



Marriage Act 1949 and Civil Partnership Act 2004

APPLICATION FORM

NEW APPROVAL OF VENUE FOR REGULAR USE BY THE PUBLIC FOR THE SOLEMNISATION OF MARRIAGES AND THE FORMATION OF CIVIL PARTNERSHIPS

1. Name and address of the **premises** to be approved :

Premises Name :	
Premises Address :	
Telephone Number :	

2. Name and residential address of the **person** applying (the applicant) for the licence at the premises :

Individual's Name :	
Individual's Address :	
Telephone Number :	
Email Address:	

3. Name and registered office of the **company** (if the applicant is applying on behalf of a limited liability company) :

Company Name :	
Registered Office Address:	
Company Number :	
Telephone Number :	
Email address	

4. The **status** of a body if applicant is an organisation :

If the applicant is an organisation e.g. limited company, registered charity, board of trustees or other organisation, please enter the status of that body.	
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5. The **occupier** of the premises :

Is the person at 2 above or company at 3 above the occupier of the premises?	Yes/No
If 'No' please give name and address of other occupier.	

6. Name, residential address and occupation of the proposed **Responsible Person** responsible for the licence at the premises :

Individual's Name :	
Individual's Address :	
Occupation:	
Telephone Number :	

7. Name, residential address and occupation of the proposed **Deputy** at the premises, if applicable :

Individual's Name :	
Individual's Address :	
Occupation:	
Telephone Number :	

8. The lawful **Planning Use** of the premises :

In relation to the premises at 1 above please describe the use of the premises (eg hotel, golf club etc) :	
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9. The **parts** of the premises where proposed civil marriages and civil partnerships will be carried out (e.g. ground floor, conference room, first floor, blue room, Dorchester room, garden, etc.) :

Areas to be used: Please identify this/those area(s) on the plan supplied with this application.	
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10. The **availability** of the areas applied for :

Will the areas stated in 9 above be available for regular use as a venue for Civil Marriage and Civil Partnerships :	Yes/No
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11. The **maximum number of people** permitted in the areas applied for :

Please state here the maximum number of people that are permitted to occupy each area under the health/safety/fire certificates which apply. (Please attach copies of any certificates in force. Failure to do so may unnecessarily delay the consideration of the application) :	
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12. The **Registrars** pre-ceremony room :

Please identify on the Plan an additional private room which the Registrars may use prior to the ceremony to interview the couple :	
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13. **Licences** held by the premises :

Do the premises currently hold any licence authorising use for public entertainment or similar purposes. (Please attach a copy. Failure to do so may unnecessarily delay the consideration of the application).	
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14. **Applicant's** control over internal corridors :

Has the applicant exclusive and complete control over the internal corridors adjacent to the room(s). If only partial control, please state what other use is made of the corridors :	
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15. **Applicant's** control over external areas:

Has the applicant exclusive and complete control over any external areas (e.g. car parks, courtyards, passageways) within the curtilage of the premises. If only partial control please state what other use is made of these areas :	
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16. Premises connection to **Religion** or **Religious** activity :

Have the premises at 1 above any recent or continuing connection with any religion or religious activity? If so please provide details :	
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APPLICANT'S UNDERSTANDING

17. I, _____ hereby understand that :
- (a) The premises will be inspected for suitability before approval is granted and, if this application is successful, be subject to any subsequent inspection.
 - (b) Approval, if granted, will be for a three-year period and subject to revocation.
 - (c) The premises must satisfy the local authority on fire precautions and health and safety provisions.

APPLICANT'S DECLARATION

18. I, _____ hereby declare that :
- (a) I have read and understood the information contained in this form.
 - (b) The building has no recent or continuing religious connection
 - (c) 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.
 - (d) I enclose a site-plan of the premises indicating the areas where the ceremonies are to take place.
 - (e) I attach a separate statement containing the names and addresses of all directors if the application is being made by a limited company.
19. I, _____ further declare that, if approval is granted :
- (a) The premises will be regularly available for public use as a venue for civil marriage/partnership ceremonies.
 - (b) I will comply with the standard conditions and any local conditions attached to that grant approval

The information contained in this application is true to the best of my knowledge and belief.

Signed :

Date :

IMPORTANT ADVICE PLEASE READ

With effect from 1 July 2021:

Revised definition of “premises”

- The definition of “premises” has been widened to include both the built premises and any grounds in which they stand. “Built premises” means a permanently immovable structure (for example, a building or other structure) comprising at least a room, or any boat or other vessel which is permanently moored. The grounds will be the areas within the boundary of the land of which the built premises form part.
- Approved Premises can conduct proceedings for marriage and civil partnership registration in the room or rooms inside the built structure for which approval has been given, and also in any outdoor areas within the boundary of the land on which the built structure stands.
- Other land which may be owned by the Approved Premises but which is not the grounds in which the built structure stands cannot be used for legal civil marriages or civil partnership registrations.

Meaning of “outdoors”

- Proceedings will be permitted to take place fully in the open or under a covered structure which is not indoors (but see next point). The amended regulations are permissive in nature: Venues will be under no obligation to offer outdoor proceedings if they do not wish to do so. If they do, various standard conditions will apply to those outdoor proceedings.
- Areas are “indoors” if they are “enclosed” or “substantially enclosed”. The definition of “enclosed” or “substantially enclosed” follows that set out in “smoking ban regulations in England. Clearly, a room inside the building which is Approved Premises will be indoors.

Maximum number of guests and risk assessments

- The number of guests who can attend will depend on how many people the venue or space can safely accommodate.
- Venues should be encouraged to consider contingency arrangements if guests need to move inside the premises due to inclement weather.

Access to the public, signage, and the requirement for the outdoor location of the proceedings to be “seemly and dignified” and compliance with health and safety law

- The amended regulations will require the superintendent registrar or registration authority to be satisfied that the location for the outside proceedings are seemly and dignified prior to the proceedings. The location of the proceedings must be clearly identifiable by description.
- Guidance to venues will make clear that they should discuss any proposed outdoor proceedings with the superintendent registrar or registration authority before arranging any such proceedings. There will be no requirement to show outdoor locations on a plan, but applications for new approvals should show the boundary of the land on which the built premises stand.
- Venues will be responsible for ensuring full access to the public and for displaying signs at all public entrances to the premises as a whole. Venues, as now, will be responsible for compliance with health and safety legislation (including conducting relevant risk assessments).

Other activities and restrictions on food and drink

- Food or drink should not be served or consumed during the outdoor proceedings, but non-alcoholic drinks may be consumed prior to the ceremony.
- Guidance to venues will make clear that the area in which the proceedings are to take place should be separate from any other activity on the premises at the time of the proceedings.

General:

Any permanent structures must fully satisfy planning, health, safety and fire regulations relating to use by the public. The premises must have a suitable public and secular current use with no current or recent connection with any religion, religious practice or persuasion. They must be dignified and seemly and be capable of accommodating marriage and civil partnership parties and have an area for marriage and civil partnership ceremonies, which can be separated from other activities. The premises will have to be available for regular use for marriage and civil partnership ceremonies and have suitable arrangements for the safety of guests and staff.

A plan showing the rooms, structures and boundary of the land to be used must be submitted with the application.

The responsible person or the named deputy will be the person nominated by the holder as having responsibility for ensuring compliance with the conditions attached to any approval.

The application process normally takes at least 10 weeks and you may not hear from us again until that period has elapsed.

PLANNING PERMISSION

It is a Council Rule that premises providing a registered venue to members of the public for civil marriage and civil partnership ceremonies have Planning Permission.

It is recommended that if businesses do not already have the necessary planning permission they check with the Planning Team to see whether it is actually possible for them to get planning permission before they submit and pay for their licence application.

Insufficient planning permission cannot prevent a registration from being granted. HOWEVER, if businesses trade without planning permission they will be guilty of an offence under planning law and may be prosecuted by the Planning Enforcement Team.

Likewise if a business has planning permission but trades without the necessary registration they will be guilty of an offence under licensing law and may be prosecuted by the Environmental Protection & Regulation Enforcement Team.

Therefore businesses must have the relevant planning permission AND registration in order to trade legally.

Observations will be carried out on premises known not to have planning permission and/or a Civil Marriage and Civil Partnership registration.

You may need planning permission. Check the Councils website Planning Portal or email development.control@enfield.gov.uk for advice.



RULES GOVERNING APPLICATIONS FOR APPROVAL OF VENUES TO BE USED FOR MARRIAGES AND CIVIL PARTNERSHIPS BEING REGULATIONS MADE UNDER THE MARRIAGE ACT 1949 & CIVIL PARTNERSHIP ACT 2004

Interpretation

1. In these rules the masculine always includes the feminine and vice versa and the singular includes the plural and:
 - “Act” means the Marriage Act 1949 & Civil Partnership Act 2004.
 - “Regulations” means regulations made under the Marriage Act 1949 & Civil Partnership Act 2004.
 - “Approval” means any approval granted under the Marriage Act 1949 & Civil Partnership Act 2004.
 - “Approval Holder” means the holder of an approval granted under the Act.
 - “Applicant” means an applicant for an approval.
 - “Revocation” means the revocation of, or a proposal to revoke an approval.
 - “Proper Officer” means the Proper Officer for the Registration Service for Births, Deaths and Marriages.
 - “Objector” means any person who has given notice in accordance with Rule 9 hereof and who has complied with its terms.
 - “Parties” means the applicant or approval holder as the case may be, any objector to the grant of an application, any person seeking revocation of an approval and any Council officer (e.g. the Superintendent Registrar) who is giving observations, making objections or seeking revocation.
 - “Premises” means the place for which an approval is sought or for which an approval is in force.
 - “The Head of Trading Standards and Licensing” includes his/her representative/s.
 - “The Principle Licensing Officer” includes his/her representative/s.
 - “Council” means London Borough of Enfield.
 - “Licensing Panel” means the panel set up by the Council from the Licensing Committee group of Councillors.

COMPOSITION OF THE LICENSING PANEL

2. The Councillor for the Ward in which the applicants’ or objectors’ premises are situated shall not sit on the Licensing Panel when that application is to be considered.

TERMS OF REFERENCE

3. The Licensing Panel is empowered to:
 - (a) consider applications for the grant or renewal of approvals; and
 - (b) consider proposals to revoke approvals.

APPLICATIONS

4. (a) An application for an approval should be made on the form provided by the Council. The application shall be signed by the applicant, or a solicitor or other duly authorised agent acting on behalf of the applicant.
 - (b) Application should be made by the Proprietor or trustees of the premises for which approval is sought.
 - (c) Applicants, including directors of companies, shall disclose their normal residential address either on the form provided by the Council or in accompanying correspondence.
 - (d) The application shall be accompanied by a plan showing the parts of the premises for which approval is sought.

PLANNING USE

5. The applicant shall state on the application form the lawful planning use of the premises and shall submit with the application documentary evidence that either planning permission has been obtained for the use of the premises under an approval, or that planning permission is not required. Should the Council so require, “a certificate of lawful use” in respect of the planning

position shall be supplied. The application will not be considered unless the Council is satisfied that the proposed activity would constitute a lawful planning use.

Note: This rule shall not apply to applications for renewal of an approval.

NEWSPAPER ADVERTISEMENT

6. (a) Within 7 days of the date on which the application is made for approval, a notice of the application in the form required by the Council shall be published (at the expense of the applicant) in a local newspaper which circulates in the locality in which the premises are situated and which is on sale at local newsagents.
NOTE: A London-wide newspaper, such as "The Standard" is NOT regarded as a local newspaper for the purposes of this rule.
- (b) Within 14 days of the date on which the application was made the applicant shall cause one complete copy of the newspaper to be sent to the Council.
- (c) In the event of either or both of the time limits specified in (a) and (b) above not being complied with the last day for lodging objection to the application shall be extended to 21 days from the date of the newspaper advertisement or to the date by which the complete copy of the newspaper has been received by the Council whichever is the later.

NOTIFICATION TO OTHER AGENCIES & COUNCIL DEPARTMENTS

7. The Licensing Team will send a copy of your application, on your behalf, to the Commissioner of Police and to the London Fire and Emergency Planning Authority, for consultation purposes.

HOW TO OBJECT

8. A person who wishes to object to an application shall within the time specified in the newspaper advertisement relating to the application, write to the Licensing Team giving in detail the reasons for objection. The Council is unable to consider anonymous objections.
9. Within 14 days of the last day for lodging objections, the Licensing Team shall forward to the applicant a copy of every valid written objection.
10. If an objection is made by an Association it shall be confirmed at any Licensing Hearing that the objection has been formally authorised by that Association. This confirmation should be by the Chair, Secretary or other duly authorised officer of the Association.
11. Petitions shall bear the grounds of objection of that petition on each page and a warning to potential signatories that a copy of the petition will be supplied by the Council to the applicant. Each person signing should also print his/her name and address preferably written in black ink. Each page of the petition should be dated.
12. A late objection will only be accepted by the Council in exceptional circumstances.
13. The Council will not accept an objection or any individual ground of an objection when it considers that either the objection as a whole or the individual ground is irrelevant to the decision to be reached.
14. Unless the objection relates to the character of the applicant Council officers may seek to mediate between the parties to see if agreement can be reached without the need for a licensing hearing.
15. An opposed application shall be decided at a hearing where evidence (oral and written) is given orally and in public unless the Licensing Panel decides otherwise.
16. (a) At any oral hearing in public of an application an objector shall not be allowed to raise any matter not referred to in the written objection lodged by the objector concerned unless there are exceptional reasons for so doing and the objector is able to justify why the new material should be placed before the Licensing Panel.
(b) Any such application to introduce new matters will be open to representations by the applicant or his/her legal representative as to whether such matters should be considered

- by the Licensing Panel. When representations have been made by both parties, the Licensing Panel will decide whether the new material should be placed in evidence.
- (c) If the objector's application is granted, an adjournment of the hearing may have to be permitted in order to allow the applicant time to consider the new material and respond. In consideration of the extra costs likely to be incurred by all parties occasioned by an adjournment, any application by the objector must demonstrate exceptional grounds before it is granted.

17. At any oral hearing in public of an application the applicant and the objector shall attend in person or, if the application or objection is made by a body corporate, business firm, society, association or other group, a duly authorised representative shall be present who is able to speak on behalf of the body corporate and who, in the case of the applicant, is empowered to supply any undertaking requested by the Licensing Panel or demonstrate that any conditions attached to the licence will be complied with. **Note** : All objectors and applicants are reminded of their right to have a legal representative at the Hearing.
18. If any person who has written to the Licensing Team, objecting to the grant etc. of a licence, fails to attend the oral hearing in public, the Licensing Panel will hear and consider any evidence and arguments put forward by or on behalf of the applicant in relation to the written objection received. The Licensing Panel will take into account, in considering the importance to be attached to the objection, that the objector was not available to be questioned about his/her statements.

PROCEDURE AT AND AFTER ORAL HEARINGS IN PUBLIC

19. The procedure at the meeting will, in general, be similar to that in a Court of Law. Although the strict rules of evidence will not apply, they will be observed to a great extent because this is the best way of hearing the evidence from all parties. Members may seek clarification of any procedural, technical or legal matter from officers at any time during the proceedings.
20. A report will be put before the Licensing Panel, prepared by the appropriate officer of the Council. In addition, where necessary, an appropriate officer will provide a detailed plan of the premises. A copy of the report will be sent to the applicant in advance of the meeting.

WARD COUNCILLOR'S SUBMISSION

21. The Councillor for the Ward in which the applicants or objectors premises are situated may either:
- (a) Object to an application in accordance with numbers 8 to 18 of these rules; or
 - (b) Appear as a witness on behalf of an applicant or objector; or
 - (c) Give evidence by way of Ward Councillor's submission as detailed in rule 27 below.
22. If a Councillor for the Ward, who has not made a formal objection, wishes to give evidence he/she may either address the Licensing Panel or may submit written representations in respect of the application regardless of whether or not he/she is an objector called by any party as follows:
- (a) If a Ward Councillor wishes to give oral testimony this will normally be given after the Chair of the Licensing Panel has introduced the report and any evidence of objectors has been heard.
 - (b) Before a Ward Councillor addresses the Licensing Panel he/she must first make a declaration that he/she has not previously discussed the application with the Members of the Licensing Panel and will take no part in the determination of the application.
 - (c) Evidence given by way of oral testimony is subject to questioning by the parties to the application and by members of the Licensing Panel.
 - (d) If representation is given by way of written submission the Chair will indicate that the Licensing Panel will take into account the fact that the submission of the Ward Councillor cannot be tested by questioning.
 - (e) Any evidence presented by a Ward Councillor by way of a Ward Councillor's submission shall only relate to those issues already known to the applicant by way of the Report to the Licensing Panel or otherwise.
 - (f) (i) Evidence given by way of written submission under this rule shall be provided to the Licensing Team at least 7 days in advance of the Hearing.
(ii) Notice of evidence to be given by way of oral testimony under this rule shall be provided to the Licensing Team at least 7 days in advance of the hearing. If he/she wishes to raise

issues which are not already known to the applicants, such notice shall be in writing and shall set out in general terms the issues to be raised.

- (iii) The Licensing Team shall on receipt of evidence under (i) or a notice under (ii) above send a copy to the applicant as soon as possible and at least 5 days in advance of the hearing.
- (g) If there is an objection to the Ward Councillor's submission, the Ward Councillor and both parties may give their reasons for or against the submission to the Licensing Panel. The Legal Advisor to the Licensing Panel may also give advice before the Licensing Panel decides whether to allow the submission in as evidence. If the Licensing Panel decides to hear the submission it may be appropriate to adjourn the proceedings after it has been made so as to allow the party objecting to it time to consider the submission in detail.

Note : It should be noted that a Ward Councillor's involvement in a hearing under this rule is limited solely to making representations i.e. there is no right of questioning of other parties or making a closing address.

ORDER OF PROCEEDINGS

- 23. At the start of the hearing the Chair will introduce himself/herself and other members of the Licensing Panel.
- 24. The Chair will then check that there are no additions or alterations to the list of those appearing at the hearing which will have been prepared in advance by the appropriate officer and he will then briefly introduce the report and outline the procedure that will be followed for the remainder of the hearing. The procedure is as follows:
 - (a) The Chair of the Licensing Panel may call at any time any necessary officer(s) to give factual information (e.g. as to the technical arrangements of the premises). These officers can be questioned by any of the parties present or questioned by members of the Licensing Panel on matters relating to that evidence.
 - (b) Any Council officer(s) who are making a formal objection will then be required to present their respective cases and call any evidence in support.
 - (c) All other objectors will then be required to present their cases and call any evidence in support.
 - (d) The objectors present their case by addressing the Licensing Panel and/or calling evidence. The objector may address the Licensing Panel either before or after calling his evidence.
Note : In appropriate cases the Licensing Panel may during or at the end of the objector's case wish to establish whether the objectors are opposed to the application in its entirety or, for example are objecting to the lateness of the hours sought and not to the grant of the licence itself.
 - (e) The applicant (or his/her representative) is then entitled to address the Licensing Panel and call evidence in support of his/her application.
 - (f) When the applicant has called his/her evidence the objectors may each make a closing statement. An objector is not entitled to call new evidence at this stage and his/her closing statement must be limited to commenting on matters raised by the applicant either in the applicant's opening statement or the evidence called in support of the application.
 - (g) When the objectors have made their closing statements the applicant (or his/her representative) may make a closing statement to the Licensing Panel.
- 25. Each person giving evidence may be questioned by the opposing party or parties and by Members of the Licensing Panel. A person may decline to be questioned but less importance would then be attached to his/her evidence. **Note :** Objectors to an application may not question each other but an objector may question his/her witness(es).
- 26. When a person gives evidence:
 - (a) He/She is first asked to state his/her full name and address.
 - (b) He/She either makes a statement or, if appropriate, is questioned by the person calling him/her.
 - (c) He/She may be questioned by the other party or parties or their representative.
 - (d) Throughout the presentation of the respective cases for the Objector and the Applicant questions may be put by Members of the Licensing Panel. Such questions will normally be put immediately following the questions by the opposing party or

parties. Following the questions by Members of the Licensing Panel they may have to consider whether another opportunity for further questioning should be afforded to the other party or parties on “new” evidence introduced as a result of the replies to Members’ questions.

- (e) He/She may be questioned further (if appropriate) by the person who called him/her. These questions must be limited to matters which have already arisen in previous examination or Members’ question. This is solely an opportunity to ask questions and not a time to make statements. No new matters may be raised at this stage.

DOCUMENTARY EVIDENCE

- 27. Documentary evidence on which it is intended to rely shall be submitted to the Licensing Team not less than 14 days before the date of the Hearing so that it may be included with the report to be submitted to the Licensing Panel.
- 28. Where one of the parties wishes to submit a document at the hearing the following procedure should be followed:
 - (a) The party concerned should explain why the document concerned was not submitted in advance.
 - (b) If the Chair accepts the explanation he/she shall then establish whether the opposing party or parties (or their representatives) have already seen the document and whether they have any objection to its submissions.
 - (c) If the other parties have not previously seen the document the Chair will request that it first be passed to them (or to their representative) so that they can decide whether they object to it being submitted to the Licensing Panel and if so the grounds of their objection. **Note** : For this purpose it may be necessary to allow time for the study of the document.
 - (d) If there is an objection to the submission of the document both parties may give their reasons for or against the proposed submission to the Licensing Panel. The Legal Adviser to the Licensing Panel may also give advice before the Licensing Panel decide whether to allow the document to be submitted.
Notes : In some cases it may be necessary for them to see the document before making a decision; **(ii)** In relation to models, colour-boards etc. A party wishing to produce such models etc. should give notice in advance to the Head of Trading Standards & Licensing.
- 29. If there has been no objection to the submission of a document or if the Licensing Panel has ruled that it may be submitted, the document will normally be read aloud by the party submitting it or by his/her representative. If the submission is a letter or written statement by someone who is not present and its submission has been opposed by one of the parties, the Chair (if the Licensing Panel have ruled that it should be admitted) will indicate that the weight of evidence (importance) that the Licensing Panel will attach to the document will take into account the fact that the signatory of the letter or the maker of the statement is not present to be questioned. In some cases it may be appropriate to adjourn the proceedings so as to allow the party objecting to the submission time to consider the submission in detail. **Note** : At least 6 copies should be provided of any document which is to be submitted at the meeting.

DECISION

- 30. At the end of a hearing the Chair will announce that the hearing is adjourned to enable the Licensing Panel to deliberate in private and will return as soon as possible to announce their decision (which can be reached by majority decision). The Licensing Panel will normally be accompanied by the relevant officers of the Council but the decision shall be arrived at by Members of the Licensing Panel only. Sometimes the Licensing Panel will go to a private room or they may ask the parties concerned and their witnesses and the public to leave. **Note** : Any officer retiring with the Licensing Panel must be completely impartial.
- 31. The Licensing Panel may:-
 - (a) refuse to grant an approval; or

- (b) refuse to renew an approval; or
- (c) attach to an approval conditions other than those set out in Schedule 2 to the Regulations;
- or
- (d) revoke an approval other than on the grounds set out in Regulations 8 (9) or 8 (10).

NOTIFICATION OF A DECISION

32. The decision will be communicated in writing to the parties as soon as possible. Unless the decision is to grant the application in full or to refuse a proposal for revocation the letter should advise the applicant or approval holder of the right to ask the Licensing Sub-Committee to review the decision.

WAIVER OF RULES

33. In any particular case, any of these rules may be waived, altered or modified by the Director of Environment & Street Scene or Licensing Panel or by the Head of Trading Standards & Licensing in the case of Rules 5, 6 and 9.

Note : A person refused an application for an approval or a licensee aggrieved by any term, condition or restriction attached to the approval can appeal to a Magistrate's Court. The Council is the party who defends any such appeal but the Court rehears all the evidence for and against the grant of the application or the imposition of the term, condition or restriction as the case may be. A person aggrieved by the order of a Magistrates Court on such an appeal has a right of appeal to the Crown Court. An objector aggrieved by the decision of the Licensing Panel does not have these rights of appeal but is entitled to object again when the licence comes up for renewal or may be called by the Council as a witness on the hearing of any appeal by the applicant.

ADDITIONAL PROVISIONS

34. The licence shall be for such a period as may be determined (usually 3 years).

AVAILABILITY OF REGISTRAR

35. The issue of approval, for the use of a premises as a venue for Marriages and Civil Partnerships, does not guarantee the availability of a registrar for a given event. Licensees are therefore advised to confirm the availability of the registrar prior to accepting a booking.

Last Updated: 17/3/09