



Application Number

APPLICATION FOR *TEMPORARY APPROVAL* AS AN APPROVED PLACE FOR CIVIL MARRIAGES IN PURSUANCE OF REGULATION 4 OF THE MARRIAGE (APPROVAL OF PLACES)(SCOTLAND) REGULATIONS 2002

1. DETAILS OF PLACE AND PROPOSED DATE OF CIVIL MARRIAGE

Please give the title, full address and telephone number of the place.

TITLE:

ADDRESS:

TELEPHONE NO:

PROPOSED DATE:

2. DETAILS OF APPLICANT

Please give the full name, address and telephone number of the person making the application. *The application must be made by either of the parties to the marriage.* If successful applicant will be the holder of the approval.

TITLE:

ADDRESS:

TELEPHONE NO:

If an approval is granted the Applicant will be known as the 'Approval Holder' and will be responsible for ensuring all requirements and conditions are satisfied in respect of the place for its use as a venue for a civil marriage.

3. NATURE OF PLACE [3 Copies of a plan/description of the Place will be required]

Please describe the nature of the place (e.g. Hotel, Civic Building etc.) and the Primary and other uses to which it is regularly put.

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[If the proposed place is an outdoor venue, applicants must provide details of an alternative indoor venue which can be used in the case of inclement weather conditions prevailing on the date of the proposed civil marriage - See Section 8 below]

4. **OCCUPIER OF PLACE**

Is the person or company named in Section 1 the sole occupier of the place?

YES NO

5. **OTHER OCCUPIER(S)**

If the answer to Section 4 is 'NO' please give the names and addresses of the other occupiers and the nature of their occupancy:

NAME:	
ADDRESS:	
NATURE OF OCCUPANCY:	

6. **OCCUPANCY OF MARRIAGE VENUE**

Please state the maximum number of people who are permitted to occupy the proposed marriage venue under any Fire Certificate and Health and Safety provisions which applies *by submitting with this application a risk assessment.*

7. **CONTROL OF PLACE AND SURROUNDING GROUNDS**

Does the applicant have complete control over all areas of the place and the surrounding ground?

YES NO

If the answer to the above question is 'NO', please state who else has control and for what other purpose(s) the place and grounds are used.

8. **DETAILS OF ALTERNATIVE PLACE (if applicable)**

[This section only requires to be completed in the case of applications where the primary venue will be outdoor]

Please give the title, full address and telephone number of the place.

TITLE:	
ADDRESS:	
TELEPHONE NO:	

9. **NATURE OF ALTERNATIVE PLACE** [3 Copies of a plan/description of the Place will be required]

Please describe the nature of the place (e.g. Hotel, Civic Building etc.) and the Primary and other uses to which it is regularly put.

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10. **OCCUPIER OF PLACE**

Is the person or company named in Section 1 the sole occupier of the place?

YES NO

11. **OTHER OCCUPIER(S)**

If the answer to Section 10 is 'NO' please give the names and addresses of the other occupiers and the nature of their occupancy:

NAME:

ADDRESS:

NATURE OF OCCUPANCY:

12. **OCCUPANCY OF ALTERNATIVE MARRIAGE VENUE**

Please state the maximum number of people who are permitted to occupy the proposed marriage venue under any Fire Certificate and Health and Safety provisions which applies *by submitting with this application a risk assessment.*

13. **CONTROL OF ALTERNATIVE PLACE AND SURROUNDING GROUNDS**

Does the applicant have complete control over all areas of the place and the surrounding ground?

YES NO

If the answer to the above question is 'NO', please state who else has control and for what other purpose(s) the place and grounds are used.

14. DECLARATIONS AND SIGNATURE

I apply for the *Place(s) identified in *Section(s) *1(and 8) to be approved for a Civil Marriage and in so doing I understand that:-

- a) The Place may be inspected for suitability before an Approval is granted and if the application is successful may be subject to subsequent inspections.
- b) The Place must satisfy the Local Authority on fire precautions and health and safety provisions.
- c) Public notice of the application will be given by a newspaper advertisement with a period of 21 days for objections.
- d) If the Temporary Approval is granted it will be valid for the date stated, subject to revocation, suspension or variation.

I further declare that:-

- e) I have read and understood the information contained in this form and Annexes A and D;
- f) The place has no recent or continuing connection with any religion, religious practice or religious persuasion.
- g) I have obtained the necessary permission regarding use of and access to the place.
- h) If an Approval is granted, I will comply with the standard conditions and any local conditions (Annex C) attached to the Approval.

*delete as applicable

Signature Date

Name (BLOCK CAPITAL)

Capacity

15. CORRESPONDENCE ADDRESS

Name and address to which all correspondence should be sent, if different from address given in Section 2.

NAME:

ADDRESS:

16. ENCLOSURES

Enclosed with this application are:-

- 1) Three copies of a plan/description of the *Place(s)
- 2) Copy of Risk Assessment
- 3) Details of public liability insurance in respect of the place for which approval is sought.
- 4) Application fee of £178.00 (Cheques to be made payable to “The Moray Council”)

17. **COMPLETED APPLICATION FORM**

This application form, when completed should be forwarded to the Chief Legal Officer, The Moray Council, Council Office, High Street, Elgin IV30 1BX

NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN BE GRANTED

The non-returnable fee for this application is £170.00 and must be submitted with the application to the Chief Legal Officer at The Moray Council, Council Offices, High Street, Elgin, IV30 1BX

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.

CONDITIONS TO BE ATTACHED TO PERIOD APPROVALS

The authority **must** attach the following standard conditions from the Schedule to the Regulations to any period approval:

1. **The approval holder must ensure that there is at all times a responsible person and that the responsible person's occupation, seniority, position of responsibility in relation to the place, or other factors, indicate that the responsible person is in a position to ensure compliance with these conditions.**
2. The responsible person or, in the absence of the responsible person, an appropriately qualified deputy appointed by the responsible person, shall be available in or at the approved place for a minimum of one hour prior to each civil marriage ceremony and throughout each civil marriage ceremony.
3. The approved holder must notify the authority immediately of any change to any of the following:-
 - a) The nature of the approved place from that described in the approved application;
 - b) The name, description and full postal address (if any) of the approved place; and
 - c) The address of the approval holder.
4. Where a person is deemed to be an approval holder under regulation 17, that person shall be obliged to notify the authority immediately of that change.
5. The approved place must be made available at all reasonable times for inspection by the authority.
6. No food or drink may be sold or dispensed or consumed in any approved place in which a marriage ceremony takes place for one hour prior to that ceremony or during the ceremony, except where the ceremony takes place in a separate room or similar defined space within the approved place then this restriction shall apply only within that room or space.
7. The arrangements of the approval holder for each civil marriage ceremony must meet with the prior written approval of the District Registrar of the registration district in which the approved place is situated.
8. (1) Any reference to an approved place on any sign or notice, or on any stationery or publication, or within any advertisement, relating to that place may state, subject to sub-paragraph (2), that the approved place has been approved by the authority as a venue for civil marriages in pursuance of the Act and, if it does so, must state that such approval does not bind the authority to perform or provide a service without prior consultation and agreement with said authority.

(2) Any reference under (1) shall not state or imply any recommendation of the approved place or its facilities by the authority, the Registrar General or any of the officers or employees of either of them.

**CONDITIONS TO BE ATTACHED TO TEMPORARY APPROVALS
(OR FURTHER CONDITIONS TO BE ATTACHED TO PERIOD APPROVALS)**

1. The applicant or a responsible person nominated by the applicant shall be available in or at the approved place for a minimum of one hour prior to each civil marriage ceremony and throughout each civil marriage ceremony.
2. The approved holder must notify the authority immediately of any change to any of the following:-
 - d) The nature of the approved place from that described in the approved application;
 - e) The name, description and full postal address (if any) of the approved place; and
 - f) The address of the approval holder.
3. Where a person is deemed to be an approval holder under regulation 17, that person shall be obliged to notify the authority immediately of that change.
4. The approved place must be made available at all reasonable times for inspection by the authority.
5. No food or drink may be sold or dispensed or consumed in any approved place in which a marriage ceremony takes place for one hour prior to that ceremony or during the ceremony, except where the ceremony takes place in a separate room or similar defined space within the approved place then this restriction shall apply only within that room or space.
6. The arrangements of the approval holder for each civil marriage ceremony must meet with the prior written approval of the District Registrar of the registration district in which the approved place is situated.
7. (1) Any reference to an approved place on any sign or notice, or on any stationery or publication, or within any advertisement, relating to that place may state, subject to sub-paragraph (2), that the approved place has been approved by the authority as a venue for civil marriages in pursuance of the Act and, if it does so, must state that such approval does not bind the authority to perform or provide a service without prior consultation and agreement with said authority.
 - (3) Any reference under (1) shall not state or imply any recommendation of the approved place or its facilities by the authority, the Registrar General or any of the officers or employees of either of them.

Any further conditions the local authority considers appropriate upon grant of period approval.

Local conditions may be attached at time of granting approval and applicants will be advised at that time of any such conditions.

ADDITIONAL INFORMATION

RENEWAL

1. The approved may apply for the renewal of a period approval. A renewal will run from the expiry date of the current period approval.

REVOCATION, SUSPENSION AND VARIATION

2. The authority may revoke or suspend an approval or vary it terms if it is satisfied, after considering any representations by or on behalf of the approval holder, that the use or structure of the place has changed so that any of the standard or local requirements cannot be met or the approval holder has failed to comply with one or more of the standard or local conditions attached to the approval. If the approval holder ceases to have an interest in the approved place, then the local authority may also revoke, suspend or vary the terms of the approval.
 - a) When an approval has been suspended or revoked the regulations require the former approval holder to notify any couples who had arranged to marry in the place.
3. Local authorities should note that an applicant or an approval holder may appeal to the Sheriff against any decision of the local authority if the approval holder considers that the local authority: erred in law, based its decision on any incorrect material fact, acted contrary to natural justice or exercised its discretion in an unreasonable manner. In upholding an appeal, the Sheriff may remit the case back to the local authority for reconsideration of its decision or reverse or alter the decision of the local authority. Thereafter, an appeal to the Court of Session is only allowed on a point of law.

REGISTRATION

4. Details of approved places will be held for public inspection by the authority. These details will be copied to the Registrar of the district in which the places are situated and to the Registrar General who shall both, in turn, keep a register of every approved place based upon the entries provided by the authority. Those registers shall be available for public inspection at all reasonable times.

GUIDANCE FOR THOSE WHO WISH TO MARRY AT AN APPROVED PLACE

1. As soon as a couple has made provisional arrangements for their marriage at an approved place they should be advised to contact the registrar for the district in which the place is situated at
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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 the couple make an advance booking with the registrar for his or her attendance at their proposed marriage as soon as a booking can be accepted. A fee for this attendance will be payable in advance of the ceremony.
3. Each of the couples 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. The couple should be warned that any arrangements made for a marriage to take place at the approved place are dependent on:
 - b) The attendance of the registrar for the district in which the place is situated; and
 - c) The issue of the schedule for marriage by the registrar to whom notice of marriage was given.
5. The couple should be advised that 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 the couple and the holder of the approval.