

<u>Size of Premises</u> To Accommodate number of persons	<u>Grant of Approval</u> (3 year registration)	<u>Renewal</u> (10% Less)	<b>For Office Use Only</b>	
<b>Up to 100</b>	<b>£876.00</b>	<b>£788.00</b>	<b>Fee Paid</b>	
<b>101 – 500</b>	<b>£1084.00</b>	<b>£976.00</b>	<b>Date Received</b>	
<b>501 – 1000</b>	<b>£1143.00</b>	<b>£1029.00</b>	<b>Initials</b>	
<b>1001 – 1500</b>	<b>£1472.00</b>	<b>£1325.00</b>	<b>Cheque/Receipt No</b>	

**This form should be completed and forwarded to:**

Licensing Team,  
Grassroots Centre,  
Memorial Avenue,  
London E15 3DB

**With a cheque or postal order for the fee shown above made payable to the “London Borough of Newham”, card payments are also accepted.**

**IMPORTANT: PLEASE READ THE ATTACHED NOTES**

I / We apply for the premises named at item 2 below to be approved for regular use by the public as a venue for the solemnisation of marriages & civil partnerships in the presence of a Superintendent Registrar.

1.

<b>Full name and normal private residential address of applicant(s). Please read Note 1. Please state whether proprietor or trustee.</b>	
Post town	Post code
Telephone number (during normal office hours)	

2.

<b>Name, postal address and telephone number of the premises which are the subject of the application.</b>	
Post town	Post code
Telephone number	

**THIS APPLICATION FORM IS OPEN TO INSPECTION BY THE PUBLIC**

3.

Name (and identify on the plan) the room or rooms of the premises in which ceremonies of marriage & civil partnerships will be solemnised if approval is granted.

NB.

The room or rooms must be clearly identifiable by description as a distinct part of the premises.

Please read Note 2

4.

Estimate of maximum number of persons who may be accommodated in that part or parts of the premises for which approval is being sought (identify the capacity of the rooms separately if more than one).

5.

a. What is the main use of the premises to which this application relates?	a.
b. To what other uses are the premises regularly put?	b.
c. What is the authorised planning use for the premises?	c.
d. Is the planning permission restricted in its hours of operation?	d.
e. If there is no planning permission please provide evidence that planning permission is not required.  Please read Note 3.	e.

6.

Please give full details of the legal occupier of the premises (leasehold, freehold etc)

If leasehold please give name and address of freeholder or head lease.

7.

Will the premises be regularly available to the public for use for the solemnisation of marriages and civil partnerships?

Up to how many marriages would you seek to hold in any year?

8.

Are the rooms for which approval is sought directly accessible from the street without passing through other rooms?

9.

Do the premises have any recent or continuing connection with any religion. Religious practice or religious persuasion? If so please give details.

Where the application is made on behalf of a limited company the Secretary or a Director should sign. In the case of a partnership each partner should sign. If signing on behalf of applicant, please state in what capacity you are acting.

Signature of applicant(s) or other duly authorised agent.	
Date	

Address to which approval or correspondence should be sent.

Telephone number

*You must enclose a plan of the premises in accordance with the attached notes with this application*

**NOTES:**

**COMPLETION OF THIS FORM**

1. 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 attached giving the names and addresses of all the directors.
2. A plan of the premises showing the room or rooms in which it is intended that civil partnerships & marriages will be solemnised must be submitted.
3. When applying for a licence you must provide documentary evidence that planning permission has been granted or that planning permission is not required. In most instances planning permission will not be required. For confirmation that planning permission is not required you should write to:

**Development Control**

London Borough of Newham  
Newham Dockside  
1000 Dockside Road  
London E16 2QU

You must provide a floor plan clearly showing the existing use of the building and which part/parts are to be used for civil partnerships & civil marriages. A description of the existing use and how the area allocated for civil partnerships & civil marriages is to be used in connection with the existing use must also be provided.

4. A notice in the form prescribed by the Council must be published in a local newspaper which is on sale at intervals of not more than one week in the locality in which the premises are situated. The notice will allow 21 days from the date on which the advertisement appears for any person to object to the application in writing. The Council must consider any notice of objection made within that period. A complete copy of the newspaper must be forwarded to the Licensing Team.

## GENERAL REQUIREMENTS

5. The Council officers will discuss with you the safety, lighting, heating and sanitation requirements.
6. The Superintendent Registrar will discuss with you appropriate requirements in respect of the layout and décor of the room in which the ceremony is to take place.
7. A separate room must be provided, close to the one in which the ceremony will take place, to enable the Registrar to interview the Bride and Groom in private prior to the ceremony.
8. The premises must fulfil the following standard requirements set out in schedule 1 of the Regulations:
  - 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 solemnisation of marriage.
  - The premises must be regularly available to the public for use for the solemnisation of marriages.
  - The premises must have the benefit of such fire precautions as may reasonably be required by the Council, 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 Council considers appropriate.
  - 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 the solemnisation of marriages in pursuance of section 26(1)(bb) of the Act. And the Civil Partnership Act 2004
  - The room or rooms in which ceremonies of marriage or civil partnerships will be solemnised if approval is granted must be identifiable by description as a distinct part of the premises.
9. In considering the suitability as a venue the Council will have regard to the following Guidance from the Registrar General:
  - a. The law is intended to allow both civil marriages & civil partnerships to take place regularly in hotels, stately homes, civic halls and similar premises without compromising the fundamental principles of English marriage law and Parliament's intention to maintain the solemnity of the occasion. The term "premises" is defined in Regulation 2(1) and there are restrictions introduced in Schedule 1. These will mean that certain premises will not be suitable for approval.
  - b. Marriages or partnerships must take place in readily identifiable premises. This will preclude marriages or partnerships from taking place in the open air, in a tent, marquee or any other temporary structure and in most forms of transport.
  - c. Marriages and partnership must be solemnised in premises with open doors, which the Registrar General interprets to mean that the public must have unfettered access to witness the marriage or partnership and make objections prior to or during the ceremony.

- d. A private house is unlikely to be an appropriate venue for civil marriage. It would not be known to the public as a marriage venue or regularly available for their use.
- e. The primary use of a building would also render it unsuitable if that use could demean marriage/partnerships or bring it into disrepute.
- f. The secular nature of civil marriage or civil partnership precludes the use of any building with a recent or continuing religious connection. This effectively rules 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. However, premises in which a religious group meets occasionally may be suitable if the primary use of the premises is secular.
- g. Marriages and civil partnerships on approved premises may be followed by a celebration, commemoration or blessing of the couples choice, providing that it is not a religious marriage ceremony and is separate from the civil ceremony. However, if a religious blessing were regularly to follow marriage ceremonies on particular premises, or be a considered part of the service being offered on the premises, there may well be a religious connection which would breach the requirements and lead to the Council having to consider revoking the approval.

## **REGISTRATION**

- 10. Details of approved premises will be held for public inspection by the Council. 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.

## **ADDITIONAL CONDITIONS**

- 11. The Council may impose further conditions or requirements from time to time on the grant of an approval.

## London Borough of Newham

### **GUIDANCE FOR THOSE WHO WISH TO MARRY ON APPROVED PREMISES**

1. As soon as a couple have made provisional arrangements for their marriage or civil partnership on approved premises they should be advised to contact the Superintendent Registrar for the district in which the premises are situated at:-

**Grassroots Centre  
Memorial Avenue  
London  
E15 3DB**

2. Without the presence of the Superintendent Registrar 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 the Superintendent Registrar for his attendance at their proposed marriage/partnership as soon as a booking can be accepted. A fee for this attendance will be payable before the ceremony.
3. The couple will also have to give a notice of marriage or civil partnership to the Superintendent Registrar(s) of the district(s) in which they live. This notice must be given in person by one of the couple but is valid for only three months. One of the couple should therefore, attend the register office where they live as soon as possible after notice can be given.
4. 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 use of the authority or authorities for civil partnership or marriage by the Superintendent Registrar(s) to whom notice of marriage was given.
5. When notice is given in a different registration district from the one where the marriage or partnership is taking place, the couple will have to collect the authority before the ceremony and ensure that it is delivered to the registrar who is to attend the ceremony.
6. The couple should be advised that only a civil, non-religious ceremony can be permitted by the Superintendent Registrar. Any music, reading, words or performance which form any part of the ceremony must be secular. The content of the ceremony must be agreed in advance with the Superintendent Registrar who will be attending the ceremony.
7. Any rights of copyright for music, readings etc. permitted at the ceremony are a matter for the couple and the holder of the approval.

## **MARRIAGES/CIVIL PARTNERSHIPS – APPROVED PREMISES**

### **NOTES FOR GUIDANCE OF THE APPLICANTS AND OBJECTORS**

#### **INTRODUCTION**

1. The Marriage Act 1994 made it possible for civil weddings to be solemnised in premises approved by the Council. The Marriages (Approved Premises) Regulations 1995 prescribes the type of premises for which approval could be granted and the procedure for making and determining applications.
2. Essentially marriages and civil partnerships must take place in readily identifiable premises. This will preclude marriages and civil partnerships taking place in the open air, in a tent, marquee or other temporary structure and in most forms of transport.
3. The public must be allowed access to witness the ceremony and the premises concerned must have no recent or continuing religious connection.

#### **APPLICATIONS**

4. The Council must consider every valid application for approval.
5. By law the application has to be made to the Proper Officer for Births, Deaths and Marriages but it will actually be processed by the Licensing Team.
6. The application has to be made by the proprietor or trustee of the premises concerned.
7. The application has to be advertised by the applicant in the local newspaper (which can be a newspaper distributed free of charge) which is, in general, circulated at intervals of not more than one week in the area in which the premises are situated. In Newham the advertisement has to:
  - a. identify the premises and the applicant:
  - b. state that the application and the plan accompanying it may be inspected at:

**Licensing Team  
Grassroots Centre  
Memorial Avenue  
E15 3DB**

between the hours of 10.00am and 4.00pm, Monday to Friday.

- c. State that any person may give notice in writing of an objection to the grant of an approval with reasons for the objection within 21 days from the date on which the newspaper in which the advertisement appears is published; and
- d. State that objections should be sent to The Licensing Team, London Borough of Newham, 1<sup>st</sup> Floor, Town Hall Annexe, 330 -354 Barking Road, London E6 2RT.

#### **RENEWAL OF LICENCES**

8. The renewal of an approval has to be advertised in a similar fashion.



## **PLANNING ISSUES**

9. The Council will not consider the application unless the use of the premises for wedding or civil partnership ceremonies is an authorised planning use. Where this is not the case the Council will hold the application in abeyance until the planning position is regularised.

## **SAFETY AND OTHER ISSUES**

10. As soon as possible after an application is made the Superintendent Registrar will visit the premises to ensure that they are suitable for the grant of an approval. For example he will wish to ensure that they provide a seemly and dignified setting for the wedding or civil partnership ceremony.

11. The Licensing Team staff will inspect to ensure that the premises conform with the Council's standards e.g. that there is adequate means of escape and sufficient toilet facilities etc.

12. The London Fire Brigade may inspect the premises to ensure that it complies with the necessary fire safety arrangements and precautions.

13. If any of these parties require work to be done the approval will not be granted until the work is satisfactorily completed.

## **HOW TO OBJECT**

14. Anyone wishing to object to an application must write within the specified time to the Licensing Team giving in detail the reasons for objection. Late objections will not be accepted.

15. If a petition is submitted, the organiser(s) should ensure that:

- a. the grounds of objection are set out in detail on every page containing signatures;
- b. names and addresses are **CLEARLY LEGIBLE**, and preferably written in black ink (it is helpful if block capitals are used);
- c. the date(s) on which signatures are collected is stated;
- d. the names and addresses of the organiser(s) is clearly stated for the purposes of future correspondence.

15. When there are no objections against an application the application will be determined by the Proper Officer.

## **CONCILIATION**

16. Where an application is opposed the Licensing Team will often seek to assist the applicant and the objector to reach agreement. This can sometimes avoid the time and expense of a contested licensing hearing.

17. They do this by sending copies of the objections to the applicant and asking what assurances can be given or steps taken which could set the fears of the residents at rest or end nuisances of which they complain.

18. The information supplied by the applicant is forwarded to the objectors by the licensing staff with other information which may be helpful to them. The objectors are asked at this time to let the Licensing Team know whether they wish to proceed with their objection or to withdraw

it. Any objector can, of course, ask the applicant for additional information on any point before replying to the Licensing letter or, if preferred, can ask the Licensing officer to obtain the information.

19. Neither the applicant nor the objectors need to take part in the conciliation procedure but it is usually to their advantage to do so. Should an applicant prefer to make a direct approach to the objectors, the applicant should write to them regarding the matter or to make an appointment to meet them.

## LICENSING HEARING

20. All parties to a Committee meeting at which an application is to be considered will be given as much notice as possible – usually at least 1 – 3 weeks.

21. The hearings are usually held at **Newham Town Hall**. No specific dates are set aside. Objectors and witnesses may leave should they wish, once they have given evidence.

22. Should a particular date be inconvenient please let the Licensing Team know as soon as possible so as the date(s) can be avoided.

23. The procedure is formal as the Council has to act in a judicial way, nevertheless the Committee will endeavour to put people at their ease.

24. There are very detailed procedural rules which are designed to make the meeting fair to all concerned. If you attend a meeting you will be sent a set of rules which you should read carefully.

25. Objectors do not have to attend in person but more importance will always be given to oral statements than written ones. Both applicants and objectors can be legally represented should they so wish.

26. Where the objection has been lodged by an organisation, such as a tenants' or residents' association, it is advisable for more than one person to attend the hearing to give evidence. Those chosen to represent organisations should be able to speak of their own knowledge about the grounds of objection and should be able to show that they are authorised to speak for that organisation. They may be asked for details of meetings at which the grounds of objections have been discussed by members of the organisation.

27. Generally Council Officers such as the Licensing Officer or the Superintendent Registrar will give their evidence first.

28. The objectors will then present their cases and can call witnesses if they wish.

29. The applicant will then present his/her case again calling any witnesses he/she considers necessary.

30. The objector and the applicant can then make a closing statement but not call new evidence at this stage.

31. Whenever a person gives evidence he can be questioned by the other parties and by Members of the Committee.

32. When all the evidence and submissions have been heard the Committee will reach their

decision without applicants or objectors present.  
33. Council officers will confirm the decision in writing to all parties concerned.

### **REVIEWS**

34. Should the applicant disagree with the Committee's decision he/she may ask the Proper Officer for a review.

35. The review hearing will be conducted in a broadly similar fashion except that the Principal Licensing Officer, will defend the Committee's decision calling as witnesses the persons giving evidence at the Committee meeting.

### **FURTHER INFORMATION**

36. Should you need any further information please do not hesitate to contact the Licensing Team on 020 3373 1925

## LOCAL NEWSPAPER ADVERTISEMENT

### 1. Within 5 days of making an application the Council

The applicant must advertise the application in a local newspaper which circulates in the locality in which the premises are situated or which is available at local newsagents. A London wide newspaper.

### 2. Within 14 days of making an application to the Council

The applicant shall send one complete copy of the newspaper containing the advertisement to:

**Licensing Team  
Grassroots Centre  
Memorial Avenue  
London  
E15 3DB**

The newspaper notice shall be in the following format and must not be headed with “Newham Council”. The name of the applicant and address of the premises must be inserted in CAPITAL LETTERS.

<b>MARRIAGE ACT 1994</b>
<b>NOTICE IS GIVEN THAT</b>
<b>Has applied to Newham Council for the premises at:</b>
<b>To be approved as a venue for CIVIL MARRIAGES &amp; CIVIL PARTNERSHIPS</b>
1. Anyone wishing to oppose the application must give notice in writing (specifying their grounds of opposition) to the <b><u>Licensing Team, Grassroots Centre, Memorial Avenue, London E15 3DB</u></b> , within 21 DAYS of the date of this notice appearing in the newspaper. The application and the plan accompanying it may be inspected at the offices of the Licensing Team during office hours on Monday to Friday.
<b>2. Persons objecting to the grant of a licence must be prepared to attend in person at a hearing before a Committee in Council.</b>

