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Licensing Committee

Held at Ryedale House, Malton
on Thursday 28 January 2010

Present

Councillors Mrs Arnold (In the Chair), Mrs Cowan, Mrs L Cowling, Mrs De Wend Fenton, Hawkins, Hemesley, Hope, Keal and Ms Warriner

In Attendance

Mrs L Carter, P Long, S Richmond and J Rudd

Minutes

1 Apologies for absence

Apologies for absence were received from Councillors Mrs Frank and Mrs Keal.

2 Minutes

The minutes of a meeting of the Licensing Committee held on 26 November 2009 were presented.

Resolved

That the minutes of a meeting of the Licensing Committee held on 26 November 2009 be approved and signed by the Chairman as a correct record subject to Minute No. 27 (Declarations of Interest) being amended by the deletion of the word 'son' and the substitution of the words 'son-in-law'.

3 Urgent Business

The Chairman reported that there were no items of urgent business to be considered.

4 Declarations of Interest

There were no declarations of interest.

PART 'A' ITEMS - Matters dealt with under delegated powers or matters determined by Committee

5 **The Authorisation of Hypnotism - The Hypnotism Act 1952 (As amended)**

The Head of Environment submitted a report, which provided information regarding the authorisation of hypnotism at or in connection with an entertainment, and recommended the adoption of conditions to be applied to any authorisation given by the Council as controlling authority.

Formerly, the Local Government (Miscellaneous Provisions) Act 1982 regulated the performance of hypnotism under the authorisation of a public entertainment licence (PEL). On 24 November 2005, The Licensing Act 2003 replaced PELs by Premises Licences. New guidance has recently been received confirming that Premises Licences cannot be issued to permit the performance of hypnotism, because hypnotism is not regulated entertainment under the terms of the Licensing Act 2003. Conditions regarding hypnotism cannot be attached to a Licensing Act Premises Licence nor can a Temporary Event Notice (TEN) be used for a performance of hypnotism. It is therefore necessary for the Council to make provision to be able to accept applications for authorisations under the Hypnotism Act 1952 (as amended).

Resolved

That the report be received and that the staging of hypnotism as a means of entertainment be subject to the conditions as set out in Annex B to the report.

The meeting closed at 8.40 pm.