

General Licensing Committee Agenda



9.30 am Tuesday, 4 June 2019
Committee Room 1, Town Hall,
Darlington, DL1 5QT

Members of the Public are welcome to attend this Meeting.

1. Introductions/Attendance at Meeting
2. To appoint a Chair and Vice Chair for the Municipal Year 2019/20
3. Declarations of Interest
4. To consider the times of meetings of this Committee for the Municipal Year 2019/20 on the dates as agreed in the Calendar of meetings by Cabinet at Minute C110/Feb/19
5. To approve the Minutes of the meeting of this Committee held on 5 March 2019 (Pages 1 - 4)
6. To approve the Minutes of the meetings of the General Licensing Sub Committees held on 5 March 2019 and 23 April 2019 (Pages 5 - 10)
7. Application for Renewal of Licence for Premises to be approve as a venue for Marriages and Civil Partnerships - The Kings Head Hotel, Priestgate – Report of the Assistant Director, Law and Governance and Proper Officer for Darlington Registration District.
(Pages 11 - 16)
8. Application for Renewal of Licence for Premises to be approved as a Venue for Marriages and Civil Partnerships - The Blackwell Grange Hotel, Grange Road – Report of the Assistant Director, Law and Governance and Proper Officer for Darlington Registration District.
(Pages 17 - 28)

9. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting
10. Questions



Luke Swinhoe
Assistant Director Law and Governance

Monday, 27 May 2019

Town Hall
Darlington.

Membership

Councillors Clarke, Crumbie, Donoghue, Dulston, Haszeldine, C L B Hughes, B Jones, Lee, Newall, K Nicholson, A J Scott and Snedker

If you need this information in a different language or format or you have any other queries on this agenda please contact Allison Hill, Democratic Officer, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays Email: allison.hill@darlington.gov.uk or telephone 01325 405997

GENERAL LICENSING COMMITTEE

Tuesday, 5 March 2019

PRESENT – Councillors Nutt (Chair), Kane, C L B Hughes, B Jones, Mrs D Jones, Lawton, Lee, Newall and K Nicholson

APOLOGIES – Councillors Rahman,

ALSO IN ATTENDANCE – Councillors Crumbie (Cabinet Member with Community Safety Portfolio)

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Graham Hall (Head of Community Safety), Sgt C Dickenson, Brian Murray (Licensing Officer), Colin Dobson (Licensing Manager), Allison Hill (Democratic Officer) and Hannah Fay (Democratic Officer)

LG14 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LG15 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 13 NOVEMBER 2018

Submitted – The Minutes (previously circulated) of the meeting of the General Licensing Committee held on 13 November 2018.

RESOLVED – That the Minutes be approved as a correct record.

LG16 TO APPROVE THE MINUTES OF THE MEETINGS OF THE GENERAL LICENSING SUB COMMITTEE HELD ON 13 NOVEMBER 2018

Submitted – The Minutes (previously circulated) of the meeting of the General Licensing Sub Committee held on 13 November 2018.

RESOLVED – That the Minutes be approved as a correct record.

LG17 RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS - THE COUNCIL CHAMBER

The Assistant Director, Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from Darlington Borough Council for the renewal of a licence for the Council Chamber, Town Hall to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994); the Civic Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act 2013

The submitted report gave a summary of the Council Chamber as an approved

venue; the designated rooms and maximum capacity; and a copy of the application was appended to the submitted report.

RESOLVED – That approval be granted for the renewal of the Council Chamber, Town Hall, 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 of Civil Marriages or Civil Partnerships.

LG18 RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS - THE HEAD OF STEAM

The Assistant Director of Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from Darlington Borough Council for the renewal of a licence for the Head of Steam, Darlington Railway Museum, North Road, to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994); the Civic Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act 2013.

The submitted report gave a summary of the Head of Steam as an approved venue; the designated rooms and the maximum capacity; and a copy of the application was appended to the submitted report.

RESOLVED – That approval be granted for the renewal of The Head of Steam, Darlington Railway Musuem, North Road 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 of Civil Marriages or Civil Partnerships should be as outlined in accordance with Building Control recommendations.

LG19 APPLICATION FOR LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS - THE HIPPODROME THEATRE

The Assistant Director of Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from Darlington Borough Council for The Hippodrome Theatre, Parkgate, Darlington, to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994); the Civic Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act 2013.

The submitted report gave a summary of The Hippodrome Theatre and the reasons why the Council requested approval of the Theatre as an approved venue; detailed the designated rooms and the maximum capacity; and a copy of the application was appended to the submitted report.

RESOLVED – That the application be granted for The Hippodrome Theatre, Parkgate, 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 of Civil Marriages or Civil Partnerships should be as outlined in accordance with the Fire Officer's recommendations.

LG20 APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS - REDWORTH HALL HOTEL, REDWORTH

The Assistant Director of Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to consider an application received from Redworth Hall Hotel for the renewal of a licence to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of the Marriage Act 1949 (as amended by the Marriage Act 1994); the Civic Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005; and the Marriage (Same Sex Couples) Act 2013.

The submitted report gave a summary of Redworth Hall Hotel as an approved venue; the designated rooms and the maximum capacity; and a copy of the application was appended to the submitted report.

RESOLVED – That approval be granted for the renewal of Redworth Hall Hotel, 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 of Civil Marriages or Civil Partnerships.

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GENERAL LICENSING SUB COMMITTEE

Tuesday, 5 March 2019

PRESENT – Councillors , K Nicholson, B Jones, Kane, Nutt and Newall

ALSO IN ATTENDANCE – Councillor Crumbie (Cabinet Member with Community Safety Portfolio)

OFFICERS IN ATTENDANCE – Amy Wennington (Principal Lawyer (Litigation)), Graham Hall (Head of Community Safety), Brian Murray (Licensing Officer), Allison Hill (Democratic Officer), Hannah Fay (Democratic Officer), Sgt C Dickenson and Colin Dobson (Licensing Manager)

LGS13 ELECTION OF CHAIR

RESOLVED – That Councillor Nutt be elected Chair the purpose of this meeting.

LGS14 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

LGS15 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part 1 of Schedule 12A to the Act.

LGS16 PRIVATE HIRE DRIVER LICENCE APPLICATIONS FOR GRANT AND REVIEW OF A HACKNEY CARRIAGE DRIVER LICENCE (EXCLUSION PARAGRAPHS 1 AND 7)

The Director Economic Growth and Neighbourhood Services submitted a report (previously circulated) to give consideration to an application for the grant of a Private Hire Driver Licence in light of previous convictions; and a review of a Hackney Carriage Driver Licence in light of non-compliance with statutory requirements.

Ref 1/19 – To consider the grant of a Private Hire Driver Licence in light of previous convictions and a previous refusal of licence by this General Licensing Sub Committee on 1 March 2016.

The driver attended the meeting and responded to Members in relation to the above, and to why they felt that they were a fit and proper person to hold a Private Hire Driver Licence.

Members also heard from Durham Constabulary about a speeding offence the driver had committed in July 2018.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions

and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1975.

After careful consideration Members decided to grant the Licence, although Members did express their concern about the driver's past behaviour but noted that the driver had appeared to have turned their life around.

RESOLVED – That the application for the grant of a Private Hire Driver Licence be approved.

Ref 2/19 – To consider a review of a Hackney Carriage Driver Licence in light of using a vehicle to ply for hire without a licence being issued from this authority.

The driver attended the meeting and responded to Members in relation to the above, and to why they felt that they were a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 62(1) of the Local Government (Miscellaneous Provisions) Act 1975.

After careful consideration Members decided to permit the driver to retain their licence, however they were unimpressed by the conduct of the driver and urged them to be more organised in the future.

RESOLVED – That the Licence be retained and the driver be issued with a final warning letter in respect of future conduct and warned that if any further convictions, cautions, warnings or reprimands are received they would be referred immediately to the General Licensing Sub-Committee and it was unlikely that they would be permitted to retain their Licence.

GENERAL LICENSING SUB COMMITTEE

Tuesday, 23 April 2019

PRESENT – Councillors K Nicholson, Kane, Lawton and Lee

APOLOGIES – Councillors B Jones and Mrs D Jones,

OFFICERS IN ATTENDANCE – Graham Hall (Head of Community Safety), Carol Glasper (Designated Officer), Allison Hill (Democratic Officer), Brian Murray (Licensing Officer), Sgt C Dickenson, Colin Dobson (Licensing Manager) and Bethany Symonds (Lawyer)

LGS17 ELECTION OF CHAIR

RESOLVED - That Councillor Kane be elected Chair for the purpose of this meeting.

LGS18 DECLARATIONS OF INTEREST

LGS19 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part 1 of Schedule 12A to the Act.

LGS20 PRIVATE HIRE DRIVER LICENCE AND HACKNEY CARRIAGE DRIVER LICENCES (EXCLUSION PARAGRAPHS 1 AND 7)

The Director of Economic Growth submitted a report (previously circulated) to give consideration to an a review of a Hackney Carriage Driver Licence in light of a referral from the Local Authority Designated Officer and two applications for the grant of a Private Hire Driver Licence in light of previous convictions.

Ref 3/19 – To consider the review of a Hackney Carriage Driver Licence in light of a referral from the Local Authority Designated Officer.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a Hackney Carriage Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided to revoke the Licence for reasons that based on the evidence given to Members at the meeting it was not possible to

ascertain whether the allegations were true or not, however Members' primary concern is to safeguard taxi passengers; and felt that to allow the driver to retain their licence they could not be satisfied that they were a fit and proper person to hold such a licence based on the evidence given to Members at the meeting they could not be completely satisfied of this.

RESOLVED – That the licence be revoked with immediate effect under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976

Ref 4/19 – To consider the grant of a Private Hire Driver Licence in light of previous convictions.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1975.

After careful consideration Members decided to grant the licence and depart from the Council's Policy for an applicant to be free of any convictions for at least five years as despite your convictions they felt that you were a fit and proper person to hold such a licence.

RESOLVED – That the licence be granted with a warning in respect of future conduct and the driver be warned that if any further convictions, cautions, warnings or reprimands are received they would be referred immediately to the General Licensing Sub Committee for review of their licence and that this may result in the licence being revoked.

Ref 5/19 – To consider the grant of a Private Hire Driver Licence in light of previous convictions and concerns over their behaviour towards the Licensing Team staff.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1975.

After careful consideration Members decided to refuse the application as Members could not be assured that the applicant was a fit and proper person to hold such a licence and they were not confident that after speaking with the applicant they could behave appropriately and control their temper and have the confidence that they

would have the ability to deal with difficult situations as a taxi driver.

Also with regard to the applicants convictions, the Council's policy is that the application be free from conviction for five years before a licence is granted however, Members may have been minded to depart from that policy had the applicant displayed a different demeanour and attitude at the Committee meeting.

RESOLVED – That the applicant for a Private Hire Driver Licence be refused.

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LICENSING COMMITTEE 4 JUNE, 2019

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

The Kings Hotel, Priestgate, Darlington

Purpose of Report

1. To consider an application received from Station Hotels Ltd on behalf of The Mercure Darlington Kings Hotel, Priestgate for the renewal of its licence to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of:-
 - The Marriage Act 1949 (as amended by the Marriage Act 1994),
 - The Civil Partnership Act (2004)
 - The Marriage and Civil Partnerships (Approved Premises) Regulations 2005, and
 - The Marriage (Same Sex Couples) Act (2013)

Summary

2. The Kings Hotel has been an approved venue for Civil Marriages and Civil Partnerships for a number of years and its current licence is due to expire on 4 June, 2019.
3. As a previously approved venue for Marriages and Civil Partnerships the Kings Hotel, Priestgate is considered to be suitable for approval as a venue for Marriages and Civil Partnerships, subject to the standard conditions and a limit on the number of people permitted to be present in the nominated rooms below.

Information

5. 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.
6. A copy of the application submitted is attached as an **Appendix**. The renewal fee of £1700.00 had been received.
7. The applicant has confirmed within the application :-
 1. That there are no planning issues which would adversely affect this application and its continued use as an approved venue for Civil Marriages and Civil Partnerships.
 2. That it has adequate and current fire precautions in consideration of it being a commercial hotel accessed by members of the public.
 3. That there are no equality issues which would prevent access or use by a member of the public.

Under its current licence the venue has three rooms where ceremonies can take place; The Ballroom; The Pullman Suite and the Locomotion Suite. The applicant has chosen in their application not to include the Locomotion Suite as a designated place where future ceremonies to take place as this area is now designated as a public bar and restaurant. The applicant wishes to continue to use the Ballroom and the Pullman Suite and designated places for ceremonies. Ceremonies regularly take place in these two designated rooms.

8. The applicant does not seek any increase the maximum number of persons permitted in each room and which is proposed as follows :-

The Ballroom – 180 guests
The Pullman Suite – 60 guests

Legal Implications

9. This report has been considered by the Assistant Director, Law and Governance, for legal implications in accordance with the Council's approved procedures. There are no issues which 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

10. 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

11. Officers recommend that the Kings Hotel, Priestgate, Darlington is a suitable venue for Civil Marriages and Civil Partnerships under the above legislation and that the licence be renewed for a period of a three years up to 4 June 2023.

Recommendation

12. It is recommended that the application for renewal be granted for The Kings Hotel, Priestgate, 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.

**Luke Swinhoe, Assistant Director, Law and Governance and Proper
Officer for Darlington Registration District**

Background Paper

Application from The Kings Hotel, Priestgate, Darlington for renewal of its licence as a venue for Marriages and Civil Partnerships.

Author: Anthony Hall Ext 6400

Notification of Approval of Premises as a venue for Marriages and Civil Partnerships in pursuance of Section 26(1)(bb) of the Marriage Act (1949)(as amended) and The Civil Partnership Act (2004) and the Marriage (Same Sex Couples) Act 2013

DARLINGTON BOROUGH COUNCIL has granted approval for the premises shown below to be used as a venue for the solemnization of Marriages and Civil Partnerships under Sections 46a and 46b of the Marriage Act (1949)(as amended) and the Civil Partnership Act 2004 and the Marriage (Same Sex Couples) Act 2013

Name and full postal address of the approved premises:

The Kings Hotel, Priestgate, Darlington, DL1 1NW

Marriages and Civil Partnerships in the presence of a Superintendent Registrar and a Registrar may take place in the designated rooms(s) (Appendix A) subject to the conditions attaching to this approval (Appendix B) and the legal preliminaries to that marriage or civil partnership (Appendix D).

This grant of approval will continue, subject to revocation (Appendix C) Until 4th June, 2019

Application for a renewal of approval may be made on or after 4th June, 2018 but no later than 4th December, 2018.

The holder of this approval must now notify the authority of the name, qualification and full postal address of the responsible person. This person must be qualified in accordance with the Regulations (see Annex B, Condition 1).

Signed



Luke Swinhoe,
Head of Legal Services, Assistant Director of Law and Governance and
Proper Officer for Registration Services.

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LICENSING COMMITTEE 4 JUNE, 2019

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

The Blackwell Grange Hotel, Grange Road Darlington

Purpose of Report

1. To consider an application received from Bruhenny Hotels Ltd on behalf of The Blackwell Grange Hotel, Grange Road for the renewal of its licence to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of:-
 - The Marriage Act 1949 (as amended by the Marriage Act 1994),
 - The Civil Partnership Act (2004)
 - The Marriage and Civil Partnerships (Approved Premises) Regulations 2005, and
 - The Marriage (Same Sex Couples) Act (2013)

Summary

2. The Blackwell Grange Hotel has been an approved venue for Civil Marriages and Civil Partnerships for a number of years and Its current licence is due to expire on 22nd November, 2019.
3. As a previously approved venue for Marriages and Civil Partnerships the Blackwell Grange Hotel is considered to be suitable for approval as a venue for Marriages and Civil Partnerships, subject to the standard conditions and a limit on the number of people permitted to be present in the nominated rooms below.

Information

5. 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 2013 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.
6. A copy of the application submitted is attached as an **Appendix**. The renewal fee of £1700.00 had been received.
7. The applicant has confirmed within the application :-
 1. That there are no planning issues which would adversely affect this application and its continued use as an approved venue for Civil Marriages and Civil Partnerships.
 2. That it has adequate and current fire precautions in consideration of it being a commercial hotel accessed by members of the public.
 3. That there are no equality issues which would prevent access or use by a member of the public.

The Blackwell Grange Hotel is a well established and popular venue for Civil Marriages and Civil Partnerships and there have been no issues or concerns with the venue for the duration of its current licence which would adversely affect this application.

8. The applicant does not seek any increase to the maximum number of persons permitted in each room and which is proposed as follows :-

The George Allan Suite – 130 guests

The Bruhenny Suite – 300 (formerly known as the Jacobean Suite)

The Havelock Restaurant – 150 guests

The Gazebo – 6 guests

The Gazebo facilitates outside weddings at the venue. The Gazebo is a permanent structure which cannot be relocated and meets the requirements as a designated place for civil marriages and civil partnerships in terms of being in a permanent location should a potential objector need to locate the wedding. The Gazebo is the place of the signing of the Marriage or Civil Partnership Register and where the couple, witnesses and registrars remain for the ceremony. An unlimited number of guests can observe the ceremony from outside of the Gazebo however they do not form part of the legal component of the ceremony. A photograph of the Gazebo is attached an an **Appendix**.

Legal Implications

9. This report has been considered by the Assistant Director, Law and Governance, for legal implications in accordance with the Council's approved procedures. There are no issues which 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

10. 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

11. Officers recommend that the Blackwell Grange Hotel Grange Road, Darlington is a suitable venue for Civil Marriages and Civil Partnerships under the above legislation and that the licence be renewed for a period of a three years up to 22nd November, 2023.

Recommendation

12. It is recommended that the application for renewal be granted for The Blackwell Grange Hotel, Grange Road, 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.

Luke Swinhoe, Assistant Director, Law and Governance and Proper Officer for Darlington Registration District

Background Paper

Application from The Blackwell Grange Hotel, Grange Road, Darlington for renewal of its licence as a venue for Marriages and Civil Partnerships.

Author: Anthony Hall Ext 6400



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Function Rooms

- Bruhenny Suite*
- Lime Room
- Lilac Room

George Allan Suite

- Grange Room
- George Room

Havelock Suite

- Bars**
- Blackwell Bar
- Miss Allan Bar
- Havelock Bar
- Bruhenny Bar

State Rooms

239 - 252

West Wing

- Ground: 125 - 138
- 1st Floor: 225 - 238
- 2nd Floor: 325 - 338

North Wing

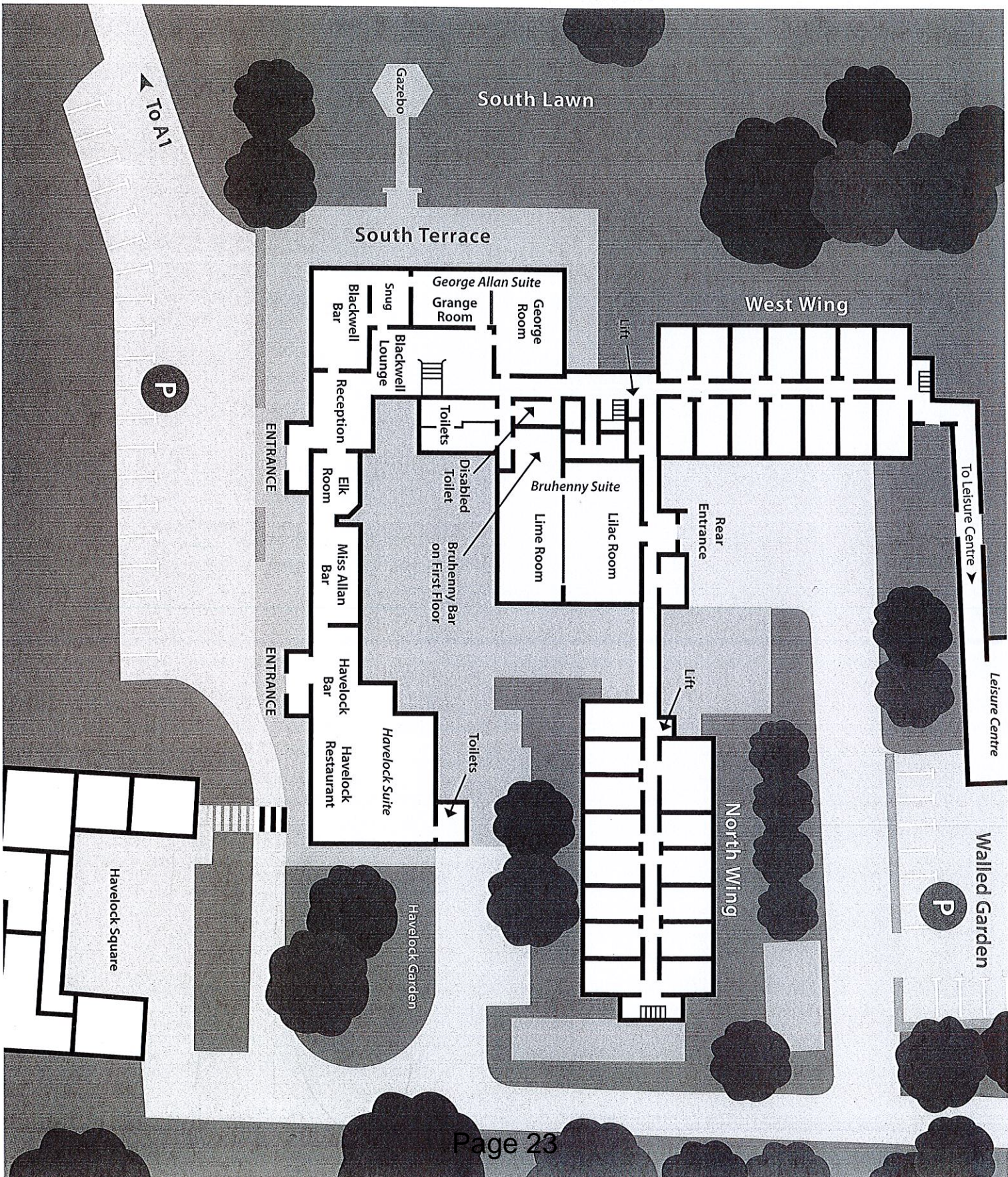
- Ground: 110 - 124
- 1st Floor: 210 - 224
- 2nd Floor: 310 - 324

Havelock Square

601 - 611

Meeting Rooms

- 242, 244 (Library), 249
- Harrogate Room (over Leisure Centre)



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DRAFT APPLICATION FORM AND NOTES – SECULAR PREMISES

APPLICATION FORM FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES IN PURSUANCE OF SECTION 26(1)(bb) OF THE MARRIAGE ACT 1949 AND CIVIL PARTNERSHIPS IN PURSUANCE OF SECTION 6(3A)(a) OF THE CIVIL PARTNERSHIP ACT 2004.

This application must be made by the proprietor or a trustee of the premises. If successful, the applicant will be the holder of the approval. When completed, it should be forwarded to the Proper Officer for Registration Matters at THE REGISTRY OFFICE, TOWN HALL, DUBLIN 1....., together with the appropriate fee payable to £1700-00 - paid by..... DLI SQT,
invoice.

1. I/ [] apply[applies] for the premises named at item 2 overleaf to be approved for the solemnization of marriages and the registration of civil partnerships.
2. I attach 3 copies of a plan of the premises showing all the room(s) in which it is intended that marriages or civil partnerships will take place.
3. I understand that-
 - a) the premises will be inspected for suitability before approval is granted and, if this application is successful, may be subject to subsequent inspection;
 - b) public notice of the application will be given by advertisement in a newspaper with a period of three weeks for objections; and/or the notice will appear on the authority's website for the same period and that the authority may also decide to publish it in other ways if it considers it necessary to do so;
 - c) approval, if granted, will be for a period determined by the authority and will be subject to revocation. It will be for no less than three years; and
 - d) the authority will need to be satisfied that appropriate health and safety provision and fire safety is in place.
4. I declare that-
 - a) I have read and understood the information contained in this form and Annexes {A and C to this guidance};
 - b) the premises are not religious premises;
 - c) the premises are not a register office (or, where a register office is situated in the premises that is not the room that is the subject of this application); and
 - * d) I have consulted the planning authority as to whether planning consent is required and attach evidence that it is content that the premises may be used for marriages and civil partnerships.
5. I further declare that, if approval is granted-
 - * a) subject to any exemptions in the Equality Act 2010 (see paragraphs 2.7 -2.11 of this guidance) the premises will be regularly available for public use for the solemnization of marriages and the registration of civil partnerships; and

b) I will comply with both the standard conditions {Annex C of this guidance} and any further conditions that the authority considers reasonable³ that are attached to the approval.

<p>1. Full names and private addresses of applicant. If the application is made by a limited company (or other incorporated business) please give the address of the registered office and where different state also the main trading address of the company.</p>	<p>BRUHENNY GRANGE HOTEL LTD 7-10 CHANDOS STREET LONDON W1E 9DQ BLACKWELL GRANGE HOTEL GRANGE ROAD DARLINGTON</p>	<p>DL3 8Q4</p>
<p>2. Name, postal address and telephone number of the premises which are the subject of this application.</p>	<p>BLACKWELL GRANGE HOTEL GRANGE ROAD DARLINGTON DL3 8Q4 TEL 01325 509955</p>	
<p>3. Please describe the nature of the premises referred to in question 2 (e.g. hotel, stately home, civic accommodation) and the primary and other uses to which they are regularly put.</p>	<p>HOTEL</p>	
<p>4. Is the person or company named in reply to question 1 the occupier of the premises?</p>	<p>YES</p>	
<p>5. If the answer to question 4 is 'No' and there is another occupier, please give their name(s) and address(es)</p>		
<p>6. Please state here the maximum number of people permitted by the premises' fire risk assessment to occupy each room in which the proceedings are intended to be held.</p>	<p>GEORGE ALLAN 130 BRUHENNY SUITE 300 HAVELock REST 150 GAZEBO 6</p>	
<p>7. Do the premises currently have the benefit of any licence issued under the Licensing Act 2003 which may be relevant to this application (for the provision of regulated entertainment). If so please attach a copy.</p>	<p>YES</p>	

Signature of applicant: *Ravi* Date: 2/5/14 Interest in the premises:

If applying on behalf of a company or other incorporated business please state position in company

Address for correspondence, contact telephone number and email address:

NOTES ON THE REQUIREMENTS FOR AN APPROVAL TO BE GRANTED {An authority may choose to include this with any application form}

³ An authority may attach such further conditions to an approval as it considers reasonable in order to ensure that the facilities provided at the premises are suitable and that proceedings on the premises do not give rise to a nuisance of any kind.

The requirements for approved premises are established by the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and Amendment Regulations 2011 (referred to in these notes as the Regulations). It is these that the authority must apply when considering an application for approval.

1700-00

The non-returnable fee for this application is £ and must be submitted with the application to the proper officer for Registration Matters at ~~THE REGISTRAR GENERAL, DUBLIN~~ THE REGISTRAR GENERAL, DUBLIN.

The application must be made by the proprietor or trustee of the premises. When made on behalf of a limited company, or other incorporated business there should be a separate statement of the names and addresses of all the directors.

The premises must fulfil the following standard requirements in the Regulations:

1. Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.
2. Subject to any exemptions in the Equality Act 2010 (see paragraphs 2.7 -2.11 of this guidance), the premises must be regularly available to the public for use for the solemnization of marriages and the registration (formation) of civil partnerships.
3. The premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of persons employed in or visiting the premises as the authority considers appropriate.
4. The premises must not be a register office, but this paragraph does not apply to premises in which a register office is situated provided that the room which is subject to approval is not the same room as the room which is the register office.
5. The room or rooms in which the proceedings (marriage or civil partnership) will be held if approval is granted must be identifiable by description as a distinct part of the premises.

The premises must also fulfil the authority's following requirements:

In considering the suitability of premises as a venue, the authority will have due regard to the following guidance from the Registrar General:

1. The law relating to "approved premises" is intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, religious premises and similar premises without compromising the solemnity of the occasion.
2. Premises are defined in the Regulations as a permanently immovable structure comprising at least a room, or any boat or other vessel which is permanently moored. Premises not within the meaning of this definition, such as the open air, a tent, marquee or any other temporary structure and most forms of transport, will not be eligible for approval.
3. The premises must be a seemly and dignified venue for the proceedings, which must take place in an identifiable and distinct part of those premises. The primary use of a building would render it unsuitable if that use would demean any proceedings or bring them into disrepute.
4. The premises must not be any part of a register office on the plan submitted by the authority and approved by the Registrar General under the Registration Service Act 1953. Any rooms in the same premises as the register office that aren't on this plan, e.g. a council chamber in the same town

hall, can be approved but a room in a register office cannot be approved. However, an authority can set its fee for attending a marriage or civil partnership on approved premises at the same level as the prescribed fee for a marriage or civil partnership in a register office.

5. The requirement that the premises must be regularly available for use by the public will preclude a private house from being approved.