

**LICENSING ACT  
COMMITTEE**

2.00 P.M.

15TH JULY 2010

**PRESENT:-** Councillors Joyce Taylor (Chairman), Bob Roe (Vice-Chairman),  
John Harrison, Janie Kirkman, Ian McCulloch and Malcolm Thomas

Apologies for Absence

Councillors Anne Chapman, Chris Coates, Jane Fletcher, Peter Robinson  
and Roger Sherlock

Officers in attendance:-

Luke Gorst	Assistant Solicitor
Wendy Peck	Licensing Manager
Caroline Morrison	Senior Licensing Officer
Tom Silvani	Democratic Support Officer

**6 MINUTES**

The Minutes of the meeting held on 27 May 2010 were signed by the Chairman as a correct record.

**7 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

There were no items of urgent business.

**8 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**9 AUTHORISATION OF HYPNOTISM UNDER THE HYPNOTISM ACT 1952 (AS AMENDED)**

The Licensing Manager presented a report to update the committee on the legal position with regard to the authorisation of performances of hypnotism, and to seek the Committee's view as to how it wishes to deal with the grant of such authorisations.

The committee was advised of the need to make arrangements for the granting of authorisations for hypnotism, noting that this would be under the Hypnotism Act 1952 rather than under the former public entertainment license conditions.

Officers had prepared comprehensive standard conditions, which were distributed to members at the meeting. It was considered that these conditions would be suitable to attach to an authorisation of hypnotism, and was recommended that the Committee delegate to the Head of Legal and Human Resources and the Licensing Manager, and any officers designated in writing by them, authority to grant authorisations subject to these conditions. The committee was advised that there would be no charge made for such an authorisation.

It was advised that it would only be necessary for applications to be considered by the Licensing Act Sub Committee if the applicant requested a variation of the standard condition, or if the officers had concerns over a particular application.

If members were to approve the conditions, the Sub-Committee and officer delegations in Sections 4 and 15 of Part 3 of the Constitution would need to be amended accordingly.

The committee queried as to why there would be no charge made for authorisations. It was reported that under the licensing act hypnotism was not a licensable activity. Members queried as to whether there was any other aspect considered by the Licensing Act Committee which was not covered by the Licensing Act. It was advised that the committee also considered matters concerning the Gambling Act 2005, however the committee had not yet been required to consider any applications made under this act.

It was proposed by Councillor Harrison and seconded by Councillor Kirkman:

- “(1) That the Committee approve standard conditions, as appended to the report, for the performance of hypnotism under the Hypnotism Act 1952, and delegate to the Head of Legal and Human Resources and the Licensing Manager, and any officers designated in writing by them, in consultation with the Chairman of the Licensing Act Committee or in his/her absence the Vice-Chairman, authority to authorise applications for hypnotism subject to such standard conditions.
- (2) That the Committee delegate to the Licensing Act Sub-Committees the determination of any application to vary the standard conditions, or any other authorisation application referred by the Head of Legal and Human Resources.
- (3) That the Monitoring Officer be requested to amend Sections 4 and 15 of Part 3 of the Constitution to reflect these delegations.”

Upon being put to the vote, Members voted unanimously in favour of the proposal, whereupon the Chairman declared the proposition to be carried.

***Resolved Unanimously:***

- (1) That the Committee approve standard conditions, as appended to the report, for the performance of hypnotism under the Hypnotism Act 1952, and delegate to the Head of Legal and Human Resources and the Licensing Manager, and any officers designated in writing by them, in consultation with the Chairman of the Licensing Act Committee or in his/her absence the Vice-Chairman, authority to authorise applications for hypnotism subject to such standard conditions.
- (2) That the Committee delegate to the Licensing Act Sub-Committees the determination of any application to vary the standard conditions, or any other authorisation application referred by the Head of Legal and Human Resources.
- (3) That the Monitoring Officer be requested to amend Sections 4 and 15 of Part 3 of the Constitution to reflect these delegations.”

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Chairman

(The meeting ended at 2.10 p.m.)

**Any queries regarding these Minutes, please contact  
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