

## **Licensing Sub-Committee**

**Tuesday, 14th November, 2023**

**PRESENT:** Councillor L Martin in the Chair

Councillors A Ali and S Firth

### **1 Election of the Chair**

**RESOLVED** – That Councillor Martin be elected as Chair for the meeting.

### **2 Appeals Against Refusal of Inspection of Documents**

There were no appeals.

### **3 Exempt Information - Possible Exclusion of the Press and Public**

There was no exempt information

### **4 Late Items**

There were no late items. Supplementary information was submitted for the following:

Agenda Item 7 – Certification of Films, Leeds Palestinian Film Festival 2023

Agenda Item 8 – Certification of a Film, Leeds Language Week

Agenda Item 10 – Application for a Premises Licence (Betting (Other)) under the Gambling Act 2005 for Boylesports, 86A Queen Street, Morley, LS27 9BP

### **5 Declaration of Interests**

There were no declarations.

### **6 Certification of a Film – Free to Move : A night exploring freedom**

The application was withdrawn prior to the meeting.

### **7 Certification of Films – Leeds Palestinian Film Festival 2023**

The report of the Chief Officer, Elections and Regulatory presented an application for the certification of six feature length films and three short films in respect of the Leeds Palestinian Film Festival 2023. The screenings are scheduled to take place between 21<sup>st</sup> November and 9<sup>th</sup> December 2023 at various venues throughout Leeds.

The following films were to be shown with the recommended certifications:

- Cinema Palestine – 15
- Walls Cannot Keep us From Flying – 15
- My Tree – 15
- ALAM – 15
- I am from Palestine – 15
- Checkpoint – 15
- The Tower – 15
- Tomorrow's Freedom – 15
- Israelism – 15

Members had had the opportunity to view the films prior to the meeting, with the exception of Israelism and a synopsis of the films was detailed in the report. Officer comments with regard to the suggested classifications were submitted as supplementary information.

It was requested that the certification for the film Israelism be amended to 18 as opportunity to view the film had not been available for viewing prior to the meeting. A request for access for the Sub-Committee to view the film had been made by the applicant but had not received a response.

Christina McDonald and Tricia Griffin were in attendance on behalf of the Palestinian Film Festival.

**RESOLVED** – That the following classifications be granted:

- Cinema Palestine – 15
- Walls Cannot Keep us From Flying – 15
- My Tree – 15
- ALAM – 15
- I am from Palestine – 15
- Checkpoint – 15
- The Tower – 15
- Tomorrow's Freedom – 15
- Israelism – 18

## **8 Certification of a Film – Leeds Language Week**

The report of the Chief Officer, Elections and Regulatory presented an application for the certification of seven short films as part of Leeds Language Week to be screened on the 15<sup>th</sup> and 16<sup>th</sup> November at Vue, The Light, Leeds, LS1 8TL.

The following films were to be shown with the recommended certifications:

- My Mom is an Aeroplane – U
- The Boy Who Would Become a Knight – PG
- Dreams Squared – U
- Polar Bear Bears Boredom – U
- Planet Robin – PG
- The Nestling – U
- Luce & Me - PG

Members had had the opportunity to view the films prior to the meeting, and a synopsis of the films was detailed in the report. Officer comments with regard to the suggested classifications were submitted as supplementary information. There had not been any concerns with the recommended classifications requested.

**RESOLVED** – That the following classifications be granted:

- My Mom is an Aeroplane – U
- The Boy Who Would Become a Knight – PG
- Dreams Squared – U

- Polar Bear Bears Boredom – U
- Planet Robin – PG
- The Nestling – U
- Luce & Me - PG

## **9 Certification of a Film – Riki-Oh : The Story of Riki**

The report of the Chief Officer, Elections and Regulatory presented an application for the certification of a film, Riki-Oh – The Story of Riki to be shown at Hyde Park Picture House on 2<sup>nd</sup> December 2023.

The film had not been made available for viewing prior to the meeting and it was recommended that an 18 certificate be granted.

A synopsis of the film was outlined in the report.

**RESOLVED** – That the film Riki-Oh – The Story of Riki be granted an 18 certification.

## **10 Application for a Premises Licence (Betting (Other)) under the Gambling Act 2005 for BoyleSports, 86A Queen Street, Morley LS27 9BP**

The report of the Chief Officer, Elections and Regulatory presented an application for a Premises Licence (Betting(Other)) under the Gambling Act 2005 for Boylesports, 86A Queen Street, Morley, LS27 9BP.

A representation had been made by the Council's Financial Inclusion Team as a responsible authority.

The following were in attendance:

- Brian Minihane, Boylesports
- Paddy Whur, Woods Whur – representing the applicant
- Sue Duckworth – Licensing Authority
- Grace Lawrenson – Financial Inclusion Team
- Magdalena Boo – Public Health

Prior to the meeting an issue had been raised from the applicant's representative as to whether the Financial Inclusion Team constituted a responsible authority.

The applicant's representative was invited to address the Sub-Committee. He made reference to what constituted a prescribed responsible authority under the Gambling Act and was not satisfied that the Financial Inclusion Team qualified under the legislation.

It was not intended to prevent the Financial Inclusion Team from having a voice but it was not felt that the conditions requested to any licence would be necessary as the applicant covered all the issues raised voluntarily and was also willing to work with NHS Gambling services.

The Financial Inclusion Team representative reported that the submission was from the Council as a whole including the Licensing Authority who were a responsible authority.

The applicant's representative felt that as the representation had not been submitted by the Licensing Authority it did not meet the statutory tests and that it was therefore not a valid representation and that the licence should be granted as applied for.

The Sub-Committee adjourned to take further legal advice on the matter.

Following the adjournment the Licensing Authority representative informed the Sub-Committee that it had been an error to submit the representation via the Financial Inclusion Team and that the representation had been jointly produced by the Licensing Authority, Public Health and the Financial Inclusion Team. The submission should have been submitted by the Licensing Authority.

The applicant's representative reported that as the representation had been submitted in error by the Financial Inclusion Team that this would not pass the statutory tests and was not a valid representation.

The Sub-Committee adjourned for further legal advice.

Following the adjournment, it was reported that the Sub-Committee was advised that as the representation had not been submitted by a responsible authority under the legislation outlined in the Gambling Act that the application should be granted as applied for.

The applicant's representative reiterated the offer for the applicant to work closely with the Financial Inclusion Team and NHS Gambling services.

**RESOLVED** – That further to discussions it was clarified that the sole objector to the application, the Financial Inclusion Team, are not deemed a Responsible Authority or Interested Party under the Gambling Act 2005. The Committee were advised the representation was not valid and the Licensing Authority were under duty to grant the application as applied. With no matters outstanding the hearing was dispensed with.