THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM

APPROVAL/ RENEWAL OF PREMISES AS VENUES FOR CIVIL MARRIAGES AND CIVIL PARTNERSHIP CEREMONIES

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INTRODUCTION

The Marriage Act 1949 was amended to permit civil marriages to take place on premises approved for the purpose by local authorities. The amendment allowed civil marriages to take place regularly in hotels, stately homes, civic halls and similar premises without compromising the fundamental principles of English marriage law and whilst maintaining the solemnity of the occasion.

The Civil Partnership Act 2004 similarly permits civil partnerships to take place on approved premises.

The process for approving premises can appear daunting and the requirements to be met onerous, but most of the requirements are legal ones over which the London Borough of Hammersmith and Fulham has no discretion. It is hoped that these notes will clarify what is involved, however, if you should require any further assistance or are unsure about any aspect, please do not hesitate to contact the licensing team.

THE PREMISES

The premises to be approved must be a permanently immovable structure comprising at least one room. In this regard it is important to note that an approval is actually granted in respect of a room (or rooms) within the premises, not the premises as a whole. The room or rooms should be identifiable by description as a distinct part of the premises.

The requirement for permanence precludes marriages from taking place in the open air, in a tent, marquee or any other temporary structure and in most forms of transport, although a boat or vessel, which is permanently moored, may be acceptable.

Premises must be regularly available for the solemnisation of marriages and civil partnerships. A private house, for example, is unlikely to be an appropriate venue for civil marriages as it would neither be known to the public as a marriage venue nor regularly available for that use.

The secular nature of civil ceremonies precludes the use of any building with a recent or continuing religious connection. This would effectively rule out any building or room whose description, purpose or appearance is still considered to be linked to religion. A chapel in a stately home and a building containing furniture or fittings associated with a place of religious worship, or which has stained glass windows, depicting a religious image are examples of a continuing religious connection. On the other hand, premises in which a religious group meets occasionally may be suitable if the primary use of the premises is secular.

The primary use of the premises would also render it unsuitable if that use could demean marriage or civil partnership registration and bring it into disrepute. The location must be seemly and dignified.

THE APPLICATION PROCESS

The application would normally be made by the proprietor or a trustee of the premises. If made on behalf of a limited company a separate statement of the names and addresses of all the directors should accompany the application form.
As soon as practicable after receiving the application the licensing authority shall advertise an application for premises to be approved as a venue for marriages and civil partnership registrations by displaying prominently a notice at, on or near the site of the premises to which the application relates where it can conveniently be read from the exterior of the premises by the public. The notice shall contain the following:

- 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;
- state the address of the offices of the authority to which such notice of objection should be given.

A copy of the application and plans shall also be made available to members of the public for inspection at Hammersmith Town Hall and the application shall also be published on the licensing authorities website.

On receipt of your application it will be necessary for the licensing authority to undertake statutory consultations:

Director of Environmental Health and the London Fire and Emergency Planning Authority - to ensure that there is reasonable provision for the Health & Safety of persons employed in or visiting the premises

Executive Director of Planning and Borough Development - to ensure he is content that the premises can be regularly used for marriages/civil partnerships

Finally, we will arrange an inspection of your premises to ensure that they fulfil the requirements laid down in Appendix A and to fully explain the procedures to be followed at ceremonies as detailed later.

CONDITIONS OF APPROVAL

The standard conditions, which will be attached to the approval of any application, are detailed at Appendix B.

In addition the London Borough of Hammersmith and Fulham requires that:

- the premises have suitable and dignified access for persons with disabilities
- there is available a separate room should the couple request individual pre-ceremony interviews with the Registrar
- the ceremony take place without disruption from noise, and the proceedings must be clearly audible within the room in which the ceremony takes place
- the area of land to which the public have access outside the premises is not littered with confetti. The holder of the approval must take steps to ensure that any litter arising from the
ceremony is removed, and must comply with any request from the Council’s Director of Waste Management and Leisure as to the intervals at which the land shall be swept.

The conditions imposed by the local authority, which will be attached to the approval of any application, are detailed at Appendix C.

GRANT AND RENEWAL OF APPROVAL

The grant of approval, unless subsequently revoked, will run for three years from the date on which it is granted. Any change in the ownership of the premises will also change the holder of the approval and should be notified to the licensing authority as soon as (or prior to) the change becomes effective.

The renewal process is the same as the approval process but can commence when the current approval has between six and twelve months to run. Licensees will be reminded that their licence is due for renewal approximately six months before expiry. A renewal should be expressed to take effect from the date on which the existing approval expires.

The London Borough of Hammersmith and Fulham may refuse to grant an approval if it is not satisfied as to the suitability of a building for civil ceremonies. Consideration may also be given to the number of other approved premises in the area and the likely availability of Registrars to be regularly available to attend the solemnisation of marriages or registration of civil partnerships on the premises.

THE REVIEW PROCESS

An applicant may seek a review by the London Borough of Hammersmith and Fulham of its decision to refuse to grant an approval, to attach local conditions, to refuse to renew an approval or to revoke an approval.

The review will be carried out by a different panel than that which made the original decision. The review panel may confirm the decision, rescind it or vary it with the imposition of fresh or further conditions.

FEES

The current fees are:

- Initial application/renewal £1,120.20

Fees should be included with your application and are not refundable should the application be unsuccessful.

THE CEREMONY

Arrangements for, and the content of each, marriage ceremony or civil partnership registration must meet with the requirements of the Superintendent Registrar of the London Borough of Hammersmith and Fulham Registration District.
In this respect the standard conditions set out in Appendix B have been framed so that every ceremony will comply with the legal requirements and the dignity and solemnity of the occasion will be maintained. The Responsible Person (or a nominated deputy) must be available on the premises before and during the ceremony to ensure compliance with all conditions attaching to the approval. This person should have the authority to enforce these conditions and liaise with the Superintendent Registrar over any such matters as they affect the ceremony.

Although it is acceptable for ceremonies on approved premises to be followed by a celebration the law requires that no food or drink is served in the room in which the ceremony is to take place for a period from one hour before the ceremony begins until its conclusion.

Similarly a ceremony may be followed by a commemoration or blessing of the couple’s choice, providing that it is not a religious ceremony and is separate from the civil ceremony. However, if a religious blessing were to regularly follow ceremonies on particular premises, or be considered part of the service being offered on the premises, a religious connection could well be established which would breach the requirements and could lead to the approval being revoked.
APPENDIX A

NOTES ON THE REQUIREMENTS WHICH THE PREMISES MUST FULFIL

The premises must fulfil the following standard requirements:

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 solemnisation of civil ceremonies.

2. The premises must be regularly available to the public for use for civil ceremonies.

3. The premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire authority, and such other reasonable provision for the health and safety of persons employed in, or visiting the premises as the authority considers appropriate.

4. The premises must have no recent or continuing connection with any religion, religious practice or religious persuasion, which would be incompatible with the use of the premises for civil ceremonies.

5. The room or rooms in which ceremonies will be solemnised if approval is granted must be identifiable by description as a distinct part of the premises.

6. There must be suitable and dignified access to the premises for persons with disabilities, which meet the requirements, set out in the Disabled Discrimination Act 1998 Part III

7. The premises must have a separate room for pre-ceremony questioning by the Registrar.

8. Any necessary planning consent must be obtained.
THE CONDITIONS TO BE ATTACHED TO GRANTS OF APPROVAL

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/her “qualification”), indicate that he is in a position to ensure compliance with these conditions.

2. The responsible person or, in their absence, an appropriately qualified deputy appointed by them, shall be available on the premises for a minimum of one hour prior to each ceremony and throughout each ceremony.

3. The holder must notify the authority:
   a) of their name and address immediately upon their 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 also notify the authority immediately of any change to any of the following:
   i) the layout of the premises, as shown in the plan submitted with the approved application, or in the use of the premises
   ii) the name or full postal address of the approved premises
   iii) the description of the room or rooms in which the ceremonies are to take place.
   iv) the name or address of the holder of the approval, and
   v) the name, address or qualification of the responsible person.

5. The approved premises must be available at all reasonable times for inspection by the authority.

6. A suitable notice (Appendix D) stating that the premises have been approved for the solemnisation of marriages in pursuance of section 26(1)(bb) of the Marriage Act 1949 and identifying and giving directions to the room in which a ceremony is to take place must be displayed at each public entrance to the premises for one hour prior to the ceremony and throughout the ceremony.

7. (1) Save as provided below, no food or drink may be sold or consumed in the room in which the proceedings take place for one hour prior to or during those proceedings.
   (2) Non-alcoholic drinks may be consumed prior to the proceedings.

8. All proceedings must take place in a room which was identified as one to be used for that purpose on the plan submitted with the approved application.

9. The room in which the proceedings are to take place must be separate from any other activity on the premises at the time of the proceedings.
10. The arrangements for and content of the proceedings must meet with the prior approval of the superintendent registrar of the district, or the registration authority of the area, as the case may be, in which the approved premises are situated.

11. (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.

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.
APPENDIX C

THE CONDITIONS TO BE ATTACHED TO GRANTS OF APPROVAL IMPOSED BY LOCAL AUTHORITY

NOTES
i) Except where the context demands otherwise the singular includes the plural and the masculine includes the feminine.

ii) Nothing in these conditions shall be construed as interfering with (i) the discretion of the Holder of the Approval or his representative regarding the admission of any person or (ii) the need to strictly comply with all relevant statutory requirements.

iii) These conditions are divided into four Parts as follows:-

Part I - General
Part II - General conditions relating to management, conduct etc.
Part III - Conditions in respect of fire and safety Conditions.
Part IV - Other Safety Conditions and Conditions relating to sanitation and noise.

iv) In these conditions all references to a British Standard (BS) shall be deemed to refer to the current standard.

Disabled People
It is the policy of the Council that there shall be access and facilities for disabled people at "Approved Premises". Holders of the Approval are therefore encouraged in the strongest possible terms to provide such facilities so as to enable the admission of disabled people. To this end Council Officers will be pleased to discuss and advise on the best ways to achieve this.
PART 1 - GENERAL

Definitions

In these conditions, unless the context otherwise requires:-

'Consent of the Council' means the consent of the Council in writing. 'Approval holder' means the holder of an approval granted under Section 46A of the Marriage Act 1949 and Section (6A)(A) of the Civil Partnership Act 2004.

'Approved', 'accepted', or 'permitted', means approved, accepted or permitted by the Council in writing.

'Approved arrangements' means the arrangement of the premises, fittings, installations and all other things in connections therewith as approved by the Council

'Approved Premises' means any premises, within the Council's area approved by the Council under Section 46A of the marriage Act 1949 and Section (6A)(A) of the Civil Partnership Act 2004. "Premises" includes the Approved Premises and any other premises in the control of the Holder of the Approval adjacent to or adjoining the approved premises.

'Council' means London Borough of Hammersmith and Fulham.

'Escape lighting' (safety lighting) means lighting, obtained from a source independent of the general supply for the building provided to assist the public and staff to leave the premises without the aid of normal lighting.

'Fire Authority means the Chief Fire Officer of the London Fire & Emergency Planning Authority (LFEPA).

'Non-combustible' materials means material which is deemed to be non-combustible when tested in accordance with the provisions of British Standard 476:Part 4, or such other material or combination of materials as the Council accepts as being non-combustible for the purpose of these conditions.

'Officer' means any person authorised in writing by the Council. (This may include officers of the London Fire & Emergency Planning Authority).
### PART II - GENERAL CONDITIONS RELATING TO MANAGEMENT, CONDUCT ETC.

#### Responsibility

<table>
<thead>
<tr>
<th>Holder of Approval</th>
<th>2</th>
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<tbody>
<tr>
<td>a) The Holder of the Approval shall take all reasonable precautions for the safety of the public and employees and except with the consent of the Council, shall retain control over all portions of the approved premises.</td>
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<tr>
<td>b) The number of persons accommodated at any one time in the approved room(s) and areas shall not exceed the number specified on the approval document.</td>
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| 3 |
| The Holder of the Approval or some responsible person nominated by him in writing for the purpose shall be in charge of and upon the approved premises during the whole time the premises are in use under the authority of the grant of an approval. The person in charge shall not be engaged in any duties which will prevent him from exercising general supervision. |

#### Conduct of Premises

| 4 |
| The Holder of the Approval shall maintain good order in the approved premises. |
| b) All parts of the approved premises shall be kept in a clean condition to the satisfaction of the Council, e.g. clearance of confetti. |
| c) The Holder of the Approval shall ensure that the public are not admitted to premises other than those which have been approved by the Council for this activity. |

| 5 |
| The Holder of the Approval shall ensure that music provided at the premises shall not cause a nuisance to nearby residents and any form of amplification shall be controlled by the Holder of the Approval as to prevent such a nuisance. |

#### Alterations

| 6 |
| No alterations (including temporary alterations) shall be made to the approved premises without the prior written consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works. |

Where works necessitate the approved premises being closed for a period of time, the approved premises shall not re-open for the purpose of the approval, until the Holder of the Approval has been notified in writing by the Council.
PART III - RULES IN RESPECT OF FIRE AND SAFETY CONDITIONS.

Seating

7 a) Unless otherwise permitted by the Council, seating shall be in the form of rows with no more than 14 seats in a continuous row where there is a gangway at each end and not more than 7 seats where there is a gangway at one end only. Gangways shall be of adequate width for the number of seats served but shall in no case be less than 1 metre wide.

b) All gangways shall be kept free from obstruction.

Maintenance

8 The approved arrangements shall be maintained at all times in good order, repair and condition.

Overcrowding

9 Overcrowding shall not be permitted in any part of the approved Premises.

Maintenance of Means of Escape

10 a) All means of escape in case of fire and all safeguards to prevent the spread of fire and any arrangement in connection therewith shall be kept and maintained in good condition and repair in efficient working order.

b) All exit routes shall be maintained with non-slip and even floor/steps surfaces and be free of trip hazards at all times. Such exit routes shall be unobstructed and available for immediate use at all times and clearly identifiable.

c) All exit doors shall be available for immediate use, without use of a key or similar fastening, the whole time the public are in the premises. Only fastenings that have been approved by the Council in writing may be provided on such doors.

d) All self-closing fire-resisting doors shall be maintained effectively self-closing and free from any means of holding the doors in the open position (except where special approved arrangements exist for the use of electromagnetic door holders). Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.

e) Any removable security fastenings approved by the Council shall be removed from the doors prior to opening to the public. All such fastenings shall be kept in a position approved by the Council during the whole time the premises are in use.

11 All exits shall be clearly indicated by the word 'EXIT' or the words 'WAY OUT' in plain block letters which shall be as a general rule, not less than 125mm (5 inches) high and shall be so placed as to be readily seen.
Notices bearing the words 'NO EXIT' OR 'NO WAY OUT' shall not be provided. Any reference to 'EXIT' signage shall be read to comply with the Health and Safety (Safety signs and Signals) Regulations 1996.

Floor Covering

Loose mats shall not be used unless provided with wide flatly-sprayed fillets or proper sinkings. All floor coverings, including drugget, shall be so secured and maintained that they will not be likely to ruck or to be in any way a source of danger.

Curtains, Decorations etc

Where approval is given for curtains to be used, the curtains shall where necessary be periodically re-sprayed to maintain their fire resistance. Curtains shall be arranged so as not to obstruct EXIT notices and/or fire extinguishers or other fire fighting equipment.

Curtains where permitted across doors shall be in two halves, on a free running rail to enable them to be parted easily. Such curtains shall have a clearance of at least 75mm between the bottom of the curtain and the floor.

A fire alarm audibility test shall be carried out weekly at a pre-determined time by using a different call point for each successive test to ensure that the fire alarm system and sounders operate satisfactorily. Routine maintenance of the complete system shall be carried out by a competent electrician at intervals not exceeding six months.

Fire fighting appliances shall be maintained and kept available for immediate use.

Monthly inspections of extinguishers shall be carried out by a competent person to ensure that extinguishers are in their correct position, have not been discharged, or suffered a pressure loss or damage.

All fire extinguishers and fire fighting equipment shall be checked yearly by a competent service engineer and the test date recorded on the equipment, or in the case of hose reels and sprinkler systems the test results shall be recorded in a log book retained on the premises.

Any extinguisher discharges shall be replaced or recharged immediately.

Fire blankets shall be maintained in accordance with the manufacturer's instructions.

The London Fire Brigade shall be called to any outbreak of fire however slight. Fire action notices appertaining to the premises shall be framed and glazed or otherwise protected from damage and shall be displayed in conspicuous positions in all parts of the premises.
Cleaning of Ventilation Ductwork

PART IV - OTHER SAFETY CONDITIONS AND CONDITIONS RELATING TO SANITATION AND NOISE.

Sanitation

The Holder of the Approval shall ensure that adequate sanitary accommodation is available in the premises for the free use of both staff and members of the public and in particular shall:

a) maintain each sanitary convenience in clean and efficient order.

b) ensure that any room which contains a sanitary convenience is suitably and sufficiently lighted and ventilated and is kept clean.

c) ensure that in the sanitary accommodation provided there are installed and maintained suitable and sufficient wash-hand basins and that each basin is provided with an adequate supply of hot and cold water or hot water at a suitably controlled temperature; together with an adequate supply of soap and suitable hand drying facilities.

d) the approved premises are so constructed with the adequate provisions of efficient drains, suitable wall, floor and ceiling finishes etc., so that satisfactory sanitation can be maintained.

Lighting

In the absence of daylight, normal lighting (sometimes referred to as artificial or general lighting) to the Council's satisfaction shall be maintained in all parts of the approved premises to which the public, staff have access during the whole time that the public are on the premises.

In addition to the provision of normal lighting, all parts of the approved premises accessible to the public and staff and all routes of escape shall, if intended for use in the absence of daylight, be provided with an approved system of escape lighting (sometimes referred to as safety or emergency lighting) supplied from a source of electricity independent of the normal lighting to the Council's satisfaction.

The two independent systems of lighting referred to in conditions 19 and 20 foregoing shall be fully maintained, so as to afford good general illumination sufficient to enable the public to leave the approved premises safely at any time.

Each 'EXIT' or 'WAY OUT' notice shall remain illuminated by both systems of lighting at all time when the public are on the approved premises, and such illumination shall be by a system of lighting other than that which is being used for the illumination of any stage or platform.
**Electrical Installation**

23  The electrical installations for the premises and any equipment used therein shall be maintained in a safe working condition as prescribed by the Electricity at Work Regulations 1989, and the current edition of the Regulations for Electrical Installations issued by the Institute of Electrical Engineers (BS1 7671).

**Electrical**

24  a)  Unless the Council decide otherwise an inspection report for the electrical installation associated with the approved premises shall be submitted to the Council at least once every five years or such other time specified on the report. The report shall be signed by a qualified electrical engineer.

b)  Escape lighting shall be tested monthly, and every luminaire energised from its battery for a period sufficient only to ensure that each lamp is illuminated. Routine maintenance of the complete installation shall be carried out by a competent electrician at intervals not exceeding six months.

**Heating**

25  a)  All parts of the approved premises regularly occupied by the public or the staff shall be warmed to the satisfaction of the Council.

b)  The heating system and/or appliances used within the approved premises shall be fully maintained in good working order for use when required. Any guards required by the Council shall be securely held in position.

c)  Any open fireplace and all warming apparatus of which the surface temperature is liable to exceed 66 degrees Celsius (150 degrees Fahrenheit) and such other apparatus as the Council may determine, shall be suitably guarded. The guards shall be so constructed and arranged to enable the apparatus to be cleaned and adjusted.

d)  No alterations/additions to the approved heating system shall be made without the written consent of the Council.

**Portable Heating and Lighting Appliances**

26  Portable heating and lighting appliances shall not be used without the Council's written consent.

**Electrical, Gas and Mechanical Ventilation System**

27  No alterations shall be made to any part of the electrical, gas or mechanical ventilation systems without the written consent of the Council.

**Gas and Electricity Meters**

28  a)  Gas and electricity/mains intake enclosures shall not be used for any other purposes (e.g. storage).

b)  Where meters are not in an enclosure the meters shall not be obstructed and shall be available for immediate access.

**Waiver or Modification of any Condition.**

29  These standard conditions may be waivered or modified by the Council in any special case.
APPENDIX D

The Marriage Act 1949 (as amended)

The Marriages (Approved Premises) Regulations 2005 (as amended)

The Civil Partnerships Act 2004

The London Borough of Hammersmith and Fulham has granted approval, in pursuance of section 26 (1) (bb) of the Marriage Act 1949, for the premises identified below to be regularly used as a venue for the solemnisation of marriages and civil partnership registrations under the provision of sections 46A and 46B of the Marriage Act 1949 and The Civil Partnerships Act 2004

(Name of premises)
(Address of Premises)
xxxxxxxxxxxxxxxxxxxxx

The rooms in the premises in respect of which approval is given for the marriages to be solemnised/civil partnerships to be registered are:

(Name of room)
(Name of room)

Access for the disabled is from (give details of disabled access to building/rooms).

A marriage/civil partnership registration will take place today

(Insert date of marriage)___________________

in (Name of room) at (Insert time of marriage)___________________

(Name of room) at (Insert time of marriage)___________________