

ANGUS COUNCIL

APPLICATION INFORMATION

The Marriage (Approval of Places) (Scotland) Regulations Act 2002

Places of Civil Marriages

The attached **application form (page 2, 3 and 4)** for an Approval as an Approved Place of Marriage should be completed and returned to the **Head of Law and Administration**, Angus Council, Angus House, Orchardbank Business Park, Forfar, DD8 1AN.

THIS APPLICATION MAY ONLY BE MADE BY EITHER PARTY TO THE MARRIAGE.

The non-refundable fee for this application should be submitted with the form and cheques should be made payable to Angus Council. The application will not be processed without payment of the appropriate fee. The application fees are as follows: -

Temporary Approval (licensed premises)	£91
Temporary Approval (unlicensed premises)	£180

Licensed premises are premises which are licensed under the Licensing (Scotland) Act 2005 or the Civic Government (Scotland) Act 1982.

You must also display the enclosed “NOTICE FOR DISPLAY” (page 6) at or near the premises to be licensed intimating that an application has been lodged with the Council. This notice **must be** displayed for a period of **21 days commencing with the date on which the application is submitted to the Council.**

Only after the expiry of the statutory 21 period should the “Certificate of Compliance” (page 7) be completed and returned to this office.

Please note that you should retain for your interest this application information together with the Guidance from the Register General and the Guidance for those wishing to marry at an approved place.

On receipt of your application this Department will consult with Tayside Police, Tayside Fire Brigade and other Council Departments. This process will take a statutory minimum period of four weeks.

Please note that Regulation 7(2) of the Regulations requires a local authority not to grant an approval if, in its opinion, the place :-

1. will compromise the solemnity and dignity of civil marriage;
2. has a recent or continuing connection with any religion or religious practice which would be incompatible with the use of that place for the solemnisation of civil marriages; or
3. does not fulfil any other reasonable requirements which the authority considers appropriate to ensure that the facilities provided at the place are suitable.

NOTES I understand that:-

- (a) **the place may be inspected for suitability before approval is granted and, if this application is successful, may be subject to subsequent inspection;**
- (b) **approval, if granted, will not exceed the duration of the temporary approval subject to revocation, suspension or variation; and**
- (c) **the place must satisfy the local authority on fire precautions and health and safety provisions.**

If you have any queries, please telephone the Licensing Section on 01307 476254, 01307 476048 or 01307 476252.

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APPLICATION FORM FOR TEMPORARY APPROVAL

AS AN APPROVED PLACE FOR MARRIAGES IN PURSUANCE OF REGULATION 3 OF THE MARRIAGE (APPROVAL OF PLACES) (SCOTLAND) REGULATIONS 2002

1. PLACE FOR APPROVAL	
(a) Name of Premises	
(b) Address of Premises	
(c) Telephone Number	
(d) Fax Number	
(e) E Mail address	
(f) Please describe the nature of the place (eg hotel, stately home, civic accommodation) and the primary and other uses to which it is regularly put.	
(g) Please state date of the ceremony.	
(h) Description of the area (s) to be approved. If ceremony is to take place outside please state alternative area should the weather be inclement.	

2. APPLICANT MUST BE ONE OF THE PARTIES TO THE MARRIAGE	
(a) Name	
(b) Address	
(c) Telephone Number	
(d) Fax Number	
(e) E Mail address	
(f) Are you the occupier of the place YES/NO (please delete) if no please give name(s) and address(es) of occupier	

3. CERTIFICATES, LICENCES AND PLANS

<p>(a) FIRE</p> <p>Please state the maximum number of people permitted at the place under any fire certificates, which applies – PLEASE ATTACH A COPY OF ANY CERTIFICATE IN FORCE</p>	
<p>(b) PUBLIC LIABILITY INSURANCE</p> <p>Please state name of your Public Liability Insurers.</p> <p>Please quote policy number – PLEASE ATTACH A COPY OF YOUR POLICY</p>	
<p>(c) LIQUOR</p> <p>Is there are current licence in force?</p> <p>If yes – what type of licence?</p> <p>What is the expiry date?</p>	<p>YES/NO</p>
<p>(d) PUBLIC ENTERTAINMENT LICENCE</p> <p>Is there a current public entertainment licence in force?</p> <p>If yes – what is the expiry date?</p>	<p>YES/NO</p>
<p>(e) PLANS</p> <p>Please provide 4 copies of a plan outlining the area (s) where the ceremony will be held.</p>	

DECLARATIONS:-

1.(a) I/We declare that I/we shall, for a period of 21 days **commencing with the date on which this application was submitted to the Council**, display at or near the premises so that it can conveniently be read by the public a notice complying with the requirements of paragraph 2(3) of the said Schedule.

OR

(b) I/We declare that I/we are unable to display a notice of this application at or near the premises because I/we have no rights of access or other rights enabling me/us to do so, but that I/we have taken the following steps to acquire the necessary rights, namely:- (here specify the steps taken).

but have been unable to display the notice

Delete part (a) or (b) as appropriate. Where declaration (a) is made there must be produced as soon as possible after the expiry of the 21 day period a Certificate of Compliance with paragraph 2(2) of the said Schedule.

PLEASE ENSURE THAT THE ABOVE DECLARATION IS COMPLETED.

2. Angus Council is under a duty to protect the public funds it administers. As a result, the information you have provided or the information provided about you by a third party will be passed to the Council's Finance Division to check whether you have outstanding debts with the Council in relation to such matters as Council tax and non-domestic rates. The Council may also share information about you with other Departments of the Council and with other bodies administering public funds for the prevention of crime and the detection of fraud, such as Government departments and other local authorities.
3. I declare that the particulars given by me on this form are correct to the best of my knowledge and belief. I authorise the use of all information which I have provided for the above purposes. I hereby make application to Angus Council for the grant of the licence applied for.
4. **I declare that:-**
 - (a) I have read and understood the information contained in this form, the Application Information and the Guidance from the Registrar General;
 - (b) the place has no recent or continuing religious connection;
 - (c) I have obtained any necessary permissions regarding use of and access to the place; and
5. I further declare that, if approval is granted, I will comply with the conditions attached to that grant of approval.

This application must be made by either of the parties to the marriage. If successful the applicant will be the holder of the approval.

Date: _____ Signature of Agent/Applicant _____
(delete as appropriate)

Address of Agent _____

Tel. No. _____

FOR OFFICE USE ONLY

Date, Amount and Receipt Number	Date Passed to Consultees	Date Observations Received		
		Police.....	Planning	Finance.....
		Fire.....	ECP.....	BC
Certificate of Compliance Received	Date of Decision	Decision	Expiry Date	Licence Number and Date of Issue

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The Marriage (Approval of Places) (Scotland) Regulations 2002

Notice for Display at Premises

Notice is hereby given that

.....

has lodged an application with Angus Council for an Approval as an Approved place for Marriages in respect of premises at.....

.....

from.....until.....

Any objections or representations in relation to the application must comply with the undernoted requirements and be lodged with the Head of Law and Administration, Angus Council, Angus House, Orchardbank Business Park, Forfar, DD8 1AN within 21 days of the undernoted date.

Date on which notice was displayed

.....

Signature.....
(Applicant or Legal Agent)

Address of.....

Legal Agent.....

(if applicable).....

NOTES

An objection or representation shall :-

- (a) be in writing;
- (b) specify the grounds of the objection or, as the case may be, the nature of the representations;
- (c) specify the name and address of the person making the objection/representation; and
- (d) be signed by the objector or be signed on behalf of the objector by a legal agent or representative.

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The Marriage (Approval of Places) (Scotland) Regulations 2002

Certificate of Compliance

I

applicant for an Approval as an Approved place for Marriages hereby certify that, in accordance with the above Regulations, Notice has been displayed at or near the premises

at.....

.....

.....

from.....until.....

containing such information as is required in terms of the above Regulations.

*Where the said Notice was removed, obscured or defaced during the aforementioned period, I took reasonable steps for its protection and replacement as follows (give details and circumstances if applicable) :-

Date.....

Signature.....

Applicant

***Delete if not applicable**

GUIDANCE FROM THE REGISTRAR GENERAL

In considering the suitability of places as a venue for civil marriages the local authority will have regard to the following Guidance from the Registrar General:

1. The new law is intended to allow civil marriages to be solemnised at any approved location, including any premises, fixed buildings, temporary structures, enclosures and similar structures, land (including any land covered with water insofar as within the jurisdiction of the registration district) and any vessels or vehicles, without compromising the fundamental principles of Scottish marriage law and the solemnity and dignity of civil marriage. These will mean that certain places will not be suitable for approval.
2. Civil marriages must be solemnised at identifiable places within the registration district in respect of which the Marriage Schedule has been issued. The position of the place must be suitably defined in words or figures so as to enable it to be recorded in the Marriage Schedule. Such a system is already in place in relation to religious marriages. Local registrars are familiar with what is required for describing the location of religious marriages and will be able to use that experience in describing civil marriage venues. For the avoidance of doubt, local authorities may approve moving vessels as approved places provided that for the duration of the marriage ceremony any such vessel remains within the boundary of the registration district in which the marriage is to be solemnised. This may result in the owner or operator of a vessel seeking approval from more than one local authority if they intend that the vessel should be approved for civil marriages to be carried out on board. Each approval will apply to the vessel in respect of that area of water within the registration district boundary to which the approval applies.
3. A local authority is required not to approve a place if the authority is of the opinion that the place will compromise the solemnity and dignity of civil marriage. The primary use of a place would render it unsuitable if that use could be regarded as demeaning marriage or bringing it into disrepute.
4. The local authority is also precluded from granting approval to any place with a recent or continuing connection with any religion or religious practice which would be incompatible with the use of that place for the solemnisation of civil marriages. This would, for example, rule out any place, any building or any specific room or space within a building whose primary purpose is still considered to be linked to religion e.g. a chapel in a stately home. However, a place in which a religious group meets occasionally may be suitable if the primary use of the place is secular. GROS also recognises that there are places where the issue may not be clear-cut. For instance, ruined abbeys and churches clearly would have had an historical religious connection. In determining whether such places might be approved as venues for civil marriages, local authorities should examine and take into account the present-day circumstances.
5. Civil marriages in approved places may be followed by a celebration, commemoration or blessing of the couple's own choice, provided that this does not purport to be a religious marriage and that it is distinct from the civil ceremony.

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GUIDANCE FOR THOSE WISHING TO MARRY AT AN APPROVED PLACE

1. As soon as you have made provisional arrangements for your marriage at an approved place you should contact the registrar for the district in which the place is situated at the following offices ;-

69 High Street, ARBROATH

9 West High Street, FORFAR

51 John Street, MONTROSE
2. Without the presence of the registrar there can be no marriage and any arrangements for the use of the place depend entirely on the registrar's availability. It is, therefore, essential that you make an advance booking with the registrar for his or her attendance at your proposed marriage. A fee for this attendance will be payable in advance of the ceremony.
3. Both parties to the marriage will also have to complete a formal notice of marriage and lodge it with the district registrar not more than three months, and not less than fifteen days, before the wedding.
4. Any arrangements made for a marriage to take place at the approved place are dependent on:-
 - (a) the attendance of the registrar for the district in which the place is situated; and
 - (b) the issue of the schedule for marriage by the registrar to whom notice of marriage was given.
5. Only a civil **non-religious** ceremony can be permitted by the 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 registrar who will be attending the ceremony.
6. Any rights of copyright for music, reading etc. permitted at the ceremony are a matter for you and the holder of the approval.