

LICENSING SUB-COMMITTEE

Monday, 16 December 2024

2.00 pm

Committee Room 4, City Hall

Membership: Councillors Loraine Woolley (Chair), Alan Briggs and Pat Vaughan

Substitute member: Councillor Debbie Armiger

Officers attending: Ian Cullen, Democratic Services, Mai Ward and Catherine Wilman

**If Members are unable to attend the meeting, please advise Ali Hewson
on 01522 873372 as soon as possible.**

Substitute Members will be contacted if they are required to attend the meeting.

A G E N D A

SECTION A

Page(s)

1. Declarations of Interest

Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.

2. Application for Consent for an Exhibition, Demonstration or Performance of Hypnotism

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LICENSING SUB-COMMITTEE

16 DECEMBER 2024

| | |
|----------------------|---|
| SUBJECT: | APPLICATION FOR CONSENT FOR AN EXHIBITION, DEMONSTRATION OR PERFORMANCE OF HYPNOTISM |
| REPORT BY: | COMMUNITIES & ENVIRONMENT |
| LEAD OFFICER: | CATHERINE WILMAN, LICENSING OFFICER |

1. Purpose of Report

- 1.1 To determine an application for consent for a performance of hypnotism by Colin Adamson to be performed at The Jolly Brewer, 26 Broadgate, Lincoln, LN2 5AE.

2. The Application

- 2.1 On 18 November 2024, an application was received from Colin Adamson to perform under the Hypnotism Act 1952 at The Jolly Brewer, 26 Broadgate, Lincoln, LN2 5AE on Friday 27 December 2024 between the hours of 7pm and 12am. A copy of the application form can be found at Appendix A.
- 2.2 As part of the application procedure, we ask to view the public liability insurance held by the hypnotist. A copy of insurance has been provided and does not raise any concerns.
- 2.3 There is no fee payable by the applicant for the consent.
- 2.4 Colin Adamson has previously applied to City of Lincoln Council for consent for an exhibition, demonstration or performance of hypnotism on three separate occasions and was granted consent in each case. There were no problems or issues arising from these performances.

3. Relevant Representations – Responsible Authorities

- 3.1 The Police Licensing Officer has been consulted and has confirmed they have no issues to raise regarding the applicant.
- 3.2 Details of the last three performances by the Hypnotist are stated on the application form (Appendix A). The licensing authorities responsible for granting the consent for these performances have been contacted and reported that the application procedure had been followed and no problems arising from the displays of hypnotism had been reported.

4. Options

- 4.1 The following options are available to the Committee:
- To grant the application; or

- To refuse the application.

It is recommended that if the Committee determines that the application be granted then the conditions contained within the Home Office Circular 39/1996 (Appendix B) be applied to the consent.

5. List of Associated Papers

Appendix A Application for Consent for an Exhibition, Demonstration or Performance of Hypnotism

Appendix B Conditions contained within Home Office Circular 39/1996 to be applied to permission of consent.

Lead Officer:

Catherine Wilman
Licensing Officer
E Mail: catherine.wilman@lincoln.gov.uk

| For Office Use | |
|----------------|--|
| Appn. Ref. No. | |
| Visited | |
| Officer | |
| Consent given | |

The Licensing Authority
City Of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DB



CITY OF
Lincoln
COUNCIL

Appendix A

Hypnotism Act 1952 (as amended)
Please complete in **BLOCK CAPITALS** and **BLACK INK**

Application for consent for a exhibition, demonstration or performance of Hypnotism

| Details of person by whom the exhibition, demonstration or performance is to be given ("the hypnotist") | |
|---|---------------|
| Name of the Hypnotist | Colin Adamson |
| Address of Hypnotist | [REDACTED] |
| Contact number | [REDACTED] |

| Details of the last 3 performances by the Hypnotist | |
|---|---|
| Name & Address of Venue | The Cabin, 10 Alderwood Precinct, Sedgley, Dudley DY3 3QY |
| Date | 16/11/2024 |
| Description of Act | Comedy Hypnosis Show |
| Contact Number | 01902 887144 |

| | |
|-------------------------|---|
| Name & Address of Venue | Pool Sports And Social Club. Arthington Lane, Pool in Wharfedale, Otley LS21 1LG, |
| Date | 15/11/2024 |
| Description of Act | Comedy Hypnosis Show |
| Contact Number | (0113) 284 3932 |

| | |
|-------------------------|--|
| Name & Address of Venue | Fox and Hounds, Ewood, Blackburn BB2 4LL |
| Date | 9/11/2024 |
| Description of Act | Comedy Hypnosis Show |
| Contact Number | 01254 678943 |

| Details of the exhibition, demonstration or performance | |
|---|---|
| Where is the exhibition, demonstration or performance of hypnotism to take place? | The Jolly Brewer 26 Broadgate, Lincoln LN2 5AE |
| When is the exhibition, demonstration or performance of hypnotism to take place? Please give date(s) and time(s) | Friday 27 th December 2024 From 7pm to midnight. |
| Please describe the nature of the proposed exhibition, demonstration or performance of hypnotism | Comedy Hypnosis SHow |
| If the performance includes hypnotising members of the public, will minders stay with hypnotised subjects during the show including the interval? | No |
| Is the Hypnotist providing a minder for each hypnotised subject? | No |
| If the answer to the above is "no", how many hypnotised subjects will a minder supervise? | There will be no minders, and no interval during the hypnosis show. |
| Has the Hypnotist ever been refused or had withdrawn a consent for hypnotism by any licensing authority? | No |
| If the answer to the above is "yes" please give details | |
| Has the Hypnotist ever been convicted of an offence under the Hypnotism Act 1952? | No |
| If the answer to the above is "yes" please give details | |
| Has the Hypnotist ever been convicted of an offence involving the breach of a condition regulating or prohibiting the giving of an exhibition, demonstration or performance of hypnotism? | No |

| | |
|--|----|
| Is the Hypnotist a member of any professional body relating to Hypnotism? | No |
| If the answer to the above is "yes" please give details | |
| Has the Hypnotist ever been barred from the Federation of Ethical Stage Hypnotists or the European Guild of Professional Stage Hypnotists or any other similar body? | No |
| If the answer to the above is "yes" please give details | |

| Declaration | | | |
|---|---------------|--|---------------|
| <p>I/we have read and understood the Council's licence conditions and agree to comply with them at all times.</p> <p>I also confirm that I have a copy of the Council's licence conditions.</p> | | | |
| Signed (Hypnotist) | Colin Adamson | Signed (Individual responsible for organising performance) | Colin Adamson |
| Date | 18/11/2024 | Date | 18/11/2024 |

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Appendix B

1. The following conditions shall be imposed on any consent given:-

i) **Publicity**

- a) No poster, advertisement or programme for the performance, which is likely to cause public offence, shall be displayed, sold or supplied by or on behalf of the licensee either at the premises or elsewhere:
- b) Every poster, advertisement or programme for the performance, which is displayed, sold or supplied shall include, clearly and legibly the following statement:

“Volunteers, who must be aged 18 or over, can refuse at any point to continue taking part in the performance”.

ii) **Insurance**

The performance shall be covered to a reasonable level of public liability insurance. The hypnotist must provide evidence of this to the local authority, if requested; and it must be available for inspection at the performance.

iii) **Physical Arrangements**

- a) The means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction:
- b) A continuous white or yellow line shall be provided on the floor of any raised stage at a safe distance from the edge. This line shall run parallel with the edge of the stage for its whole width. The hypnotist shall inform all subjects that they must not cross the line while under hypnosis, unless specified to do so as part of the performance.

iv) **Treatment of Audience and Subjects**

- a) Before starting the performance, the hypnotist shall make a statement to the audience, in a serious manner, identifying those groups of people who should not volunteer to participate in it: explaining what volunteers might be asked to perform: informing the audience of the possible risks from embarrassment or anxiety: and emphasising that subjects may cease to participate at any time they wish. The following is a suggested statement, which must be amended as necessary to suit individual styles as long as the overall message remains the same:

“I shall be looking for volunteers aged over 18 who are willing to be hypnotised and participate in the show. Anyone who comes forward should be prepared to take part in a range of entertaining hypnotic suggestions but can be assured that they will not be asked to do anything which is indecent, offensive or harmful. Volunteers need to be in normal physical and mental health and I must ask that no one volunteers if they have a history of mental illness, or are under the influence of alcohol or other drugs or are pregnant”.

- b) No form of coercion shall be used to persuade members of the audience to participate in the performance. In particular, hypnosis shall not use selection techniques that seek to identify and coerce onto the stage the most suggestible members of the audience without their prior knowledge of what is intended. Any use of such selection techniques (e.g. asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto the stage) should only be used when the audience is fully aware of what is intended and that participation is entirely voluntary at every stage;
- c) If volunteers are to remain hypnotised during an interval in the performance, a reasonable number of attendants as agreed with the licensing authority shall be in attendance throughout to ensure their safety:

v) **Prohibited Actions**

- a) The performance shall be so conducted as not to be likely to cause offence to any person in the audience or any hypnotised subject:
- b) The performance shall be so conducted as not to be likely to cause harm, anxiety or distress to any person in the audience or any hypnotised subject. In particular, the performance shall not include:
 - i. Any suggestion involving the age regression of a subject (i.e. asking the subject to revert to an earlier age in their life; this does not prohibit the hypnotist from asking subjects to act as if they were a child, etc.);
 - ii. Any suggestion that the subject has lost something (e.g. a body part), which, if it really occurred, could cause considerable distress;
 - iii. Any demonstration in which the subject is suspended between two supports (so-called ‘catalepsy’);
 - iv. The consumption of any harmful or noxious substance;

v. Any demonstration of the power of hypnosis to block pain (e.g. pushing a needle through the skin);

c) The performance shall not include the giving of hypnotherapy or any other form of treatment.

vi) **Completion**

(a) All hypnotised subjects shall remain in the presence of the hypnotist and in the room where the performance takes place until all hypnotic suggestions have been removed.

(b) All hypnotic or post-hypnotic suggestions shall be completely removed from the minds of all the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively and the hypnotists shall confirm with each of them they feel well and relaxed (the restriction on post-hypnotic suggestions does not prevent the hypnotist telling subjects that they will feel well and relaxed after the suggestions are removed).

(c) The hypnotists shall remain available for at least 30 minutes after the show to help deal with any problems that might arise. (Such help may take the form of reassurance in the event of headaches or giddiness but this condition does not imply that the hypnotist is an appropriate person to treat anyone who is unwell).

vii) **Authorised Access**

Where-

- i. a constable; or
- ii. an authorised officer of the licensing authority; or
- iii. an authorised officer of the fire authority

has reason to believe that a performance is being, or is about to be, given he may enter the venue with a view to seeing whether the conditions on which approval for the performance was granted are being complied with.

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