

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Committee**
held on Monday, 8th November, 2010 at Meeting Room B,
Macclesfield Library, Jordangate, Macclesfield, Cheshire SK10 1EE

PRESENT

Councillor P Whiteley (Chairman)
Councillor B H Dykes (Vice-Chairman)

Councillors C Andrew, W T Beard, H Davenport, L Gilbert, J Goddard,
A Ranfield and C Tomlinson

OFFICERS IN ATTENDANCE

Mrs K Khan, Solicitor
Mrs J Zientek, Democratic Services Officer

Apologies

Councillors Rhoda Bailey, D Bebbington, M Hardy, M Parsons and J Wray

15 DECLARATIONS OF INTEREST

There were no declarations of interest.

16 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from members of the public.

17 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 13 September 2010 be approved as a correct record and signed by the Chairman.

18 MINUTES OF LICENSING SUB-COMMITTEES

RESOLVED – That the minutes of the Licensing Act Sub-Committee meeting held on 27 September 2010 and the General Licensing Sub-Committee meeting held on 14 October 2010 be received.

19 REGULATION OF HYPNOTISM - HYPNOTISM ACT 1952

The Committee considered a report regarding a proposed set of conditions which would attach to authorisations relating to performances of hypnotism granted by the Council.

The draft conditions had been subject to a twelve week consultation exercise which concluded on 8th October 2010. Three representations had been received, including a suggestion that the conditions be amended

to require the submission of an up-to-date copy of liability insurance with applications.

RESOLVED

- (a) That the representations received during the consultation period be noted.
- (b) That the conditions as set out at Appendix A of the report be attached to authorisations relating to performances of hypnotism, subject to condition 3 being amended to read as follows:

'3. Insurance

- a. The performance shall be covered by public liability insurance at a level which must be approved by the Licensing Authority. The hypnotist must provide evidence of this to the local authority 7 days prior to the performance and it must be available for inspection at the performance.'

20 RE-ADOPTION OF PART II LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Committee considered a report regarding a proposal to re-adopt the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 within the Borough of Cheshire East.

Each of the three predecessor district Councils had made resolutions to adopt Part II of the 1976 Act, which contains provisions in relation to the licensing of private hire and hackney carriage vehicles, drivers and operators. It was suggested that it would be beneficial to consolidate the adoption resolutions for the purpose of clarity for the future and to ensure certainty in any enforcement action taken under the legislation.

In response to a query regarding the estimated publicity costs for the statutory notices, the Solicitor stated that the cost would be kept as low as possible while adhering to the legislative requirements.

RESOLVED – That the Cabinet Member for Safer and Stronger Communities be recommended to authorise the Borough Solicitor, or officer acting on his behalf, to provide notice, in accordance with section 45 of the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act), of the Council's intention to pass a resolution to adopt the provisions of Part II of the 1976 Act in relation to the Council's administrative area.

The meeting commenced at 11.10 am and concluded at 11.32 am
(Note: The meeting was not quorate at the advertised start time of 10.30am)

Councillor P Whiteley (Chairman)