

**LICENSING COMMITTEE
24TH JANUARY 2017**

PRESENT: The Chair (Councillor Pacey)
The Vice-chairs (Councillors Lowe and Williams)
Councillors Bentley, Brookes, Capleton, Murphy, Parton,
Radford, Smith, Sutherland and Taylor

Head of Regulatory Services
Licensing Manager
Democratic Services Manager
Democratic Services Officer (HT)

APOLOGIES: Councillors Savage, Shergill and Tillotson

11. MINUTES

The minutes of the meeting of the Committee held on 25th October 2016 were confirmed as a correct record and signed.

12. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

13. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

Councillor Bentley arrived at 5:04pm.
Councillor Brookes arrived at 5:06pm.

14. REGULATION OF PERFORMANCES OF HYPNOTISM

A report of the Head of Regulatory Services to request the approval of conditions for the performances of hypnotism and arrangements for the authorisation of those performances was submitted (item 5 on the agenda filed with these minutes).

The Licensing Manager stated that as part of the suggested conditions referred to in Appendix 1, an application for consent should be made in writing, signed by the applicant or his agent, and should normally be made not less than 28 days in advance of the performance concerned. The hypnotist who had contacted the Licensing Section in November 2016 with an initial enquiry about holding a demonstration was due to perform on 27th February 2017. Due to the time constraints, it was unlikely that the applicant would be able to adhere to the 28 days' notice period and the Committee was asked to waive the notice period on this occasion.

Members of the Committee stated that provided the appropriate checks were undertaken for this application and the 28 days' notice period was adhered to for all future applications it would be acceptable to waive the notice period for this application.

RESOLVED

1. that the conditions to be attached to any authorisation issued by the Council for the staging of hypnotism as a means of entertainment, set out in Appendix 1 to the report, be approved;
2. that the Head of Regulatory Services be given delegated authority to authorise or reject applications regarding hypnotism, as a means of entertainment, and that the Council's Constitution be amended to reflect this;
3. that where an appeal is lodged against a decision to refuse an authorisation for staging hypnotism, a Licensing Sub-committee is set up to review the decision and that the Council's Constitution be amended to reflect this;
4. that the 28 days' notice period for the submission of the application be waived for the current application due to be held on 27th February 2017.

Reasons

1. To ensure public safety and protection through the regulation of certain activities as set out in the Hypnotism Act 1952.
2. To ensure that applications are dealt with in a timely manner.
3. To ensure that a suitable right of appeal is in place in line with Home Office guidance.
4. Given the time constraints, the Committee was satisfied that provided the appropriate checks were undertaken for this application and the 28 days' notice period was adhered to for all future applications it would be acceptable to waive the 28 days' notice for this application.

15. FURTHER MEETINGS

The Committee noted that a further meeting of the Committee in 2016/17 was scheduled as follows:

Tuesday, 28th February 2017 at 5.00pm.

That meeting would consider the final version of the new Hackney Carriage and Private Hire Licensing Policy. Representations had been received on the proposed new policy and the Committee agreed in principle that those people who had made representations could address the Committee to present them.

In addition to the above scheduled meeting, the Committee was informed that an additional meeting would be required in April to consider the Council's Licensing Policy under the Licensing Act 2003.

RESOLVED that an additional meeting be arranged and the Committee be notified of the date of that meeting in due course.

Reason

To enable the timely consideration of the Council's Licensing Policy under the Licensing Act 2003.

NOTES

1. No reference may be made to these minutes at the Council meeting on 27th February 2017 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of the minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Committee.