



25 November 2014

Agenda Item: 8

**REPORT OF THE SERVICE DIRECTOR FOR ACCESS AND PUBLIC
PROTECTION**

APPROVED PREMISES FOR CIVIL CEREMONIES

Purpose of the Report

1. To advise the Committee of the contents of a report provided recently to the Planning and Licensing Committee regarding the County Council's role in licensing premises for the solemnization of marriages and the formation of civil partnerships.

Information and Advice

Introduction

2. The information provided below replicates a report made to the Planning and Licensing Committee meeting of 30 September this year. The recommendation agreed by the Committee was that the contents of the report be noted and that further reports will be brought to the Planning and Licensing Committee annually.

Background

3. Current legislation allows the solemnization of marriages (for any couple) and the formation of civil partnerships (for same-sex couples only) to take place in venues other than register offices. The County Council is concerned with approval of:
 - secular premises for civil marriages and civil partnerships
 - religious premises for civil partnerships.
4. Secular premises such as historic or romantic buildings, including castles, stately homes and country houses can be licensed, as can hotels, civic buildings and sports stadia. In all cases, approval can only be granted if this can be done without compromising the fundamental principles of English law and Parliament's intention to maintain the solemnity of the occasion.
5. To be approved, a venue must be a permanently immovable structure comprising at least one room or any boat or other vessel which is permanently moored. Premises outside this definition, such as the open air, a tent, marquee or any other temporary structure, and most forms of transport, would not be eligible for approval. The premise must be a seemly and dignified venue for the proceedings, and to be approved by the County Council it cannot be

a religious premise, other than for the formation of Civil Partnerships. Also, it must be regularly available to the public, which rules out a domestic home.

6. There are currently 69 Approved Premises in Nottinghamshire (a net increase of one since last year), and these are listed in Appendix A to this report. The fee for approval of a premise is included in the set of registration fees, which is reported annually to the Community Safety Committee for consideration and approval.

Civil Partnerships in Religious Premises

7. The Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011 allow civil partnership ceremonies to be conducted in places of worship in England and Wales. The Registration Service's role is to approve the premises. Nationally, the leaders of Liberal Judaism, the Quakers and the Unitarians have all expressed interest in holding ceremonies. The procedure and basis on which approvals will be granted is broadly the same as that which currently applies to secular premises. Once approved, the premises will be included in the list of approved venues for civil partnerships, indicating that they are a religious premise. However, at present there have been no applications for a religious building in Nottinghamshire to be licensed for Civil Partnerships.

Procedures

8. The Constitution of the County Council identifies that the Planning and Licensing Committee has 'Responsibility for all licensing functions given to the Authority by law, except safety of sports grounds'. Under the 'Officer Scheme of Delegation', the responsibility for exercising all functions in relation to the registration service is delegated to the Corporate Director ASCHPP. Day-to-day delivery of the function is delegated to the Group Manager, Emergency Planning and Registration.
9. The registration service procedures for approval of premises have been developed following 'The Registrar General's Guidance to Authorities for the approval of premises as venues for civil marriage and civil partnerships' (Fifth Edition, Revised May 2014). The premises are assessed for suitability, fire safety, and the need (or otherwise) for planning permission. Once granted, each approval lasts for three years.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described in the report.

Financial Implications

11. There are no financial implications contained in this report.

RECOMMENDATION/S

- 1) It is recommended that Committee:

- notes the role of the Council in licensing premises for the solemnization of marriages and the formation of civil partnerships
- agrees further reports will be received annually by the Planning and Licensing and Community Safety Committees.

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Constitutional Comments

12. As this report is for noting only, no constitutional comments are required.

Financial Comments

13. There are no financial implications arising from the report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- The Registrar General's Guidance to Authorities for the approval of premises as venues for civil marriage and civil partnerships' (Fifth Edition, Revised May 2014).

Electoral Division(s) and Member(s) Affected

- All.