

Application for Consent to Conduct an Exhibition, Demonstration or Performance of Hypnotism

LICENSING COMMITTEE



DATE	25th November 2024
PORTFOLIO	Community & Environment
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PURPOSE

1. To consider an application for consent to conduct an exhibition, demonstration or performance of hypnotism from Person A for an event to be held at Paradise W.M.C. on Sunday 1st December 2024. A copy of the application is provided at Appendix A.

RECOMMENDATION

2. Members are recommended to grant the request for consent subject to the conditions provided at Appendix B. The conditions reflect the model conditions in the Home Office Circular 39/1996 in respect of Stage Hypnotism.

REASONS FOR RECOMMENDATION

3. The Council previously controlled the performance of hypnotism by imposing standard conditions on all public entertainment licences. Under the Licensing Act 2003, a premises licence which licences regulated entertainment does not permit the performance of hypnotism, unless specifically stated. It is therefore necessary for an application to be made to the Council for authority to do so under the Hypnotism Act 1952 (as amended).

SUMMARY OF KEY POINTS

4. An application for consent to conduct an exhibition, demonstration or performance of hypnotism was received from Person A on 1st November 2024 to allow them to perform a comedy stage hypnosis show at Paradise W.M.C on 1st December 2024 between the hours of 2.00pm and 7.00pm with a maximum number of 250 people to be admitted to the venue.
5. Person A has, as part of the application process, provided details of their last 3 performances which took place at venues in Blackburn with Darwen, Three Rivers and Bolton Councils. They have also provided a copy of their public liability insurance.

Following enquiries made with the three local authorities, it has been established that there were no issues arising either during or after each of his performances.

6. The Hypnotism Act 1952 provides that no persons shall give an exhibition, demonstration or performance of hypnotism on any person at, or in connection with entertainment to which the public are admitted whether on payment or otherwise at a place in relation to which a premises licence is in force, unless the authority has authorised that exhibition demonstration or performance. This provision does not apply to performance of a play. Any authorisation may be subject to conditions.

Hypnotism 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 increased or intended to be increased, but does not include hypnotism, mesmerism or any such similar act or process which is self-induced. It is an offence to hypnotise any person under the age of 18.

The Hypnotism Act 1952 does not provide for any statutory right of appeal against any decision in respect of an application for a performance of Hypnotism. The only statutory means of challenge would be via the Judicial Review process.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. None.

POLICY IMPLICATIONS

8. None.

DETAILS OF CONSULTATION

9. Consultation with Blackburn with Darwen, Three Rivers and Bolton Councils.

BACKGROUND PAPERS

10. Hypnotism Act 1952
11. Home Office circular 39/1996 Stage Hypnotism

FURTHER INFORMATION

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