

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF ENVIRONMENTAL AND HOUSING SERVICES	LICENSING COMMITTEE	25 OCTOBER 2023	6
PERFORMANCE OF HYPNOTISM			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Social Wellbeing (Councillor Chris Dixon).

PURPOSE OF THE REPORT

The Licensing Team have received an application seeking consent for a performance of hypnotism to take place at The Office, St Annes Road West, St Annes on the 26th October 2023.

By virtue of section 2(3A) of the Hypnotism Act, any function conferred on a licensing authority by that act is a licensing function for the purposes of section 7 of the Licensing Act 2003. Section 7 delegates all licensing functions to the Licensing Committee. The Committee is therefore asked to determine request.

RECOVERABILITY

This decision is not recoverable because it relates to:

- A decision relating to the determining of any approval, consent, license, permission or registration

RECOMMENDATION

1. That the Committee considers the report and determines whether to authorise the performance of hypnotism and if appropriate, attach the conditions in appendix 2 to the permission.

REPORT

1. A request has been received from Ian Dee for consent for an exhibition, demonstration of performance of hypnotism on the 26th October 2023. The request may be seen at appendix 1.
2. Any exhibition, demonstration or performance of hypnotism (as defined in the Hypnotism Act 1952) on any person requires the written consent from the local authority. Hypnotism for the purpose of this application includes hypnotism, mesmerism and any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which the susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased, but does not include hypnotism, mesmerism or any such similar act or process which is self induced.
3. The Licensing Authority may impose such conditions as it may see fit on any consent given. However there is guidance in the form of Home Office Circular 39/1996, which suggests the basis of any hypnotism conditions which may be seen at appendix 2.

4. Lancashire Constabulary have confirmed they have no objections to the request and the Committee is therefore to determine the application and if appropriate attach conditions in line with the Home Office Circular.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

IMPLICATIONS	
Finance	No implications arising directly from the report.
Legal	No implications arising directly from the report.
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	No implications arising directly from the report.
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

SUMMARY OF PREVIOUS DECISIONS
There are no previous decisions relating to this matter.

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
Home Office Circular 39/1996	1996	Attached

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	chris.hambly@fylde.gov.uk 01253 658422	13 th October 2023

Attached documents

App 1 – Request for Hypnotism Performance

App 2 – Home Office Circular 39/1996