
VARIATION OF LICENCE FOR PREMISES APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS

Walworth Castle Hotel, Darlington

Purpose of Report

1. To consider an request received from Walworth Castle Hotel to make a variation to its 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. Walworth Castle Hotel has been an approved venue for Civil Marriages and Civil Partnerships for a number of years, being a successful wedding venue.
3. The venue has a number of rooms within the Castle licensed for Civil Marriages and Civil Partnerships. The Hotel has recently constructed a pavilion in the hotel grounds which they wish to licence as an additional place for Civil Weddings and Civil Partnerships.

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. A number of other venues in Darlington which are approved for Civil Marriages and Civil Partnerships also have similar outside structures for this purpose, namely Redworth Hall, Hall Garth Golf and Country Club Hotel, Blackwell Grange Hotel and Banatyne Hotel.

6. For an outside wedding structure such as a pavilion to be suitable as a designated room within the approved venue it must:
 - a) Be of a sufficient size accommodate a minimum of the two registrars, the couple being married and two witnesses which form the parties which make the marriage legal. All other guests sit on the outside of the structure and therefore the usual requirement to set a maximum occupancy of guests does not apply.
 - b) Be a permanent structure which cannot be moved to another place so that any person still has the opportunity to locate the wedding in the event of wishing to make a qualified objection to it.
7. The Superintendent Registrar and the Proper Officer for Registration have visited the Hotel and assessed the gazebo as being a suitable for Civil Marriages and Civil Partnerships. Photographs of the structure are attached as an **Appendix** to this report.

Legal Implications

8. 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.

Section 17 of the Crime and Disorder Act 1998

9. 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

10. The Officers are satisfied that it would be appropriate to vary the conditions of the licence for Walworth Castle Hotel to allow for The Pavilion to be approved as an additional designated room to the approved venue with the maximum number of persons to attend a wedding in The Pavilion being six people.

Recommendation

11. It is recommended that the variation to the licence for Walworth Castle Hotel be granted thereby permitting Civil Marriages and Civil Partnerships to take place in The Pavilion to accommodate a maximum number of six persons.

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

Background Papers

- (i) Request from Walworth Castle Hotel
- (ii) Photographs of The Pavilion.

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