, then please quote the certification/registration number.</p>	
<p>4. Please describe the nature of the premises at question 2 (e.g. Parish Church, Synagogue) and the primary and other uses to which it is regularly put.</p>	
<p>5. If the premises are shared with other faith groups, then please state the details of any sharing arrangements, either formal or informal.</p>	
<p>6. Is the person or company named in reply to question 1 the trustee/proprietor of the premises?</p>	
<p>7. If the answer to question 6 above is 'No' and there is another person qualified as trustee or proprietor, please give their name(s) and address(es)</p>	
<p>8. Please state here the maximum number of people permitted to occupy each room in which the proceedings are intended to be held, under your fire risk assessment.</p>	
<p>9. Do the premises currently have the benefit of any licence issued under the Licensing Act 2003 which may be relevant to this application (e.g for the provision of regulated entertainment) If so please attach a copy.</p>	

Signature of applicant:

Date:

Interest in the premises:

Address for correspondence, contact telephone number and email address:

## **Notes on the requirements before an approval to be granted**

The requirements for approved premises are established by the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 and Amendment Regulations 2011. It is these that the Council will apply when considering an application for approval.

The non-returnable fee for an application must be submitted with the application to the Proper Officer for Registration Matters at Flintshire County Council, County Hall, Mold, Flintshire CH7 6NR.

The application must be made by the proprietor or trustee of the premises. When made on behalf of a limited company, or other incorporated business there should be a separate statement of the names and addresses of all the directors.

### **The premises must fulfil the following standard requirements in the Regulations:**

- 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 the formation of civil partnerships.
- 3) The premises must have the benefit of such fire precautions as may reasonably be required by the Council, having consulted with the 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 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.

### **The premises must also fulfil the following requirements set by the Council:**

In considering the suitability of premises as a venue, the Council will have due regard to the following guidance from the Registrar General:

- 1) The laws relating to “approved premises” are intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, similar premises and religious premises without compromising the solemnity of the occasion.
- 2) Premises are defined in the Regulations as a permanently immovable structure comprising at least a room, or any boat or other vessel which is permanently moored. Premises not within the meaning of this definition, such as the open air, a tent, marquee or any other temporary structure and most forms of transport, will not be eligible for approval.
- 3) Religious premises are:

- Premises which are used solely or mainly for religious premises; or have been so used and have not subsequently been used solely or mainly for other purposes.
  - They must also satisfy the requirements for premises described in paragraph 2 above. Only the following types of religious premises may be approved under the Regulations:
    - a church or chapel of the Church of England;
    - a church or chapel of the Church in Wales;
    - a place of meeting for religious worship included in the list of certified places maintained by the Registrar General under section 7 of the Places of Worship Registration Act 1855;
    - a place of meeting for members of the Society of Friends; or
    - a Jewish synagogue.
- 4) The Regulations make specific provision in respect of premises that are shared. These may be shared Churches under the Sharing of Church Buildings Act 1969 or chapels in places such as hospitals and universities that are also used by two or more Churches under that Act. Provision is also made where less formal sharing arrangements may exist but where premises are nevertheless used for the religious purposes of more than one religious organisation or faith group. In all cases the consent of all relevant governing authorities will be required.
  - 5) The premises must be a seemly and dignified venue for the proceedings, which must take place in an identifiable and distinct part of those premises. The primary use of a building would render it unsuitable if that use could demean proceedings or bring them into disrepute.
  - 6) The definition of religious premises in 3. (above) would prohibit a private house from being approved. Public access to the premises must be provided during the civil partnership registration.

**Other Notes:**

- 1) When you have submitted the application to the local authority it would be good practice to ensure that a copy of application form is displayed on the premises until the application has been determined.
- 2) If as a result of the display of this form, it is brought to your attention that an individual or group wishes to object to the proposed use of the building, then you should refer that person/group to your local authority.
- 3) If you have any questions about complying with the conditions of an approval then please contact your local authority for further advice.

## Appendix B (i)

### **Schedule 1A: Requirement for the grant of approval of religious premises**

1. Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the Council, be a seemly and dignified venue for the proceedings.
2. Except in so far as section 196 of, and paragraph 2 of Schedule 23 to, the Equality Act 2010<sup>2</sup> may apply, the premises must be regularly available to the public for the formation of civil partnerships.
3. The premises must have the benefit of such fire precautions as may reasonably be required by the Council, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of the persons employed in or visiting the premises as the Council considers appropriate.
4. 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.



## Appendix B (ii)

### **Schedule 2A: Conditions to be attached to grants of approval of religious premises**

1. The holder of an 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 or her “qualification”), indicate that he or she is in a position to ensure compliance with these conditions.
2. The responsible person or, in the responsible person’s absence, an appropriately qualified deputy appointed by the responsible person, must be available on the premises for a minimum of one hour prior to and throughout the proceedings.
3. The holder of an approval must notify the Council:
  - a) of his or her name and address immediately upon 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 of an approval must notify the Council 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;
  - 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 holder of an approval must notify the Council immediately if the premises cease to be religious premises.
6. The holder of an approval must notify the Council immediately if a sharing Church withdraws from a sharing agreement or if a Church that uses a shared building ceases to do so.
7. The holder of an approval must notify the Council immediately if a required consent has been or is going to be withdrawn and the date on which it was or is to be withdrawn.
8. Where consent was not previously required, the holder of an approval must notify the Council immediately if consent is now or will be required and the date from which it was or will be required.
9. The approved premises must be made available at all reasonable times for inspection by the Council.

10. 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.
11. (1) 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) These are the exceptions to the prohibition above:
  - a) the consumption of food or drink as a part of any religious ceremony that takes place prior to the proceedings;
  - b) the consumption of non-alcoholic drinks prior to the proceedings.
12. The 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.
13. 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.
14. The arrangements for and content of the proceedings must meet with the prior approval of the Council.
15. (1) The proceedings conducted on the approved premises may not be religious in nature.  
(2) In particular, the proceedings may 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 containing an incidental reference to a god or deity in an essentially non-religious context.
16. Public access to any proceedings in approved premises must be permitted without charge.
17. Any reference to the approval of premises on any sign or notice, or on any stationery or publication, or within any advertisement may state that the premises have been approved by the Council as a venue for the formation of civil partnerships under section 6(3A)(a) of the 2004 Act but must not state or imply any recommendation of the premises or its facilities by the Council, the Registrar General or any of the officers or employees or either of them.
18. If a change of name to the approved premises occurs after the issue of the civil partnership document but before the proceedings, the former name of the approved

premises as recorded in the civil partnership document remains valid for the purposes of the proceedings.

**Further conditions the Council considers appropriate upon grant of approval:**

19. All public notices to be displayed in English and Welsh.

## Appendix C

### **Schedule A1: Persons whom must consent to an application for approval of religious premises**

<b>Description of religious premises</b>	<b>Person or description of person who must consent to application</b>	<b>Consent not required</b>
Place of meeting for religious worship of the Roman Catholic Church	General Secretary of the Catholic Bishops' Conference of England and Wales	
Church or chapel of the Church of England	General Synod	
Church or chapel of the Church in Wales	Governing Body of the Church in Wales	
Place of meeting for religious worship of the Methodist Church	Conference of the Methodist Church	
Place of meeting for members of the Society of Friends		Consent not required

**Appendix D**



**Notification of approval for secular premises**

**Notification of approval of premises as a venue for marriages in pursuance of Section 26(1)(bb) of the Marriage Act 1949 and as a venue for Civil Partnerships in pursuance of Section 6(3A)(a) of the Civil Partnership Act 2004.**

Flintshire County Council has granted approval for the premises shown below to be used for the solemnization of marriages and the registration of civil partnerships under the provisions of section 26(1)(bb) of the Marriage Act 1949 and section 6(3A)(a) of the Civil Partnership Act 2004.

Name and full postal address of the approved premises.	
Name and full postal address of the holder of this approval.	

Marriages in the presence of a superintendent registrar and registrar, and civil partnerships in the presence of a civil partnership registrar, may take place in the room(s) shown on the plan of the premises, subject to the conditions attached to this approval {Appendix A(i) and Appendix A(ii) to this guidance}

This grant of approval will continue, subject to revocation, until the ..... day of .....

Application for a renewal of approval may be made on or after .....

The holder of this approval must now notify the Council of the name, qualification and full postal address of the responsible person. This person must be qualified in accordance with the Regulations (see Appendix A(ii), Condition 1). If at any time a new responsible person is appointed the holder must immediately notify the authority of his or her details as above.

This approval is granted by Flintshire County Council on this.....day of.....

To be accompanied by:

A copy of the plan submitted with the application marked with the room(s) which have been approved (to be attached by the local authority).

Appendix A(i) a copy of the requirements for the grant of approval.

Appendix A(ii) a copy of the standard and any further conditions.

## Appendix E



### **Notification of approval for religious premises**

#### **Notification of approval of Religious premises as a venue for Civil partnerships in pursuance of Section 6(3A)(a) of the Civil Partnership Act 2004.**

Flintshire County Council has granted approval for the premises shown below to be used for the registration of civil partnerships under the provisions of sections 6(3A)(a) of the Civil Partnership Act 2004.

Name and full postal address of the approved premises.	
Name and full postal address of the holder of this approval.	

Civil partnerships in the presence of a civil partnership registrar may take place in the room(s) shown on the plan of the premises subject to the conditions attaching to this approval {Appendix B(i) and Appendix B(ii) of this guidance}.

This grant of approval will continue, subject to revocation, until the ..... day of .....

Application for a renewal of approval may be made on or after .....

The holder of this approval must now notify the Council of the name, qualification and full postal address of the responsible person. This person must be qualified in accordance with the Regulations (see Appendix B(ii), Condition 1).

This approval is granted by Flintshire County Council on this.....day of.....

To be accompanied by:

A copy of the plan submitted with the application marked with the room(s) which have been approved (to be attached by the local authority).

Appendix B(i) a copy of the requirements for the grant of approval

Appendix B(ii) a copy of the standard and any local conditions.