

RECOMMENDED ITEM FROM COUNCIL HELD ON 19TH OCTOBER 2011

**510. APPLICATION TO CONSENT TO PERFORM HYPNOTISM
EXEMPT – PARAGRAPH 1**

The Solicitor to the Council advised Members that an application had been received for the granting of a licence to carry out a performance of hypnotism within the District.

This was the first such application received by the Council, it had also come to light that there were no provisions in the Council's Constitution for the Solicitor to the Council, nor the Licensing Committee, to deal with such applications. A report would be required to be submitted to Standards Committee to amend the delegation scheme in the Constitution. Pending those amendments, the power to grant such a licence lies with Council.

Details of the application and performance were attached to the report.

Moved by Councillor A.F. Tomlinson, seconded by Councillor K. Bowman
RESOLVED that (1) a licence to practice hypnotism be granted to Mr. Nigel Price,

(2) the Solicitor to the Council be authorised to issue a letter to the applicant confirming grant of the licence,

RECOMMENDED that Standards Committee, consider amending the Constitution to include such delegated powers as are necessary to allow the Solicitor to the Council to administer such applications for consent in the future.

(Head of Democratic Services)

Council	Council	Agenda Item No.:	9
Date:	19 th October, 2011	Category	*
Subject:	Application for Licence to Perform Hypnotism	Status	Exempt – Paragraph 1
Report by:	Principal Solicitor		
Other Officers involved:	Licensing & Enforcement Officer		
Director	Solicitor to the Council		
Relevant Portfolio Holder			

RELEVANT CORPORATE AIMS

N/A

TARGETS

N/A

VALUE FOR MONEY

N/A

THE REPORT

The Council's Licensing Section has received a request from Mr. Nigel Price for the grant of a licence to carry out a performance of hypnotism within the District. The details of the applicant and the performance are set out in the attached application form.

This is the first such application the Council has received. Consequently it has come to light that no provision is made in the Constitution for the Solicitor to the Council, nor the Licensing Committee, to deal with such applications. A report recommending such provision be made will be submitted for consideration by Standards Committee in due course and Council is asked to recommend to Standards Committee that such steps be taken. However, pending those amendments to the Constitution, the power to grant such a licence lies in the hands of Council.

The current application cannot be deferred until those changes are effected in the Constitution therefore this application has been brought before Council for consideration.

The attached form has been drawn up by the Licensing section and completed by the applicant. There is nothing in the completed form which gives reason to refuse the licence in accordance with the relevant legislation. Essentially, the only grounds for refusal would be if the applicant had failed to provide such information as required by the Council. The legislation gives no such powers to refuse such an application.

Accordingly, approval is sought from Council to issue the licence in accordance with that legislation.

IMPLICATIONS

Financial : None
Legal : Failure to consider a request for a licence may place the Council at risk of failing its statutory obligations
Human Resources : None

RECOMMENDATIONS that

- (1) the application for a licence to practice hypnotism be granted to Mr. Nigel Price,**
- (2) the Solicitor to the Council be authorised to issue a letter to the applicant confirming grant of the licence,**
- (3) Standards Committee, be recommended to consider amending the Constitution to include such delegated powers as are necessary to allow the Solicitor to the Council to administer such applications for consent in the future.**

ATTACHMENT: **Yes**
FILE REFERENCE:
SOURCE DOCUMENT: