sustainable thriving achieving
East Dunbartonshire Council
www.eastdunbarton.gov.uk

Marriage (Scotland) Act 1977
(as amended by Marriage (Scotland) Act 2002)

APPLICATION FOR PERIOD APPROVAL AS AN APPROVED PLACE FOR MARRIAGES IN PURSUANCE OF REGULATION 3 OF THE MARRIAGE (APPROVAL OF PLACES) (SCOTLAND) REGULATIONS 2002 (S.S.I.No.260/2002)

This form when completed must be forwarded to the Head of Legal & Democratic Services at Registration Services, 21 Southbank Road, Kirkintilloch G66 1NH together with the appropriate fee of **£400.00** payable to East Dunbartonshire Council.

1. I apply for the place named at item 2 below to be approved for use by the public for the solemnisation of civil marriages in the presence of a registrar.

2. I attach 3 copies of a plan/description of the place for which approval is sought.

3. I attach details of public liability insurance in respect of the place for which approval is sought.

4. 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 be for a three year period, subject to revocation, suspension or variation;
   (c) the local authority must be satisfied that all necessary fire precautions and health and safety provisions relating to the place have been undertaken, prior to approval being granted: and
   (d) the provision of a registrar by the local authority is subject to the availability of a registrar on any given date.

5. I declare that:-
   (a) I have read and understood the information contained in this form and the attached appendices and that the information which I have provided is accurate;
   (b) the place has no recent or continuing religious connection;
   (c) if approval is granted, I will comply with the standard conditions and any local conditions attached to that grant of approval.

Any person may make the application. If successful the applicant will be the holder of the approval.

Signature of Applicant

Date of application:

Position (eg Owner, Manager):

For Office Use Only_____

Date Rec'd	Of Notice_____	Refused_____
Date Ack	Approved_____	Comment_____

A. Full names and private address of applicant. If the application is made by a limited company please give the address of the registered office and where different state also the main trading address of the Company.

B. Name, postal address and telephone number of the place which is the subject of this application.

C. Please describe the nature of the place and the primary and other uses to which it is regularly put.

D. Is the person or company named in reply to question A the occupier of the place?

E. If the answer to question D above is 'No' and there is another occupier, please give their name(s) and address(es).

F. Please state here the maximum number of people permitted at the place under any fire certificate which applies.

G. Does the place currently have the benefit of any licence authorising use for public entertainment or similar purposes?

sustainable thriving achieving
East Dunbartonshire Council
www.eastdunbarton.gov.uk

STANDARD CONDITIONS OF APPROVAL

1. The approval holder is responsible for compliance with these conditions and must make arrangements to ensure that in his/her absence a person of suitable responsibility is available in this regard.

2. The approval holder or his/her delegate 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 approval 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 fact in accordance with regulation 17(2).

5. The approved place must be made available for inspection by the authority at all reasonable times.

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 that where the ceremony takes place in a separate room or similar defined space within the approved place in which case this restriction shall apply only within that room or space.

7. The arrangements made by 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(a). 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 (b), 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 an approval does not bind the authority to perform or provide a service without prior consultation and agreement with said authority.

8(b) Any reference under (a) 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

sustainable thriving achieving
East Dunbartonshire Council
www.eastdunbarton.gov.uk

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

Any conditions for a temporary approval or further conditions the local authority considers appropriate upon grant of period approval.

NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN BE GRANTED

The non-returnable fee for this application is £..... and must be submitted with the application to the Head of Legal and Democratic Services at 21 Southbank Road, Kirkintilloch G66 1NH.

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 marriages;

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.

Regulation 5 requires the local authority to cause public notice to be given of each application for approval, to allow a period 21 days for written objections to be lodged.

This duty will be fulfilled by -

1. the applicant displaying the notice at the place for which approval is sought

   and

2. the notice being displayed at the appropriate Registration Services Office of the Council.

ADDITIONAL INFORMATION

RENEWAL

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

REVOCATION AND SUSPENSION

2. The authority may revoke or suspend an approval if, in its opinion, after considering any representations by or on behalf of the approval holder, that

   (i) the approval holder has failed to comply with one or more of the conditions attached to the approval;

   (ii) the approved place is no longer suitable for the solemnisation of civil marriages; or

   (iii) in the case of a period approval, the approval holder is not or is no longer a fit and proper person.

   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.

3. When an approval has been suspended or revoked the regulations require the approval holder to notify any couples who had arranged to marry in the place.

VARIATION

4. Subject to providing notice to the approval holder, a local authority may, at any time, vary the conditions attached to a temporary approval, or the further conditions attached to a period approval, on any grounds it thinks fit.

APPEAL

5. Local authorities should note that, under section 18A of the Marriage (Scotland) Act 1977, 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 modify the decision of the local authority. Thereafter, an appeal to the Court of Session is allowed only on a point of law.

REGISTRATION

6. 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 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

East Dunbartonshire Council
www.eastdunbarton.gov.uk

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:

   a) Registration Services, 21 Southbank Road, Kirkintilloch G66 1NH
   Tel: 0141 578 8020 for Kirkintilloch, Lennoxtown, Twechar, Milton of Campsie, Torrance, Baldernock, Lenzie.

   b) Registration Services, Triangle, Bishopbriggs G64 2TR
   Tel: 0141 578 8557 for Bishopbriggs, Auchinairn.

   c) Registration Services, 38 Roman Road, Bearsden G61 2SH
   Tel: 0141 578 8669 for Bearsden, Milngavie

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 couple 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 advised that 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. 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.