

Safety and Licensing Committee

Report on the licensing of Approved Premises for the solemnization of civil marriage and registration of civil partnerships

March 2024

Background

Sections of the Marriage Act 1949 and more recently the Civil Partnership Act 2004 allow Registration Authorities to approve premises in order to allow civil marriage and civil partnership ceremonies to be conducted without compromising the solemnity of the occasion.

Gloucestershire Registration Service adheres to guidance issued by the Registrar General for England and Wales. The guidance supplements the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 to provide local authorities and registration officers with information on the regime to approve premises for the solemnization of civil marriages and the registration of civil partnerships.

The regulations define “premises” as a permanently immovable structure comprising at least a room or any boat or other vessel which is permanently moored. Following the COVID 19 pandemic, the regulations were updated to include “Linked outdoor areas” which are “any areas within the boundary of the land of which the built premises form part, which are not built premises, and which may be used in common with the built premises”.

Any premises outside this definition, such as most forms of transport, or land which is not land of which the built premises form part would not be eligible for approval. The minimum requirement for approval is that there must be built premises, whether or not there are any linked outdoor areas. In addition, there are other statutory requirements that must be met before an approval can be granted.

The amendment allows couples to hold a ceremony outdoors but only within the boundary of an existing permanent premises.

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 built premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.
2. The built 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 built premises must have the benefit of such fire precautions as may reasonably be required by the authority, 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 built premises as the authority considers appropriate.

4. The premises must not be—
 - (a) religious premises;
 - (b) premises where the built premises are a register office
5. The room or rooms in which the proceedings are to take place in the built premises if approval is granted must be identifiable by description as a distinct part of the built premises

The application process

The applicant must provide the following:

- an application in writing, including the name and address of the applicant;
- a plan of the premises which clearly identifies the room or rooms in which the proceedings will take place if approval is granted together with the boundary of the land of which the built premises form part for which the linked outdoor areas may also be used for proceedings.
- a fee to fund the approval process (£2,500 for a 3 year licence)

As soon as is practicable after receiving the application we are required to publicise the application for a period of 21 days.

Licences in Gloucestershire

Since January 2021 we have issued 107 licences to Approve Premises for the solemnization of civil marriage and registration of civil partnerships with 21 being issued in the 23/24 financial period.

Licences issued by Gloucestershire Registration Service run for a period of 3 years and then must be renewed before the end date of the licence.

All licences are signed by the Head of Libraries & Registration and Proper Officer.