



## AGENDA

### Kent County Council

## REGULATION COMMITTEE MEMBER PANEL

Friday, 15th June, 2012, at 2.00 pm  
Swale 1, Sessions House, County Hall,  
Maidstone

Ask for: **Andrew Tait**  
Telephone **01622 694342**

*Tea/Coffee will be available 15 minutes before the meeting*

### Membership

Mr M J Harrison (Chairman), Mr A H T Bowles, Mr I S Chittenden, Mr H J Craske and Mr R J Lees

### UNRESTRICTED ITEMS

*(During these items the meeting is likely to be open to the public)*

1. Membership and Substitutes
2. Declarations of Interest by Members for items on the agenda
3. The Lost Village of Dode (Pages 1 - 32)
4. Other Items which the Chairman decides are Urgent

### EXEMPT ITEMS

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Peter Sass  
Head of Democratic Services  
(01622) 694002

**Thursday, 7 June 2012**

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**By:** Head of Libraries, Registration and Archives  
**To:** Regulation Committee Member Panel – 15 June 2012  
**Subject:** The Lost Village of Dode  
**Classification:** Unrestricted  
**Summary:** This report sets out details of a request by the owner of the Lost Village of Dode to vary two of the local conditions attached to his licence to hold civil marriages and civil partnerships.

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## **1. Background**

1.1 The venue lies on the western side of Wrangling Lane, Great Buckland, Luddesdown. The western boundary of the site on which the venue is located forms part of the boundary line between Tonbridge and Malling Borough Council (TMBC) and Gravesham Borough Council (GBC). The venue is within the Metropolitan Green Belt (MGB), the Kent Downs Area of Outstanding Natural Beauty (AONB) and a Special Landscape Area (SLA), and outside of any rural settlement confines. The venue is in TMBC but access (via Wrangling Lane) is in GBC.

1.2 The venue comprises a former church, now named by the owner 'The Lost Village of Dode'. A retreat building (holiday home) which lies to the north of the former church, is separate from it and is at a lower level on the site. The former church is the most prominent structure within the site.

## **2. Approved Premises for Civil Marriage**

2.1 The Marriage Act 1994 allows local authorities to licence, for a period of three years, suitable venues where civil marriages can be solemnized. The latest guidance for licensing procedures is outlined in 'The Registrar General's Guidance for the Approval of Premises as venues for Civil marriages and Civil Partnerships' (4<sup>th</sup> Edition 2011). The relevant sections of this guidance are set out in **Appendix 1**. The parameters within which KCC is able to consider an application are narrowly prescribed, and rigours and tests that might apply to planning or other licensing applications do not apply to the licensing of approved premises for civil marriage. In practice there are very few grounds for KCC not to approve a licence, although KCC can attach such local conditions as it deems appropriate (see 2.8 of Appendix 1). The Marriage Act 1994 also states that upon grant of an approval the authority may:

'Attach to the approval such further conditions as it considers reasonable in order to ensure that the facilities provided at the premises are suitable and that the solemnization of marriages on the premises does not give rise to a nuisance of any kind.'

### **3. Previous History of the Venue and Surrounding Site**

3.1 The Lost Village of Dode is described by the owner as the last remaining building of the medieval village of Dode which ceased to exist as a community at the time of the Black Death. The last remaining building is a medieval church structure consisting of one, two-cell room. It is likely that the building has not been used formally as a church on a regular basis since the demise of the community. It passed to private ownership in 1905. It was gifted back to the Catholic Church in 1954 and eventually sold, together with surrounding land, to the present owner and licence holder, Mr Douglas Chapman, in 1991.

3.2 Mr Chapman first applied for a civil ceremony licence in 1999. The application was approved for the period 1 April 2000 to 31 March 2003. At the time, the licence was granted with a number of local conditions attached. These included restrictions on the number of people attending ceremonies, car parking, incompatible religious activity during the life of the licence, lighting and fire precaution issues. The restrictions were put in place following opposition to the licence from Luddesdown Parish Council, residents living in Great Buckland and the former Member for Gravesham Rural, Mr Frank Gibson.

3.3 In 2003 the licence was renewed for the period 1 April 2003 to 31 March 2006. During the renewal process a comprehensive consultation was undertaken and those responding included the local KCC Members, local residents, and Luddesdown Parish Council. As part of this consultation, a number of objections were raised to the renewal of the licence and these included objections from both KCC Members. These objections can be summarised as follows:

- increased traffic on a narrow country lane;
- increased noise and disruption;
- unsuitable venue for a business of this kind in a green belt area; and
- adverse impact on remote location.

3.4 As a consequence of both KCC Members' objections, and in accordance with the Delegations to Officers, the decision as to whether to grant or refuse a new licence was referred to a Member panel of the Regulation Committee. As a result, further conditions were imposed on the licence. These included:

- Restricting the number of ceremonies to 30 per year for the duration of the licence.
- Restricting the days on which ceremonies could be held to Thursday, Friday and Saturday.
- Ceremonies restricted to no more than one per day.
- Ceremonies restricted to the period 1 April to 30 September each year.

3.5 In December 2005 Mr Chapman requested a review of conditions 7 (the restriction on the number of ceremonies) and 11 (the restriction on the months ceremonies were allowed). This review was carried out by Sue Edmunds the former Assistant Head of Trading Standards on behalf of Clive Bainbridge the former Divisional Director for Regulatory Services. This resulted in the number of ceremonies being increased to 33 per year for the period 1 April 2006 to 31 March 2009.

3.6 In 2006 the licence was renewed for a further period of 3 years from 1 April 2006 to 31 March 2009. The application received no objections provided that the conditions attached to the previous licence remained unchanged.

3.7 In April 2008, Mr Chapman requested a review of the 4 conditions referred to in 3.3. The request was submitted to a Panel of the Regulation Committee on 11 April. The decision of the Panel was to increase the number of ceremonies that could be held in each year of the licence from 33 to 42, and that in addition ceremonies should be allowed to take place between 1 December and 23 December during each year of the licence.

3.8 On 1 April 2009, the licence was again approved on renewal subject to the conditions as set out in the previous licence. The application received no objections provided the conditions were unchanged.

#### **4. The Current Position**

4.1 In January 2012 Mr Chapman applied to renew the licence for a further period of three years from 1 April 2012 to 31 March 2015. His application is attached as **Appendix 2 (including a supporting statement)**. In submitting his renewal application Mr Chapman also requested that:

- the current condition of 42 ceremonies per year be removed to allow an unlimited number of ceremonies; and
- the current condition that restricts ceremonies to Thursdays, Fridays and Saturdays;

be removed so that ceremonies can be held on any day of the week.

4.2 The application was advertised as usual in the local press and the advert made specific reference to the request to vary these two conditions. We also notified the following parties of Mr Chapman's renewal application and the request to vary the two conditions:

- Tonbridge and Malling Borough Council.
- Gravesham Borough Council.
- Luddesdown Parish Council.
- The KCC Local Members – Sarah Hohler (Malling North) and Michael Snelling (Gravesham Rural).

4.3 Three objections were received, one from Mrs Hohler, one from the Parish Council and one from a local resident (**Appendix 3**). However, these were all on the basis of no objection to the renewal if the current conditions remained in place and the licence was duly granted on that basis. It is therefore now a matter for this Panel to determine Mr Chapman's request to remove the two conditions set out in Paragraph 4.1.

#### **5. Specialist advice**

5.1 One of the main concerns in the past, and indeed now from those objecting to the removal of the two conditions is the potential impact that an increase in ceremony-based traffic would have on Wrangling Lane. I have sought advice from Highways and Transportation on this issue and the response from their Development and Planning Officer is **set out here**:

“From a highway safety perspective, it is apparent that existing conditions enable a direct control to be retained over potential vehicle conflict and parking concerns which could arise from the unlimited use of this site as a venue for weddings, those being the conditions limiting the use of the site to one ceremony a day and limiting the number of vehicles on site to no more than 10 per ceremony all to be parked off-street.

Whilst it is noted that other conditions are currently in place limiting the number of ceremonies per year and the days on which ceremonies can take place, it would be very difficult to justify a highway safety objection to the removal of such conditions. If ceremonies are being restricted to 1 per day and to no more than 10 vehicles per ceremony, then the use of the site for such ceremonies on additional days and at other times of the week would have no greater highway safety impact per event than that which is currently permitted.

Relaxation of the condition relating to latest start times could also be difficult to resist on highway safety grounds as no current condition restricting the time at which vehicles must leave the site exists meaning that movements relating to the site could already take place after dark.

In conclusion I would therefore recommend that subject to the existing conditions restricting ceremonies to 1 per day and restricting the number of vehicles to no more than 10 per ceremony all to be parked off-street being retained as per their existing wording, that there is no KCC Highways objection to the proposed removal of other current special conditions attached to the licence for this site.”

5.2 This is different to the advice obtained in 2006 from Kent Highways which recommended that:

“Increased traffic movements and frequency of road use (given the rural setting) would cause a nuisance to road frontages and neighbours and be to the detriment of road safety.”

5.3 The Lost Village of Dode is the only venue out of over 200 venues that are currently licensed by KCC to have any local conditions attached to the licence. I have therefore sought the advice of the Director of Governance and Law in respect of the appropriateness of the local conditions and whether these could be regarded as a restriction on the venue owner’s trade. His view is that there are no substantive reasons to imposing any conditions other than those based on Highways grounds.

## 6. **Summary**

6.1 The owner of the Lost Village of Dode has applied for two of the conditions attached to his approved premises licence for civil marriages and civil partnerships to be removed. The request has been advertised in the usual way to which there have been three objections. In accordance with the Regulation Committee Procedure for Considering Applications for the Registration of Premises for the Solemnization of Marriages and the Registration of Civil Partnerships, as one of those objections has been made by

a KCC local member the request must be submitted to a Panel of the Regulation Committee to determine.

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## **7. Recommendation**

7.1 Based on the specialist Highways advice received and the venue continuing to meet all of the criteria set out in the Marriages (Approved Premises) Regulations and Guidance, there do not appear to be any valid reasons to reject Mr Chapman's request.

7.2 It is therefore recommended that the Member Panel agree to the removal of the two licence restrictions requested by Mr Chapman, namely:

- that a maximum of 42 ceremonies per year be allowed; and
- that ceremonies be restricted to Thursdays, Fridays and Saturdays.

7.3 It is recommended that the Member Panel retain the remaining licence restrictions, namely:

- that ceremonies be restricted to no more than one per day;
  - that ceremonies be restricted to the period 1 April to 30 September and 1 to 23 December each year; and
  - all other existing local restrictions for example on the number of people attending ceremonies and car parking.
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**Alyn Thomas**  
**Marketing and Licensing Manager**  
**Registration and Coroners**  
**Ext 1015**

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## 1. Introduction

1.1 This guidance is issued by the Registrar General for England and Wales in accordance with her duties under the Marriage Act 1949 and the Civil Partnership Act 2004. The guidance supplements the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 as amended<sup>1</sup> (“the 2005 Regulations”) to provide the public, local authorities, registration officers and faith groups with information on the regime to approve premises for the solemnization of civil marriages and the registration of civil partnerships.

1.2 The guidance focuses on the detailed processes for the approval of premises and the conditions associated with an approval. It is not intended to provide information more generally on the legal requirements for marriage and civil partnership in England and Wales. Nor does it cover the approvals process for the certification of places of worship or registration of the same for religious marriage. Further information on marriage or civil partnerships can be accessed on the Direct Gov website - <http://www.direct.gov.uk/en/index.htm>

1.3 This guidance is in four parts:

- **Part One** provides generic guidance that applies to all premises that are to be approved for civil marriages and civil partnerships, or religious premises to be approved for civil partnerships only;
- **Part Two** provides additional guidance that is specific to the approval of secular premises for civil marriages and civil partnerships;
- **Part Three** provides additional guidance that is specific to the approval of religious premises for civil partnerships; and.
- **Part Four** provides other guidance for couples wishing to solemnize a marriage or register a civil partnership on approved premises and gives information about the designation of civil partnership registrars.

1.4 The relevant primary legislation that provides for the approval of premises for civil marriages and civil partnerships can be accessed through the following links:

Marriage Act 1949

<http://www.legislation.gov.uk/ukpga/Geo6/12-13-14/76/contents>

Civil Partnership Act 2004

<http://www.legislation.gov.uk/ukpga/2004/33/contents>

The Marriages and Civil Partnerships (Approved Premises) Regulations 2005

<http://www.legislation.gov.uk/uksi/2005/3168/contents/made>

The Marriages and Civil Partnerships (Approved Premises)(Amendment) Regulations 2011

<http://www.legislation.gov.uk/uksi/2011/2661/contents/>

Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

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<sup>1</sup>The 2005 Regulations were amended in December 2011 by the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011 (S.I. 2011/2661)

## 2. Part One – Generic guidance

### **GUIDANCE FOR THE APPROVAL OF PREMISES AS VENUES FOR MARRIAGES UNDER SECTION 26(1)(bb) OF THE MARRIAGE ACT 1949 AND FOR CIVIL PARTNERSHIPS UNDER SECTION 6(3A)(a) OF THE CIVIL PARTNERSHIP ACT 2004**

2.1 The Regulations refer to “proceedings”, defining these as the solemnization of marriages or the registration of civil partnerships and this guidance uses this term, where appropriate. It also refers to registration authorities and local authorities as “authorities”.

#### **Types of premises**

2.2 The laws relating to “approved premises” are intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, similar premises and religious premises without compromising the solemnity of the occasion.

2.3 “Premises” are defined in the 2005 Regulations as a permanently immovable structure comprising at least a room or any boat or other vessel which is permanently moored. Any premises outside this definition, such as the open air, a tent, marquee or any other temporary structure and most forms of transport, would not be eligible for approval. In addition, there are other statutory requirements that must be met before an approval can be granted.

2.4 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, which must take place in a room or rooms that are identifiable by description as a distinct part of those premises. The primary use of a building would render it unsuitable if that use could demean proceedings or bring them into disrepute.

2.5 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.

2.6 Premises that are religious premises (as defined by section 6A(3C) of the Civil Partnership Act) may not be approved for civil marriages. Following amendments to the 2005 Regulations made in December 2011, they may now be approved for the registration of civil partnerships. Further guidance about the type of religious premises that may be approved is provided in paragraph 4.1 of this document.

#### **Other requirements before an application can be considered**

2.7 In addition to being satisfied that the requirements relating to the type of premises are met, the authority will want to be satisfied that the fire assessment in place at the premises is suitable for the intended purpose. The authority will also want to be content that no planning permission is necessary for the use of the venue for marriages or civil partnerships.

2.8 In addition to the national criteria, authorities may, if they wish, specify local requirements. These should apply to all premises within their area for which approval is sought. Though this is a matter for individual authorities it is possible that these requirements will relate, amongst other things, to disabled access, a separate room for pre-proceedings questioning by the registrar, toilet facilities, the seating capacity of the relevant room(s) and car parking provision.

#### **The application process**

2.9 To simplify the application procedure authorities are advised to introduce an application form outlining the requirements for approval. Draft application forms are provided at Annexes F and G to this guidance. **All rooms that might be used for proceedings, including those intended as a contingency, should be indicated as such on the plan that accompanies the application, as once approval is granted,** proceedings may only take place in the rooms approved. It is therefore essential that the owners of premises and local authorities ensure both the application and the approval are clear in this area.

2.10 An application for approval may be made by the proprietor or trustee of premises. The application can only be made to the local authority in which area the premises are located and a separate application should be made for each premises. Local authorities should in some way communicate that applications are to be made to the Proper Officer of the authority and more generally provide advice and information on the application process.

2.11 The applicant must provide the following to the authority:

- an application in writing, including the name and address of the applicant;
- a plan of the premises which clearly identifies the room or rooms in which the proceedings will take place if approval is granted; and
- if the authority requires - a fee to fund the approval process.

2.12 Authorities may request further information that they consider is reasonable to accompany an application. Authorities are advised to make available a standard application form to ensure they obtain the necessary information from the applicant at the earliest stage of the process.

2.13. As soon as is practicable after receiving the application authorities are required to publicise the application for a period of 21 days. This can be through:

- placing an advertisement in a local newspaper (which may be a newspaper distributed free of charge), which is in general circulation at intervals of not more than one week in the area in which the premises are situated; or
- publishing notice of the application on the authority's website.

2.14 The authority may choose to use either of these methods and may also choose to give notice of the application in other ways (although it is not obliged to do so). The notice that publicises the application must:

- identify the premises and the applicant;
- indicate the address at which the application, the plan accompanying it and any consents may be inspected;
- state that any person may give notice in writing of an objection to the grant of approval, with reasons for the objection, within 21 days from the date on which the notice is published; and
- state the address of the offices of the authority to which such notice of objection should be given.

2.15 In accordance with this notice, the authority must make the application, the plans and any consents available for public inspection during the working day. There are no restrictions on the address where applications and plans are made available for public inspection, although authorities should seek to ensure that they are in a location where policy advice on the attachment of local conditions and the review process can be given.

2.16 As soon as practicable after receiving an application the authority must inspect the premises. In respect of religious premises only it may decide not to inspect if it considers that it is not necessary (because for example the premises are already used for religious marriages). Authorities may consider the views and experience of the local superintendent registrar to be helpful at the inspection, although this would be outside his or her registration duties.

## **Objections**

2.17 The authority must put in place a process where they are able to consider any objections to an application. The decision about whether to approve premises sits with the authority, however they need to ensure that they consider their decision in light of any objections made. It is not a matter for this guidance to provide detail on any grounds for objection, nor provide advice to authorities on the validity of any grounds as the reasons are likely to differ significantly across England and Wales.

## **Granting approvals**

2.18 The authority may only grant approval if it is satisfied that the application has been made in accordance with the Regulations, that the premises fulfil the requirements set out in Schedule 1 or 1A to the Regulations as applicable {Annex A, or Annex B to this guidance} and that the premises fulfil any other reasonable requirements which the authority considers appropriate to ensure the facilities provided at the premises are suitable.

2.19 The authority may refuse to grant approval, or attach such additional conditions to an approval that it considers appropriate. As soon as is practicable after making a decision the authority must notify its decision in writing to the applicant and any person that has given notice of objection to the application. If approval is refused, or conditions other than the standard conditions (i.e. those set out in Schedule 2, or 2A to the Regulations {Annex C or Annex D to this guidance}), attached to the approval, the authority must notify the applicant of the right to seek a review of its decision.

2.20 If the authority has granted approval, it must provide the applicant with the standard conditions contained in Annex C or D together with any additional conditions that it has attached to the approval.

2.21 It is for the authority to determine the period of approval, although it may not be less than three years. The period starts on the date on which it is granted, unless it is revoked, extended or reinstated. If ownership of the premises changes then the new owners become the holders of the approval. The standard conditions require the holders of approvals to notify the authority immediately if there is any change to the details that were included in the application, such as a change in holder of the approval.

2.22 Immediately after the grant of the approval, the holder of the approval must tell the authority the name, address and qualification of the responsible person. The responsibilities of the responsible person are detailed in Annex C or D, but in short he or she is responsible for ensuring compliance with the standard conditions of approval.

### **Expiry and renewal of approval**

2.23 The renewal process is the same as the approval process but can be commenced when the current approval has less than twelve months left to run. An application for renewal made within this period will if necessary, extend the approval until that application has been finally dealt with. A renewal should be expressed to take effect from the date on which the current approval expires.

2.24 If an approval expires before any application to renew is made but an application is made within one month of the expiry, the approval will be reinstated. The reinstated approval will then continue until such time as the application for renewal is finally dealt with.

2.25 **Authorities and approval holders are strongly recommended to have a reminder system to warn the holder of an approval, at least a month before it is due to expire, that an application for renewal must be made as no proceedings can take place after the expiry date.** The reminder system should also alert all officers in the authority who take notices and receive notices taken outside the authority so that any couples who may be affected can be warned. An approval can be extended or reinstated but if an application for renewal is made a month or more after expiry, the full application procedure has to be followed prior to any further approval being granted. Any proceedings arranged at the venue within that time must be postponed or moved to another venue after fresh notices have been given.

### **Revocation**

2.26 In general an authority may revoke an approval if the holder has failed to comply with one or more conditions of the approval, or the use or structure of the premises has changed and the premises are no longer suitable for any proceedings. On deciding to revoke the approval the authority must deliver a notice in writing to the holder of the approval confirming its revocation.

2.27 The Registrar General for England and Wales may direct an authority to revoke an approval if she considers that there have been breaches of law relating to the proceedings on the approved premises. Before doing so the Registrar General must write to the holder of the approval stating the grounds on which she proposes that the approval should be revoked and providing the holder with a period of at least 14 days to make representations to her in writing. If, following consideration of any representations received, the Registrar General decides that the approval should be revoked she will direct the local authority (in writing) to do so. The authority must then revoke the approval with immediate effect and notify the holder of the approval that it has done so.

2.28 When an approval has been revoked, the holder of the approval must immediately notify any couples who had arranged proceedings on those premises that this is the case. Whilst it is not their responsibility to do so, authorities may also ask the superintendent registrar or civil partnership registrar who has accepted a booking or been given a notice of marriage or civil partnership to notify the couple that the approval has been cancelled and the certificates or schedule for the proceedings will not be issued.

## Reviews

2.29 An applicant is able to seek a review of a decision made by an authority to refuse an application or a renewal, to revoke an approval (other than when directed by the Registrar General as described above) or to attach conditions other than the standard conditions (Annexes C or D). The application for review should be delivered to the proper office of the authority. The Proper Officer should ensure that the review is carried out by individuals who were not involved in the earlier decision.

2.30 On determining whether to uphold the original decision, vary the decision or substitute a different decision the authority must provide notice in writing to the applicant or holder, stating its decision, the reasons for it and, if different to the original decision, the date on which it takes effect.

## Register of approved premises

2.31 Each authority must maintain an up to date register of the approved premises in its area. The register must include:

- the name and full postal address of the approved premises;
- the description of the room or rooms in which the proceedings are to take place;
- the name and address of the holder of the approval;
- the date of the granting and due date of expiry of the approval;
- if the approval is renewed, the date of renewal;
- if the approval is revoked, the date on which the revocation takes effect; and
- the name, address and qualification of the responsible person

It must also indicate which of the premises (if any) are religious premises approved for civil partnerships.

2.32 The register shall be available for public inspection during normal working hours. In practice many authorities make the register available in an electronic format on their website.

2.33 It is essential that the local superintendent registrar, civil partnership registrars and the Registrar General are notified without delay of changes to the register of approved premises. **All officers in the authority who take notices (of marriage and civil partnership) and receive notices taken outside the authority must be notified immediately of a change of name.** The way the premises are specified in the notices may require an amendment that can only be made before the certificate or schedule is issued. Details of any changes to religious premises need not, however be delivered to superintendent registrars, though authorities as a matter of good practice should ensure that all officers that are civil partnership registrars are aware of any changes.

2.34 The Registrar General will circulate regularly details of all approved premises to every registration officer, and details are also available on the Directgov website: <http://maps.direct.gov.uk/LDGRedirect/MapAction.do?ref=weddingvenues>.

## Fees

2.35 There are four fees which may be levied, at the discretion of the authority. Each fee may be set locally at any level up to the full cost of providing the service.

2.36 The fee for the application for approval and renewal can be determined in advance but cannot include any costs of a review. Authorities may choose to set classes of fees (according to the average cost of dealing with an application for all buildings or buildings of a particular type) or set individual fees according to the cost of dealing with each application.

2.37 The additional fee payable when a review is requested can be determined on the same basis as the fee for the application for approval and renewal but does not apply to a review of a decision to revoke an approval.

2.38 The fee for the attendance of the superintendent registrar and registrar at a marriage is a fee, set by the authority, which reasonably represents the costs to the authority of providing the same for a marriage solemnization.

2.39 The fee for the attendance of the civil partnership registrar at a civil partnership is a fee, set by the authority, which reasonably represents the costs to the authority of providing the same for a civil partnership registration.

2.40 Though the fees are a matter for authorities they are only able to recover their reasonable costs incurred. The fee set may be a standard fee or can differ to take account of variables such as the time of the ceremony (for example on a weekend rather than weekday), distance travelled to a venue for attending staff and so on. HM Revenue and Customs have advised that all these fees are exempt from VAT because they relate to a non-business activity of the authority.

### **Changes after the approval**

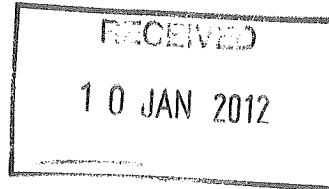
2.41 It is not possible to outline all potential circumstances in which a change may occur after the approval. One common change might be to seek the use of an additional room (one that was not specified on the plan as being intended for proceedings) which would require a fresh approval to be granted following the same application process. Apart from where there is solely a change of holder of the approval it is likely that most instances will require a fresh approval, following the standard application process (although see further below in relation to religious premises that are shared).

# *The Lost Village of Dode*

*www.dodevillage.com*

*For the attention of Sarah Wallis*

*Kent County Council  
Marketing & Licensing Officer  
Invicta House  
County Hall  
Maidstone  
Kent ME14 1XX*



*4<sup>th</sup> January 2012.*

*Dear Sarah*

*Further to your letter of the 18<sup>th</sup> October I now have pleasure in enclosing herewith the renewal application form for Dode.*

*As you know I have been speaking with Giles Adey and he is aware that the re-application is on the basis that the number of ceremonies will be unrestricted as will the days in the week that the ceremonies can be performed. We are quite prepared for all other special conditions as applied to our current licence (including the months in which ceremonies can be performed) to remain unchanged.*

*I hope this is self explanatory but please let me know if you require any further information or clarification.*

*Yours sincerely,*

*D Chapman*

*Encs.*

## *The Lost Village of Dode*

*Is situated at:*

*Wrangling Lane, Holly Hill, Luddesdown, Kent*

*Correspondence to:*

*East Lodge, Detling, Maidstone, Kent*

*Tel: 01622 734205*

*Fax: 01622 735500*

*ME14 3ET.*

*Mobile: 07831 515202*

Licence Ref. No	119
Current Licence Start Date	1/4/09
Current Licence End Date	31/3/12
Return Renewal by	1/12/11



[www.akentishceremony.com](http://www.akentishceremony.com)

**Approved Premises for  
Civil Marriages  
and  
Civil Partnerships**

-

**Renewal  
Application  
Form**





## Renewal Application Form

Before completing this form please read the details in the Information Booklet for Civil Marriages and Civil Partnerships.

The completed application form, together with the appropriate fee and enclosures, should be sent to:-

Registration & Coroners, 1st Floor, Invicta House, County Hall, Maidstone, Kent, ME14 1XX

Tel: 01622 221008      Email: kentish.ceremony@kent.gov.uk

**1. Applicant's name and address, this should normally be a business address as it will be published as part of the licensing procedure.**  
 If however you would like correspondence from KCC sent to a home address, please enter the home address below and tick the 'Home' box. If you tick this box, only the address of the premises to be approved will be used in any published materials.

Title: <i>MR.</i>	First Name(s): <i>DOUGLAS</i>	Surname: <i>CHAPMAN</i>
Address: <i>EAST LODGE HARPLE LANE DETLING</i>		
<i>MAIDSTONE KENT.</i>		
Postcode: <i>ME14 3ET</i>	Mobile: <i>07831515202</i>	
Tel: <i>01622-734205</i>	Fax: <i>01622-735500</i>	
Email: <i>dougchapman@hotmail.com</i>		
This is a home address—do not publish		<input checked="" type="checkbox"/>

**2. Address of premises to be approved**

Name: <i>THE LOST VILLAGE OF DODE</i>		
Address: <i>WRANGLING LANE GREAT BUCKLAND</i>		
<i>LUDESDowne KENT</i>		
Postcode: <i>DA130XF</i>		
Tel: <i>01622-734205</i>	Fax:	
Email (for ceremony enquiries): <i>dougchapman@hotmail.com</i>		
Website: <i>www.dodevillage.com</i>		

**3. Owner of premises if different from applicant**

Name: <i>AS ABOVE</i>
-----------------------

**4. Contact person to arrange inspection if different from applicant.**


Title:	First name(s):	Surname:
Tel:	Email:	

# Renewal Application Form

5.	Name of person to be appointed as 'Responsible Person'	DOUGLAS CHAPMAN	
6.	Responsible Person's position at premises	OWNER	
7.	Contact name for ceremony enquiries	DOUGLAS OR MARY CHAPMAN	
8.	Public contact telephone no. for ceremony enquiries (will be published)	01622-734205	
9.	Describe the nature of the premises e.g. Hotel, Civic Hall, Restaurant etc. and the primary and other uses for which it is regularly used.	HALL	
10.	Is the premises currently used for religious purposes?  Has the premises been used in the past for religious purposes?	YES / <del>NO</del>  YES / <del>NO</del>	If YES please give details  LAST USED IN 1367.
11.	Is there on-site parking for the Celebrant/Registrar?	YES / <del>NO</del>	
12.	Are toilet facilities available?	YES / <del>NO</del>	
13.	Are there any planning restrictions applying to the venue/garden area that would conflict with its use for ceremonies?	YES / <del>NO</del>  NO	If YES please attach a copy of the Planning Development Control Decision or Application No.
14.	Does the venue have Performing Rights, Phonographic Performance or Premises licences?	YES / <del>NO</del>	If YES please attach copies
15.	Is the premises covered by public liability insurance?	YES / <del>NO</del>	If YES please attach a copy of the Insurance policy.  If NO then insurance cover (up to £5m) will need to be obtained prior to the licence being granted
16.	Does the venue have a fire-risk assessment?	YES / <del>NO</del>	If YES and the assessment is a large document (ie over 10 pages) please attach a copy of the front page.  If NO then an Assessment or confirmation will need to be obtained prior to the licence being granted.
17.	Number of ceremony rooms/areas to be approved.	ONE	
18.	Names / identification of ceremony rooms/areas.  A plan (no larger than A3 size) showing the premises and the location of the ceremony rooms/areas should be attached.	Name of room / area	No of guests
		HALL	45

19.	Licence Fee	
Please see the Information Booklet for details of the current licence fee.		
Cheques are to be made payable to KENT COUNTY COUNCIL. If you wish to pay by credit or debit card please indicate in the box below and you will be contacted for your details.		
Licence application fee attached	YES / NO	£ 1650
I wish to pay by credit / debit card	YES / <del>NO</del>	Contact: Mr D. CHAPMAN

20.	Applicant's statements and declarations.
1.	I APPLY for the premises named at section 2 to be licensed for the solemnization of civil marriages and the formation of civil partnerships.
2.	I DECLARE that I have read and understood the licence requirements and conditions applying to this application :- <ul style="list-style-type: none"> <li>The building is not solely or mainly used for religious purposes</li> <li>No planning restrictions apply to the building/grounds which would affect its use and I have where appropriate, consulted the planning authority as to whether planning consent is required</li> <li>A fire-risk assessment has been carried out and will be maintained, in accordance with legislation, for the period of the licence.</li> </ul>
3.	I UNDERSTAND that :- <ul style="list-style-type: none"> <li>the premises will be inspected for suitability before a licence is granted and, if this application is successful, may be subject to further inspections,</li> <li>public notice of the application will be advertised in a local newspaper (by KCC), with a 21 day period for comments and/or objections.</li> <li>If granted, the licence will be for a three year period, subject to revocation</li> <li>If retrospective planning permission is required and subsequently refused, KCC will revoke the licence and there will be no refund of fees.</li> <li>The premises must satisfy Kent County Council on fire precautions and health and safety provisions.</li> <li>This application covers the rooms/areas at section 18, plus any changes I may wish to make during the period of the licence, subject to the appropriate fee.</li> </ul>
4.	I enclose with this application :- <p>Approval application fee :- £</p> <ul style="list-style-type: none"> <li>* A plan (no larger than A3 size) of the premises showing the location of the proposed ceremony rooms/areas.</li> <li>* A copy of the public liability insurance applying to the premises/ confirmation that public liability insurance will be provided in due course. (delete statement which does not apply).</li> <li>* A copy of any planning development control decision (if applicable).</li> <li>* A copy of the current fire-risk assessment.</li> <li>* A copy of other licences (section 14) (delete if does not apply).</li> <li>* Copies of booklets or information leaflets describing the venue (delete if does not apply).</li> </ul>

Signed :		Date :	
Print name :	D. CHAPMAN.		



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## **The Lost Village of Dode**

### **Statement on Behalf of the Owners Douglas & Mary Chapman**

The Lost Village of Dode is a small family run wedding venue situated in a rural location in North West Kent.

It comprises a former Norman Church which was deserted at the time of the Black Death in the Mid 14<sup>th</sup> Century.

It was rescued by us from dereliction some 20 years ago at which time it was a haunt of vandals and drug users as the attached photographs and press cuttings show.

It is small in scale and can only accommodate 45 people in total.

For the past 13 years approximately it has been used as a venue for Civil Weddings under the authority and supervision of the Kent County Council. During this time I understand that your Authority, (whilst receiving objections at the time of re-application or review,) has received no valid complaints as a direct result of the Ceremonies which have in the past been carried out. It is understood from previous enquiry of Officers that Dode is considered to be one of the best run venues in the County.

Solely as a result of local representations at the time renewal and review weddings are currently limited to 42 ceremonies per year held between the months of April & October (inclusive) and the first 3 weeks of December and ceremonies are only permitted on Thursdays, Fridays and Saturdays.

Our request is that these two conditions (which are among a number of other conditions applied to the venue) are relaxed in order to allow us to perform ceremonies on any day of the week during the months of April to October (inclusive) and the 1<sup>st</sup> – 23<sup>rd</sup> December (inclusive).

It is important to realise that The Lost Village of Dode is not a large establishment with inhouse catering and other facilities and that the restrictions currently in place mean that due to the economic climate we are unable to compete with other venues which have additional income streams from catering, provision of accommodation etc.

In a small way we make a valued contribution to the economic life of the area in respect of local Hotels, Bed & Breakfast accommodation, Taxi & Mini Bus services, Caterers etc., etc. We believe without the lifting of the current restrictions requested then the long term viability as a dedicated wedding venue of this unique place is in question.

To deal briefly with the objections from the KCC Sitting Member, one immediate neighbour and the Parish Council particularly regarding noise, we would say that adequate safeguards have always existed in terms of environmental legislation monitored and enforced by the Local Authority the Tonbridge & Malling Borough Council. At no time has that Authority taken any action against The Lost Village of Dode in respect of noise, traffic nuisance etc., since we have held our Civil Wedding Licence.

Panel Members are respectfully requested to grant our application.

6<sup>th</sup> June 2012.

D Chapman

# *The Lost Village of Dode*

*www.dodevillage.com*

**BY FAX**

6<sup>th</sup> June 2012.

*For the attention of Andrew Tait.  
Legal & Democratic Services  
Kent County Council*

**Re: Member Review Panel**  
**The Lost Village of Dode**

*Dear Mr Tait - please find attachments referred to in our Statement emailed to you earlier today.*

*Kind Regards*

*Mary K Chapman*

*Enc*

## *The Lost Village of Dode*

***Is situated at:***

*Wrangling Lane, Holly Hill, Luddesdown, Kent*

***Correspondence to:***

*East Lodge, Detling, Maidstone, Kent*

*Tel: 01622 734205*

*Fax: 01622 735500*

*ME14 3ET.*

*Mobile: 07831 515202*

# VANDALS DESECRATE REMOTE CHURCH

Signs of satanic  
rites in church

Where the Black Death struck

## BLACK MAGIC AT ANCIENT CHURCH

DEAD AS DOBE

'Black  
magic'  
vandals  
strike

Satanic  
symbols  
sprayed  
in church

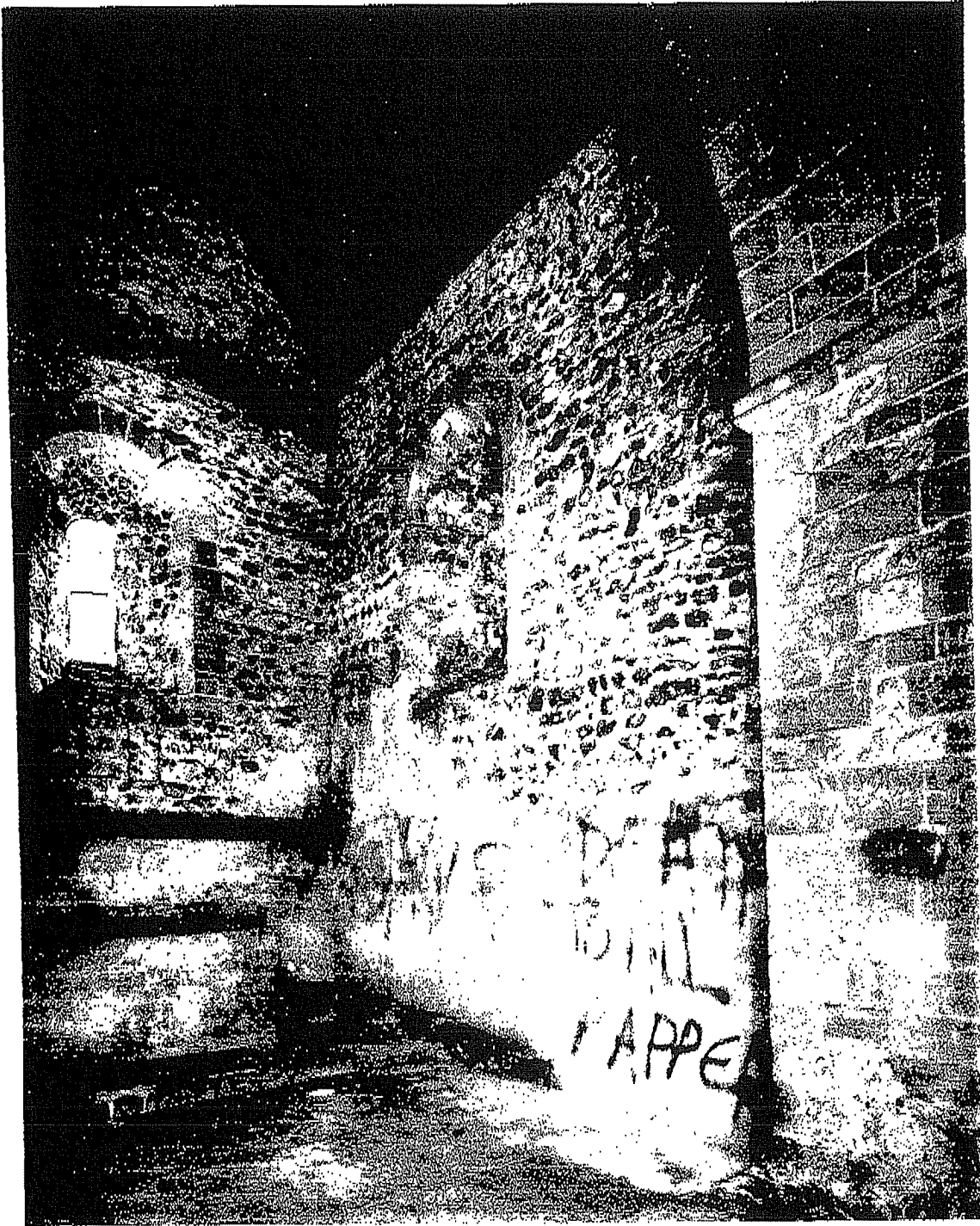
## Lonely Norman church

Spooky church

# Church dandred with evil marks

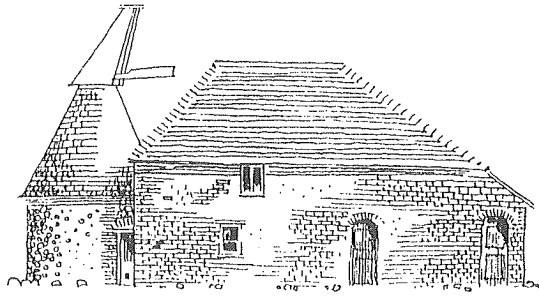
Druids  
theory t  
late-migl  
mystery  
at church





Chancel - view from the north west - 1991.

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Mingram Oast, Stansted, Kent TN15 7PG

sarah.hohler@kent.gov.uk 01732 823347

21-1-2012

Dear Ms Stanston,

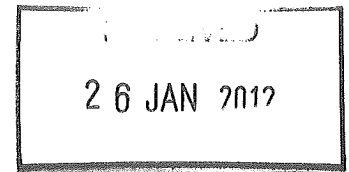
The Lost Village of Dode

Thank you for your letter asking for my comments on the application for a renewal of the grant of approval for the above venue.

I have no objection to the renewal of the grant as it currently stands. I do, however, object to the request for unrestricted numbers of ceremonies and a change (presumably an increase) in the number of days on which ceremonies may be performed. I would suggest that an increase in the number

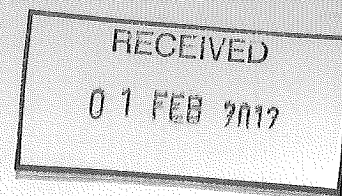
of ceremonies would detract from the dignity of the venue and that given the unsuitability of access to the venue at certain times of the year, there will be such a concentration of ceremonies as to detract from the venue and its access. I am surprised that objections from local residents is not appearing as a deciding factor in this issue so I believe it should be.

Yours,  
Suh Hbleh.



KCC member for Malting North.

**LUDESLOW PARISH COUNCIL**



Tel 01474 814187  
Email: marian@noorlander.plus.com  
Clerk- Mrs. Marian Beresford

1 Reynolds Cottages  
Henley Street  
Luddesdown  
Kent  
DA13 0XB

Sarah Manston,  
Marketing & Licensing Officer,  
Kent County Council,  
Registration of Births, Deaths, Marriages and Partnerships,  
Invicta House,  
County Hall,  
Maidstone,  
Kent,  
ME14 1XX

30<sup>th</sup> January 2012

Your ref: GRA 119

Dear Ms Manston

**Re: The Lost Village of Dode, Great Buckland, Luddesdown, Kent**

Thank you for your letter of 17<sup>th</sup> January advising of the application by Mr Douglas Chapman for the renewal of the grant of approval of the above premises as a venue for the Solemnization of Civil Marriages and Civil Partnerships. It is noted that Mr Chapman has requested that the current restriction of 42 ceremonies a year and also the days on which ceremonies can be performed be changed to unrestricted.

Luddesdown Parish Council considered this matter at its meeting on 23<sup>rd</sup> January 2012. The unanimous decision made at the meeting is that Luddesdown Parish Council strongly opposes any removal of any of the current restrictions and conditions relating to the use of The Lost Village of Dode as a venue for the Solemnization of Civil Marriages and Civil Partnerships.

You may recall that before restrictions and conditions were imposed, the use of The Lost Village of Dode as a venue for ceremonies caused considerable nuisance to the residents of Great Buckland. It was as a response to dealing with this nuisance that various conditions and restrictions were attached to the granting of the licence. It is the view of the Council that the reasons for imposing these conditions and restrictions are as relevant today as they were when the conditions and restrictions were first imposed. The use of the venue for ceremonies still causes nuisance to the residents of

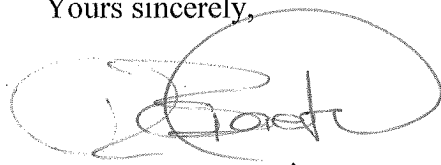
Great Buckland. The conditions and restrictions imposed are a compromise that limits the impact of the nuisance but does not eradicate it. Consequently to relax the conditions and restrictions in any way will upset the balance of interests achieved with the compromise and will have an adverse effect on the residents of this Parish.

The nuisance caused by the use of The Lost Village of Dode for ceremonies falls into two main categories, traffic and noise. In the narrow lanes in Great Buckland, all of which are single track, it is difficult for vehicles coming in opposite directions to get past one another. It is important that traffic is kept to a minimum on these roads to avoid accidents, limit damage to the verges and to reduce disruption to residents and other road users passing through the area. Having to get round a convoy of vehicles coming in the opposite direction on a single track road can be particularly daunting for elderly drivers. The current restrictions on the number of ceremonies that can be held during the year and the months in which they can be held is important in reducing the impact of traffic nuisance. In particular, restrictions prohibiting ceremonies being held during the winter months when the verges are very wet and easily damaged by traffic driving on them to get round oncoming vehicles are particularly important.

Great Buckland is situated in a designated area of outstanding natural beauty and as there are few houses in the area it is naturally very quiet and peaceful. Preserving the tranquillity of the area is fundamental to protecting it as an AONB. As one of the reasons for preserving AONBs is to provide areas where people can have quiet enjoyment of the countryside, it is vitally important that there should be effective control of the nuisance caused by noise from people using The Lost Village of Dode for ceremonies. It has been reported to this Parish Council that some of the wedding parties do get very noisy. It is extremely important both to the residents of Great Buckland and also in order to protect the area as an AONB that there should be many months during the year and also not less than four days each week throughout the year when no ceremonies take place so that the area is completely free of the disruption and noise caused by them. The current position of there being only just over four months of the year when ceremonies are not taking place at The Lost Village of Dode is weighted very much in Mr Chapman's favour. It would be very unfair to the residents of Great Buckland and also would be in conflict with the status of the area as an AONB to allow any more ceremonies to take place during each year at The Lost Village of Dode than are currently permitted.

I can therefore advise you that Luddesdown Parish Council does not oppose the renewal of the grant of approval to the use of The Lost Village of Dode as a venue for the Solemnization of Civil Marriages and Civil Partnerships provided that the licence is re-issued with all of the current restrictions and conditions.

Yours sincerely,



Marian Beresford  
Clerk  
Luddesdown Parish Council

CHRIS AND DENISE MILESON  
WINNATS FARM, WRANGLING LANE, GREAT BUCKLAND, LUDESDOWN, KENT, DA13 0XF

tel: 01474 816517

email: [chris@chrismilesen.com](mailto:chris@chrismilesen.com)

Sarah Manston,  
Marketing & Licensing Officer,  
Registration of Births, Deaths, Marriages and Partnerships,  
Kent County Council,  
Invicta House,  
County Hall,  
Maidstone,  
Kent,  
ME14 1XX

6 February 2012

By post and email: [sarah.manston@kent.gov.uk](mailto:sarah.manston@kent.gov.uk)

Dear Ms Manston

**Re: The Lost Village of Dode – renewal of approval of premises for the solemnization of marriages**

We understand that you are dealing with the matter of the application by Mr Chapman for the renewal of the licence to hold marriage ceremonies at Dode church, also known as the Lost Village of Dode. We note from past correspondence we had with Clive Bainbridge in respect of the Lost Village of Dode that the licence is due for renewal on 1 April 2012.

We live at Winnats Farm. Our house is about 125 metres away from Dode church. However the boundary of Winnats Farm is less than 10 metres from the edge of the grounds of Dode church.

We understand that Mr Chapman has requested that the restrictions on the number of ceremonies that can be held each year and the days on which they are held be removed.

We are writing to advise that we very strongly oppose any removal of any of the existing conditions and restrictions attached to the licence.

As we have done in previous correspondence to KCC, we would like to make it clear that the use of the Lost Village of Dode for marriage ceremonies does cause nuisance to us and our neighbours. It is therefore very important and perfectly reasonable that provision is made to reduce the effect of the nuisance as much as possible. We do appreciate that KCC has recognised the importance of protecting and respecting the interests of people who live or work in this area by imposing certain conditions and restrictions on the use of Dode church for wedding ceremonies. As the original restrictions and conditions imposed by KCC were deemed by KCC to be a reasonable compromise having regard to the interests of local residents and the wish of Mr Chapman to use the premises as a venue for civil marriage ceremonies there is no good reason to have any relaxation of the controls that are already in place. To do so will only make the position worse for the residents of Wrangling Lane than it is already. It is our view that the Lost Village of Dode is not a suitable place for holding weddings as the surrounding area is a very quiet and peaceful rural residential valley and the peace and tranquillity is destroyed when large parties of people descend on it to attend a

wedding. Noise pollution can be a problem in Wrangling Lane because the acoustics of the area are such that sound is amplified and echoes around the valley. It is inherent in the gathering of people together to celebrate a wedding that they will make a lot of noise. It follows that when this noise is being made in an area that is normally extremely quiet and peaceful it can be very intrusive and annoying. Ironically, it is the usually quiet and peaceful characteristics of the area that Mr Chapman seeks to take advantage of when offering the retreat cottages situated at the Lost Village of Dode for rental as holiday accommodation on the Hideaways.co.uk website, describing the cottages as enjoying "a really peaceful outlook across fields and up to woodland" and "as an ideal place for retreat and quiet reflection". Clearly this is not the case when there are wedding ceremonies taking place at Dode!

We are generally at Winnats Farm seven days a week and so it is very important to us that there is no increase in the number of weddings allowed to take place or the number of days and months during which they are permitted to take place.

Not only is it important to us that there are many months during the year and days of the week throughout the year when we do not have to suffer the nuisance of noise caused by the wedding ceremonies it is equally important that the same applies to not encountering convoys of vehicles travelling to the weddings on the single track roads in this area. There is only one way into Wrangling Lane for the wedding guests to use and it is therefore inevitable that problems will arise from the increase in traffic this will bring causing inconvenience to local residents and also other people who have to use the narrow lanes often for business reasons. We have noticed that very often, small coaches rather than minibuses are used to bring people to the weddings. As these are much larger than minibuses they are a much more difficult obstacle to get round if you are unfortunate enough to meet one coming in the opposite direction in a narrow lane. We have seen the road outside Dode church blocked by coaches and cars as they manoeuvre to get in and out of the venue. In any event it is daunting to encounter a string of vehicles coming at you in the opposite direction and there is more likelihood of vehicles being damaged as paintwork is easily scratched when having to get very close to hedgerows in order to get out of the way of a vehicle coming in the opposite direction. During weekdays it is more likely that large commercial vehicles will be travelling down Buckland Road and Wrangling Lane. If a lorry meets the wedding party coaches there is a real possibility of the road becoming blocked, (especially if they meet on the double bend by Monks Vineyard Farm) as it is very difficult for the lorry to get out of the way to let the coaches go past or vice versa. This could be serious if this prevented access by the emergency services. Obviously the fewer the number of weddings taking place the less likely it is that this will be a problem. In addition there are many people who use Wrangling Lane and the roads leading to it for recreational pursuits such as walking, cycling and horse riding. It is important that there should be times when they can enjoy the countryside round here without having to cope with wedding traffic.

We have in the past expressed our concerns over the noise caused by the use of Dode church for wedding receptions after the ceremony has taken place. This remains a problem and I have had occasion to go to the venue to request the PA to be turned down as the noise from it was booming down the valley. If more wedding ceremonies are held at the venue we will also get a greater number of noisy receptions held there as well. It is vital that this does not occur. We are very pleased that KCC and the local boroughs have taken and are continuing to take effective measures to protect the local environment from nuisances such as off road cars and bikes and it is important that KCC also protects the local environment from nuisances generally in order to have a consistent approach in preserving this area of outstanding natural beauty.

We do appreciate that KCC has acknowledged the nuisance that the holding of wedding ceremonies can cause to residents and other people who enjoy the countryside in this area

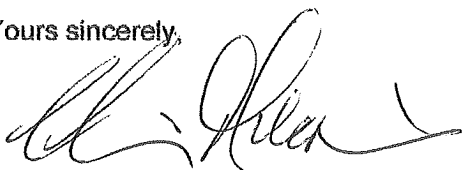


of outstanding natural beauty and has taken steps to mitigate this by imposing certain conditions and restrictions on the use of the Lost Village of Dode for wedding ceremonies. We therefore trust that KCC will not do anything that would make the nuisance worse such as relaxing any of the restrictions and conditions presently imposed.

Provided that there is no relaxation of any of the restrictions and conditions currently in force in respect of the use of the Lost Village of Dode for wedding ceremonies we do not object on this occasion to the licence being renewed but we will be monitoring closely the impact that the use is having on the local community to see whether the restrictions and conditions are sufficiently effective.

Thank you for taking our concerns into consideration.

Yours sincerely,



Chris Mileson



Denise Mileson

Cc Clive Bainbridge (KCC)  
Adam Holloway MP

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