
**APPLICATION FOR GRANT OF LICENCE FOR PREMISES TO BE APPROVED AS
A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS**

**THE DEVONPORT HOTEL, MIDDLETON ONE ROW, MIDDLETON ST GEORGE,
DARLINGTON.**

Purpose of Report

1. To consider an application received from The Devonport Hotel for a licence to be approved as a venue for Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994), the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and the Marriage (Same Sex Couples) Act 2013.

Summary

2. An application has been received by the Devonport Hotel, Middleton One Row to be approved as venue for Civil Marriages and Civil Partnerships.
3. The application seeks to allow ceremonies to take place in any of following areas as per the attached plans and with the following proposed capacities:
 - (a) The Huntsman Suite (40 persons)
 - (b) The Courtyard View Suite (40 persons)
 - (c) The Restaurant (40 persons)
 - (d) The outside Courtyard (40 persons)

Information

4. The Marriage Act 1949 (as amended by the Marriage Act 1994), the Marriages and Civil Partnerships (Approved Premises) Regulations 2005, and the Marriage (Same Sex Couples) Act 2103 permit a Local Authority to approve the use of certain premises as venues for Civil Marriages and Civil Partnerships. This Council is the appropriate Authority for premises within the Borough of Darlington.
5. Members may wish to note the following information regarding each of the proposed ceremony rooms:
6. The Huntsman Suite whilst being on the ground floor is accessed by a long corridor behind the main bar and would be difficult to access for wheelchair users due to the lack of a ramp.. The corridor is also narrow and does not have an adequate turning circle for a wheelchair.

7. The Courtyard View Suite is on the ground floor but at a mezzanine level with access via a flight of approximately six stairs and would not be accessible by wheelchair users.
8. The Restaurant is on ground level and is fully accessible.
9. The outside courtyard is adjacent to the Courtyard View Suite and cannot be accessed by wheelchair users and is also overlooked by neighbouring properties.
10. Approved venues who wish to hold weddings outside should construct a building such as a gazebo or summerhouse sufficient in size to accommodate the couple being married, the two registrars and two witnesses which is then the licensed room for the marriage with the remainder of the guests observing from the outside space.
11. The applicant has been advised that the outside courtyard can only be considered for approval as a ceremony room once an appropriate gazebo has been constructed. The applicant has been further advised that this Committee will still consider his application but without considering the outside ceremony room and that he can seek a variation to any licence to accommodate this upon construction of an appropriate outside building.

Legal Implications

12. This report has been considered by the Assistant Director, Law and Governance, the Fire Service, Building Control and also the Licensing Officer for legal implications in accordance with the Council's approved procedures. There are no issues which the Assistant Director, Law and Governance considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Information

13. A venue approved for Civil Ceremonies does not have to be fully accessible for wheelchair users but where it is not fully accessible then an assurance would be needed from the applicant that when making a booking, couples are made aware of the restrictions so that they can consider and cater for their needs.
14. The Licensing Officer and Fire Office have made no comments or objections to the application.
15. The Building Control Manager asked the applicant to confirm:-
 - (a) That a suitable fire risk assessment had been undertaken and which would be available upon request.
 - (b) That any work to improve wheelchair access to the proposed ceremony rooms would require building control approval.

- (c) The applicant confirmed by email on 5 October that no additional work would take place and that he does have an appropriate Fire Risk assessment which is available upon request.

Section 17 of the Crime and Disorder Act 1998

- 16. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Conclusion

- 17. The Officers are satisfied that it would be appropriate for the grant of approval to be given to the Devonport Hotel, Middleton One Row, Middleton St. George, Darlington as a suitable venue for Civil Marriages and Civil Partnerships under the Marriage Act 1949 (as amended) and the Marriage, Civil Partnerships (Approved Premises) Regulations 2005 and the Marriage (Same Sex Couples) Act (2013) and the that Licence be issued for 3 years from the date of this committee.
- 18. The approval will designate the following areas and maximum capacities for Civil Weddings and Ceremonies.
 - (a) The Huntsman Suite (40 persons)
 - (b) The Courtyard View Suite (40 persons)
 - (c) The Restaurant (40 persons)
- 19. This Committee will consider a variation to the licence for outside ceremonies subject to the construction of an appropriate building.
- 20. A further condition of the licence will be that all couples be made aware of the restriction for wheelchair user guests at the time of booking.

Recommendation

- 21. It is recommended that approval be granted for The Devonport Hotel, Middleton One Row, Darlington as an approved venue for the solemnisation of Marriages and Civil Partnerships in respect of the venue subject to the standard licence conditions and that the maximum number of persons permitted to occupy ceremony rooms on the occasion of Civil Marriages or Civil Partnerships should be as detailed above.

Luke Swinhoe
Assistant Director, Law and Governance and
Proper Officer for the Registration Service

Background Papers

- (i) Application from The Devonport Hotel for approval as premises as a venue for Marriages and Civil Partnerships.
- (ii) Plan of designated rooms for ceremonies
- (iii) Email from the Building Control Manager dated 5 October 2016.
- (iv) Email from the applicant dated 5 October 2016
- (v) Email to the applicant dated 7 November 2016

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