

APPLICATION FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES IN PURSUANCE OF SECTION 26(1)(bb) OF THE MARRIAGE ACT 1994 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 Licensing Section, Wallasey Town Hall, Brighton Street, Wallasey, Wirral, CH44 8ED, together with the appropriate fee payable to Wirral Borough Council.

1. I apply for the premises named at item 2 overleaf to be approved for the solemnisation of marriages and the registration of civil partnerships.
2. I attach 3 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.
3. 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 Authority's website for a period of three weeks for objections and the Authority may also decide to publish it in other ways it considers it necessary to do so.
 - c) approval, if granted, will be for a period, determined by the Authority and will be subject to revocation. It will be for no less than three years; and
 - d) the Authority will need to be satisfied that appropriate health and safety provision and fire safety is in place.
4. I declare that:-
 - a) I have read and understood the information contained in this form and Annexes A and B to this guidance;
 - b) the premises are not religious premises;
 - c) the premises are not a register office (or where a register office is situated in the premises that is not the room that is the subject of this application); and
 - d) I have consulted the 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
5. I further declare that, if approval is granted:-
 - a) the premises will be regularly available for public use for the solemnisation of marriages and the registration of civil partnerships; and,
 - b) I will comply with both the standard conditions (Annex B) and any further conditions that the Authority considers reasonable that are attached to the approval

<p>1. Full name 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 at question 2 (eg. hotel, stately home, civic accommodation) and the primary and other uses to which it is 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 above is "No" and there is another occupier, give their name(s) and address(es).</p>	
<p>6. Please state here the names of the room(s) and 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 his application (eg for the provision of regulated entertainment). If so please attach a copy.</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:

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Telephone:Email:

NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN 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 Authority must apply when considering an application for approval.

The non-returnable fee for this application is £1134.00 and must be submitted with the application to the Licensing Section, Wallasey Town Hall, Brighton Street, Wallasey, Wirral, CH44 8ED.

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

The premises must fulfil the following standard requirements in Schedule 1 of 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 use for the solemnisation 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 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 premises as the Authority considers appropriate.
4. The premises must not be
 - a) religious premises
 - b) a register office, but this paragraph does not apply to premises in which a register office is situated, provided that the room which is subject to approval is not the same room as the room which is the register office.
5. The room or rooms in which the proceedings (marriage or civil partnerships) 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 Authority:-

1. The applicant must confirm whether or not planning permission is required.
2. There must be suitable disabled access.
3. There must be a separate room provided for questions by the Registrar prior to the proceedings taking place.
4. There must be adequate toilet provision.
5. There must be adequate car parking provision.
6. The room in which the proceedings are to take place must be suitable in terms of decor, fittings, size, seating capacity and location.
7. The applicant must have satisfactory public liability insurance cover.
8. A single line layout plan of the area to be authorised (to scale) showing access and egress routes must be supplied with the application.

In considering the suitability of premises as a venue, the Authority 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 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. 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 Authority and approved by the Registrar General under the Registration Service Act 1953. Any rooms in the same premises as the register office that aren't on this plan, e.g. a council chamber in the same town hall, can be approved but a room in a register office cannot be approved. However, an Authority can set its fee for attending a marriage or civil partnership on approved premises at the same level as the prescribed fee for a marriage or civil partnership in a register office.
5. The requirement that the premises must be regularly available for use by the public will preclude a private house from being approved.

THE 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 (their "qualification"), indicate that they are 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 and throughout each of the proceedings.
3. The holder must notify the Authority:-
 - (a) of their name and address immediately upon them becoming the holder of an approval under Regulation 7(2), 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:-
 - (a) layout of the premises, as show 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 available at all reasonable times for inspection by the Authority.
6. A suitable notice stating that the premises have been approved for the proceedings and identifying and giving directions to the room in which the proceedings are to take place must be displayed at each public entrance to the premises for one hour prior to the ceremony and throughout the proceedings.
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 such material used by way of introduction to, in any interval between parts of, or by way of conclusion of 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 or 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 1994 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.

ADDITIONAL INFORMATION

Expiry and renewal of approval

- 1 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 should be expressed to take effect from the date on which the current approval expires.
- 2 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.
- 3 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

- 4 In general an Authority 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 Authority must deliver a notice in writing to the holder of the approval confirming its revocation.
- 5 The Registrar General for England and Wales may direct an Authority 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 must 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 local Authority (in writing) to do so. The Authority must then revoke the approval with immediate effect and notify the holder of the approval that it has done so.
- 6 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. Whilst it is not their responsibility to do so, authorities may 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

- 7 An applicant is able to seek a review of a decision made by an Authority 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. The application for review should be delivered to the proper office of the Authority. The Proper Officer should ensure that the review is carried out by individuals who were not involved in the earlier decision.
- 8 On determining whether to uphold the original decision, vary the decision or substitute a different decision the Authority must 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.
- 9 The Authority may charge an additional fee for a review of its decision to refuse to grant an approval, to attach local conditions or to refuse to renew an approval.
- 10 A direction by the Registrar General to revoke an approval is not subject to review by the Authority.

Register of Approved Premises

- 11 Details of approved premises will be held for public inspection by the Authority. These details will be copied to the Superintendent Registrar of the district in which the premises are situated and to the Registrar General who will periodically circulate the details to all superintendent registrars.

PRIVACY POLICY

Wirral Council takes your privacy seriously. We will only use your personal information to administer your application and provide the products and services you have requested from us.

From time to time we may need to contact you with details of the service or information we require from you and we will do this using the contact information you provided on your application form. This can either be by post, email, telephone or text message.

The Council has a duty to protect the public and we implement a number of security measures to maintain the safety of your personal information. Please be aware however that the information you provide on this application may be shared with other public bodies where required, such as Council Departments, Government Services and the police, which may be used for the prevention of fraud or other serious offences.

If you require a copy of the data we hold or believe it to be inaccurate please contact the Council's Information Manager Officer by email at DPO@wirral.gov.uk

Any further information held by the Council about individuals will be held securely and in compliance with the law. Information will not be held for longer than required and will be disposed of securely.