



Democratic Services
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: (01304) 821199
Fax: (01304) 872300
DX: 6312
Minicom: (01304) 820115
Website: www.dover.gov.uk
e-mail: democraticservices@dover.gov.uk

1 February 2010

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **REGULATORY** Committee will be held in the Council Chamber at these Offices on Tuesday 9 February 2010 at 9.45 am or at the conclusion of the preceding Licensing Committee, whichever is the later, when the following business will be transacted.

Members of the public who require further information are asked to contact Pauline Hodding on (01304) 872305 or by e-mail at paulinehodding@dover.gov.uk.

Yours sincerely

Chief Executive

Regulatory Committee Membership:

Councillor P S Le Chevalier (Chairman)
Councillor B W Butcher (Vice-Chairman)
Councillor A R Smith
Councillor J M Smith
Councillor R S Walkden

DECLARATIONS OF INTEREST

Members are required to disclose the existence and nature of a personal interest at the commencement of the item of business to which the interest relates or when the interest becomes apparent. An explanation in general terms of the interest should also be given to the meeting. If the interest is also a prejudicial interest, the Member should then withdraw from the room or chamber.

AGENDA

1. **APOLOGIES**
2. **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointment of Substitute Members.



3. **MINUTES** (Pages 3-4)

To confirm the attached Minutes of the meetings of the Committee held on 10 and 25 November 2009.

4. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE A VEHICLE WHICH DOES NOT COMPLY WITH COUNCIL POLICY – VAUXHALL ZAFIRA EA53 AOJ** (Pages 5-6)

To consider the attached report of the Licensing Manager and to determine the matter.

5. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE A VEHICLE WHICH DOES NOT COMPLY WITH COUNCIL POLICY – FIAT PANDA 1.3 MULTIJET** (Pages 7-12)

To consider the attached report of the Licensing Manager and to determine the matter.

6. **REGULATION OF PERFORMANCES OF HYPNOTISM AS A FORM OF ENTERTAINMENT – HYPNOTISM ACT 1952** (Pages 13-19)

To consider the attached report of the Licensing Manager and to determine the matter.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. Basic translations of specific reports and the Minutes are available on request in 12 different languages.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Pauline Hodding, Senior Democratic Support Officer, telephone: (01304) 872305 or email: paulinehodding@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Minutes of the meeting of the **REGULATORY** Committee held at the Council Offices, Whitfield on Tuesday 10 November 2009 at 10.00 am.

Present:

Chairman: Councillor P S Le Chevalier

Councillors B W Butcher
A Friend
A R Smith
J M Smith

Officers: Licensing Manager
Senior Democratic Support Officer

An apology for absence was received from Councillor R S Walkden.

271 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that in accordance with Rule 4 of the Council's Procedure Rules, Councillor A Friend had been appointed as substitute for Councillor R S Walkden.

272 MINUTES

The Minutes of the meeting of Committee held on 22 October 2009 were approved as a correct record and signed by the Chairman.

273 APPLICATION FOR SITING OF TABLES AND CHAIRS – HIGHWAYS ACT 1980: THE FUNKY MONKEY, BENCH STREET, DOVER

The Committee considered an application by Mr N M Sutton to place 7 tables and 18 chairs on the highway adjacent to the Funky Monkey, 14 Bench Street, Dover. Representations had been made by Kent Highway Services requesting that the number of chairs be reduced to 16, and both Dover Town Council and Dover District Council Community Safety Unit had objected on the grounds of obstruction of the highway. Further concerns had been raised about items being dropped on to pedestrians using the adjacent underpass. Mr Sutton, who was present at the meeting, explained the reasons for the application, agreed to the reduction of the number of chairs to 16 and volunteered a reduction in the terminal hour for the use of the tables and chairs to 7.00 pm.

In accordance with the approved procedure the applicant and the Licensing Manager left the meeting while the Committee considered the application.

RESOLVED: That, having regard to S115E of the Highways Act 1980 and S17 of the Crime and Disorder Act 1998, the application by Mr N M Sutton to place tables and chairs on the highway adjacent to The Funky Monkey, 14 Bench Street, Dover be approved subject to the number being limited to 3 tables and 6 chairs, all of which are to be placed against the façade of the premises not against the wall by the underpass, and to be removed each day at 19.00 hours.

The meeting ended at 10.30 am.

Minutes of the meeting of the **REGULATORY** Committee held at the Council Offices, Whitfield on Wednesday 25 November 2009 at 5.37 pm.

Present:

Chairman: Councillor P S Le Chevalier

Councillors B W Butcher
A R Smith
J M Smith

Officers: Solicitor to the Council
Licensing Manager
Senior Democratic Support Officer

302 FEES AND CHARGES 2010/11

The Committee considered the report of the Head of Governance which set out the fees and charges relevant to the Regulatory Committee.

- RESOLVED: (a) That the table of fees and charges for 2010/11 in respect of matters pertaining to this Committee, as set out in Annex 2 to the report of the Head of Governance, be approved.
- (b) That the general principle that fees are set at an appropriate inclusive level, irrespective of VAT status, and that the VAT element within the overall fee level is then determined be approved.
- (c) That adoption by officers of fees at or close to government directed levels, without the need for further reporting, be approved in cases where the Council is waiting for Government guidance and it has not been possible to set a fee at this stage.

The meeting ended at 5.39 pm.

REPORT OF THE LICENSING MANAGER

REGULATORY COMMITTEE – 9 FEBRUARY 2010

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 –
APPLICATION TO LICENCE A VEHICLE WHICH DOES NOT COMPLY WITH
COUNCIL POLICY – VAUXHALL ZAFIRA EA53 AOJ**

Recommendation

That the Committee determine the matter

Contact Officer: Tony Bartlett ext 2229

Reasons why a decision is required

The Council's policy sets the criteria for the licensing of vehicles to be used as private hire vehicles or hackney carriages within the district. Where an application is made that complies with policy a licence may be issued without reference to Committee. However where an application is made that falls outside of the set criteria the matter must be brought before Committee for a determination to be made as to whether the Committee is content to deviate from policy on an individual basis or, if the Committee determines not to deviate, to refuse the application.

The Council's policy on age of vehicles is that a vehicle being granted its first licence must not be older than 3 years since date of first registration or, if older than 3 years, but not older than 4 years, it must have not more than 60,000 miles on the milometer. On renewal the vehicle must not be older than 6 years since date of first registration or have a recorded mileage of more than 300,000 miles.

Mr J D Moore is the owner of a Vauxhall Zafira, EA53 AOJ, which will reach 6 years from date of first registration in April 2010. Mr Moore states the vehicle is in good condition and has 61,000 miles recorded. He states that if he has to replace the vehicle with a newer model he will be forced to purchase a vehicle with a higher mileage. Mr Moore also states that he is 64 years of age and may retire on reaching 65 which would make recovery of the cost of a new vehicle difficult.

As the decision to licence a vehicle outside of policy rests with Committee the matter is brought before the Committee to determine the application

Evaluation of options available to the Council

1. To approve the licensing of the Vauxhall Zafira as a single deviation from policy
2. To reject the application.

Information to be considered in taking the decision

The current policy in respect of the type of vehicle that may be licensed by this authority is:

Vehicle Condition

Each application for the licensing of a vehicle will be treated on individual merit however conditions have been placed on the licensing of vehicles as part of Council policy. Applicants wishing to licence vehicles outside of this policy should show sufficient reason for the Council to deviate from agreed policy

Impact on Corporate Objectives

Regulation of Hackney Carriages and Private Hire Vehicles is a statutory function impacting on particularly Opportunity and Access, and Community objectives.

Attachments

None

TONY BARTLETT

Licensing Manager

REPORT OF THE LICENSING MANAGER

REGULATORY COMMITTEE – 9 FEBRUARY 2010

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 –
APPLICATION TO LICENCE A VEHICLE WHICH DOES NOT COMPLY WITH
COUNCIL POLICY – FIAT PANDA 1.3 MULTIJET**

Recommendation

That the Committee determine the matter

Contact Officer: Tony Bartlett ext 2229

Reasons why a decision is required

The Council's policy sets the criteria for the licensing of vehicles to be used as private hire vehicles or hackney carriages within the district. Where an application is made that complies with policy a licence may be issued without reference to Committee. However where an application is made that falls outside of the set criteria the matter must be brought before Committee for a determination to be made as to whether the Committee is content to deviate from policy on an individual basis or, if the Committee determines not to deviate, to refuse the application.

Mr Linden Reynolds is the owner/operator of County Cars, Poulton Close, Dover. He has asked for approval in principal to licence a Fiat Panda 1.3 Multijet diesel vehicle as a private hire vehicle within the district. Mr Reynolds makes the case that a high proportion of contracts involve the transportation of no more than 2 passengers within the town area. The use of a smaller vehicle would therefore be cost effective, fuel efficient and more ecologically friendly. He asks Committee to determine the matter prior to the purchase of the vehicle for financial reasons

Evaluation of options available to the Council

1. To approve the licensing of the Fiat Panda as a single deviation from policy
2. To reject the application.

Information to be considered in taking the decision

The current policy in respect of the type of vehicle that may be licensed by this authority is:

Vehicle Condition

Each application for the licensing of a vehicle will be treated on individual merit however conditions have been placed on the licensing of vehicles as part of Council policy. Applicants wishing to licence vehicles outside of this policy should show sufficient reason for the Council to deviate from agreed policy

Type of Vehicles

Any vehicle licensed for use as a hackney carriage or private hire vehicle must:

- 1. have an engine capacity of not less than 1500 cc*
- 2. have at least four doors and be of sufficient size to accommodate at least four and up to eight passengers. The minimum dimensions for any single seat shall be 18 inches (46 cm) wide measured from side to side and 12 inches (30 cm) from front to back. There shall be a minimum of 12 inches (30 cm) legroom.*
- 3. be fitted with sufficient seatbelts for the number of persons it will be licensed to carry*
- 4. have adequate storage for the luggage for the number of persons it will be licensed to carry*

If Committee were minded to deviate from policy it is unlikely that the vehicle would be suitable for licensing to carry 4 passengers. The maximum number that would be likely to be carried would be the driver plus 3 passengers.

The benefit to the trade would be a fuel efficient, economical vehicle for suitable for short contracts in difficult economic times.

The disadvantage is that, being smaller than the standard vehicle type licensed by the authority, the vehicle would have restricted use as it would not be suitable for longer contracts

Impact on Corporate Objectives

Regulation of Hackney Carriages and Private Hire Vehicles is a statutory function impacting on particularly Opportunity and Access, and Community objectives.

Attachments

Vehicle specification

TONY BARTLETT

Licensing Manager

Home
Green Car News
Green Cars
Hybrid Cars
Electric Cars
Bio Fuel Cars
Diesel Green Cars
Petrol Green Cars
Other Green Cars
Reviews
Buyers Guide
Coming Soon
Concept Cars
About Green Cars
Environment
About Us
Site Map
Contact Us

[Home](#) » [Green Cars](#) » [Fiat Panda](#)

Fiat Panda 1.3 Multijet Dynamic 5d



[Click here to write a Review](#) about the Fiat Panda

The popular UK Fiat Panda range has been boosted by the arrival of the state-of-the-art turbodiesel featuring Fiat Auto's widely acclaimed, Euro 4-compatible, 1.3 litre 16-valve MultiJet engine – the smallest and most advanced common rail direct injection turbodiesel in the world.

This results in not only the most powerful and quickest Panda in the range, but also the one with the lowest fuel consumption (65.7 mpg combined official figure), lowest emissions and lowest running costs.

In fact, the new Panda diesel has running costs significantly lower than almost all other new cars on UK roads today – including an annual car tax bill of just £85.

Fiat Auto's ground-breaking 1.3 16v MultiJet engine made waves in the automotive world when it was launched in the Punto in mid-2003, and now it is also available in the Panda.

With 70 bhp at its disposal, the 1.3 16v MultiJet is the most powerful Panda by a significant margin, and its high torque (145 Nm/107 lb.ft at just 1500 rpm) provides a driving experience considerably more relaxed, refined and exhilarating than would be expected in this segment of the market.

Alongside all the benefits of performance, acceleration and flexibility associated with such a powerplant, the Panda 1.3 16v MultiJet also manages to cover more than 75 mpg outside town, and even in the urban environment returns 52 mpg. Combine this with its ultra-low 114 g/km carbon dioxide emissions and Euro 4 compatibility, and the new Panda diesel has running costs significantly lower than

Resources

Best Online Deals
Green Car Hire
Car Insurance
Car Finance
FAQs
Classifieds
Forums
Green Links



[Find Best in Class](#)

[Super Mini/Hatch](#)

[Family](#)
[Large Family](#)
[MPV](#)
[Executive](#)
[Convertible](#)
[4x4](#)
[Sports](#)
[Commercial](#)

almost all other new cars today.

Small cars with diesel engines are still a rare breed, but with the UK diesel market growing continuously for over four years, and reaching over 32% in 2004, it is certainly an area which is on the increase. The new Panda diesel will also appeal to people other than those who purposely choose a diesel engine, since it offers the best performance of the range. The refined high-tech MultiJet engine is also less diesel-like than most of its competitors, thus allowing the car to be sold simply as the quickest Panda, for those who have no preference for diesel.

Statistics

CO2 emissions: 114g/km

MPG Combined: 65.7

Engine: 1248cc Diesel

Transmission : 5 Manual

BHP: 70/145 NM

Top Speed: 99 mph

0.62mph: 13 secs

Insurance Group: 2

Warranty: 24months/Unlimited

Fiat News

[Launch of Fiat Panda Eco](#)

[New Fiat Panda Cross](#)

[Fiat e500 electric at the London Motor Show](#)

[New engines boost Bravo appeal](#)

[62mpg Fiat Bravo](#)

[Fiat sets standard for low emissions](#)

[Fiat 500 voted best Small car in 2008](#)

Reviewed by Tina Storr from Hull, East Yorkshire on 04 October 2009

Fiat Panda 1.3 Diesel multijet: Perfect car for the city, nice & small, to fit comfortably in those tiny spaces in cars park, city button makes parking even better, fuel consumption excellent, as I've only filled mine up three time since Jan 09, easy to clean, drive & looks pretty too.

Fiat Panda 1.3 Multijet 2009

Main features, safety and economy	
Engine size:	1248 ccm (76.15 cubic inches)
Fuel type:	Diesel
Fuel mixed driving:	4.3 litres/100 km (54.70 miles per gallon)
Seats:	5
Drive:	Front wheels
Transmission:	Manual, 5-speed
Engine and transmission	
Engine location:	Front, transverse
Displacement:	1248 ccm (76.15 cubic inches)
Engine type:	Inline, 4 cylinder
Max power:	75.00 PS (55 kW or 74 HP) at 4000 Rev. per min.
Max torque:	145.00 Nm (14.8 kgf-m or 107.0 ft.lbs) at 1500 Rev. per min.
Compression:	18.0:1
Bore x stroke:	69.6 x 82.0 mm (2.7 x 3.2 inches)
Fuel system:	Injection
Valves per cylinder:	4
Lubrication system:	Wet sump
Cooling system:	Liquid
Gearbox:	Manual, 5-speed
Speed and acceleration	
Top speed:	165.0 km/h (102.5 mph)
0-100 km/h (0-62 mph):	13.0 seconds
Power/weight ratio:	0.0743 PS/kg
Exterior and interior	
Chassis type:	Hatchback
Max no. of doors:	5
Passenger space:	3650 litres (964 gallons)
Cargo space:	206 litres (54 gallons)
Optional cargo space:	860 litres (227 gallons)
Aerodynamic dragcoefficient:	0.3
Steering, brakes and tires	
Steering:	Optional electronic stabilisation program (ESP). Optional electronic stabilisation program (ESP).
Brake details:	Antilocking brake system (ABS). Antilocking brake system (ABS).
Front <u>tire dimensions</u>:	155/80-R14
Rear <u>tire dimensions</u>:	155/80-R14
Dimensions and weight	
Weight:	1010 kg (2,226.7 pounds)
Max weight with load:	1380 kg (3,042.4 pounds)
Towing weight:	900 kg (1,984.2 pounds)
Overall length:	3540 mm (139.4 inches)
Overall width:	1600 mm (63.0 inches)

Overall height:	1580 mm (62.2 inches)
Wheelbase:	2310 mm (90.9 inches)
Fuel capacity:	35.0 litres (9.25 gallons)
Other specifications	
Aprox price as new EUR:	13300
CO2 emissions:	196.9 g/km

REPORT OF THE LICENSING MANAGER

REGULATORY COMMITTEE – 9 FEBRUARY 2010

REGULATION OF PERFORMANCES OF HYPNOTISM AS A FORM OF ENTERTAINMENT – HYPNOTISM ACT 1952

Recommendation

<i>That the proposed model conditions be adopted and the appropriate fee set for granting permissions.</i>
--

Contact Officer: Tony Bartlett, extension 2229.

Reasons why a decision is required

1. Under the Hypnotism Act 1952, no person 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 any place, unless the authority has authorised that exhibition, demonstration or performance. Any authorisation may be subject to conditions.
2. The purpose of this report is to:
 - (a) Provide information regarding permitting the use of hypnotism as a means of entertainment.
 - (b) Suggest the adoption of conditions to be applied to any permission.
 - (c) Suggest the setting of a fee in order to recover the costs of the granting of such permissions

Options available to the Council with assessment of preferred option

3. Options:
 - (a) To adopt the report and conditions.
 - (b) To modify the report.
 - (c) To reject the report.

Information to be considered in taking the decision

4. In England and Wales, an act of hypnotism is not a licensable activity under the Licensing Act 2003. Authorities in England and Wales can only give permission for a display/performance of hypnotism under the Hypnotism Act 1952 (as amended).
5. Previously, councils could also authorise hypnotism performances via conditions on a Public Entertainment Licence (PEL), however amendments to the Hypnotism Act 1952 by Schedule 6 to the Licensing Act 2003 means that this option no longer applies. Dover District Council previously controlled the performance of hypnotism by imposing standard conditions on all Public Entertainment Licences.

6. On 24 November 2005 Public Entertainment Licences were replaced by premises licences issued under The Licensing Act 2003. Under this Act, a premises licence, which allows 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 authorisation to do so under the Hypnotism Act 1952. In England and Wales conditions cannot be attached to Licensing Act premises licences nor can a temporary events notice be used for a performance of hypnotism.
7. Under the Hypnotism Act 1952, no person 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 any place, unless the authority has authorised that exhibition demonstration or performance. Any authorisation may be subject to conditions.
8. It is an offence to 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 unless the authority has authorised that exhibition demonstration or performance. There is a maximum fine of £1000.
9. Embedded conditions relating to hypnotism from the previous licensing regime are not valid because hypnotism is no longer a licensable activity and as such the conditions should have been removed on conversion. However if conditions strictly prohibiting hypnotism were converted, depending on the wording of the original condition(s), the licensee would have to apply for a variation to remove the condition(s) and enable a performance of hypnotism to go ahead.
10. The authorisation for temporary events under the Licensing Act 2003 attracts a fee of £21. Whilst this does not cover administration costs it is perhaps the most comparable fee under that legislation. Given the nature of hypnosis and debate that surrounds the use of hypnosis as a form of entertainment the committee may feel that a fee in the region of £45 - £50 will recover any administration costs and, where representations are made, the costs of dealing with those representations.

Background Papers

None

Resource Implications

Requirement from Current Budget	Requirement for Additional Budget	
	Current Year	Full Year
There have been no approaches to the Council regarding hypnotism since the introduction of the Licensing Act 2003. The cost of dealing with applications will be met within existing resources.	Nil	Nil

Communication Statement

Should this report be approved the Licensing website will be updated with the appropriate information and the relevant forms will be made available on the Business Link Electronic Licence Management System in compliance with the EU Service Directive

Impact on Corporate Objectives and Corporate Risks

The regulation of performances of hypnotism as a form of entertainment is a statutory duty under the provisions of the Hypnotism Act 1952

Comments from Equalities Officer

There are no equality implications in this report.

Attachments

Appendix A: Model Conditions

TONY BARTLETT

Licensing Manager

The officer to whom reference should be made concerning inspection of the background papers is the Licensing Manager, Dover District Council, White Cliffs Business Park, Dover, Kent CT16 3PJ. Telephone: (01304) 821199, Extension 2229.

MODEL CONDITIONS TO BE ATTACHED TO LICENCES FOR THE PERFORMANCE OF STAGE HYPNOTISM

Consents

1. Any exhibition, demonstration or performance (hereafter referred to as a "performance") of hypnotism (as defined in the Hypnotism Act 1952) on any person requires the express written consent of the licensing authority and must comply with any attached conditions.

Applications

2. An application for consent under condition 1 shall be in writing and signed by the applicant or his agent and shall normally be made not less than 28 days in advance of the performance concerned. This period may be reduced in the case of a hypnotist who has performed at the same venue within the last three years without any problems occurring.

The authority will normally respond within 7-14 days; less where the hypnotist has previously performed at the same venue. The applicant must at the same time forward a copy of the application to the chief officer of police; and the authority may also copy it to the local fire authority if it considers this necessary.

3. The application shall contain the following:
 - (a) The name (both real and stage, if different) and address of the person who will give the performance (hereafter referred to as the "hypnotist") along with details of their last three performances (where and when); and
 - (b) A statement as to whether, and if so giving full details thereof, the hypnotist has been previously refused, or had withdrawn, a consent by any licensing authority or been convicted of an offence under the Hypnotism Act 1952 or of an offence involving the breach of a condition regulating or prohibiting the giving of a performance of hypnotism on any person at a place licensed for public entertainment. (Refusal of consent by another authority does not necessarily indicate that the particular hypnotist is unacceptable and will not of itself prejudice the application.)

Conditions

4. The following conditions shall apply to any consent given:

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."

Insurance

- (c) The performance shall be covered to a reasonable level by 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;

Physical Arrangements

- (d) The means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction;
- (e) 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 specifically told to do so as a part of the performance;

Treatment of audience and subjects

- (f) 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 might be amended as necessary to suit individual styles so 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, are under the influence of alcohol or other drugs or are pregnant."

- (g) No form of coercion shall be used to persuade members of the audience to participate in the performance. In particular, hypnotists shall not use selection techniques which 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 (eg, 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;
- (h) 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;

Prohibited actions

- (i) The performance shall be so conducted as not to be likely to cause offence to any person in the audience or any hypnotised subject;
- (j) 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 (ie, 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 (eg, a body part) which, if it really occurred, could cause considerable distress;
 - (iii) any demonstration in which the subject is suspended between supports (so-called "catalepsy");
 - (iv) the consumption of any harmful or noxious substance;
 - (v) any demonstration of the power of hypnosis to block pain (eg, pushing a needle through the skin);
- (k) The performance shall not include giving hypnotherapy or any other form of treatment;

Completion

- (l) 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;
- (m) All hypnotic or post-hypnotic suggestions shall be completely removed from the minds of the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively and the hypnotist shall confirm with each of them that they feel well and relaxed (the restriction of post-hypnotic suggestions does not prevent the hypnotist telling subjects that they will feel well and relaxed after the suggestions are removed);
- (n) The hypnotist shall remain available for at least 30 minutes after the show to help deal with any problems which might arise. (Such help might 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 otherwise unwell.)

Authorised access

- (o) 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.