

**Report of: Chief Officer, Elections and Regulatory**

**Report to: Licensing Sub Committee**

**Date: Tuesday, 24<sup>th</sup> October 2023**

**Subject: Certification of Films – Leeds International Film Festival 2023**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Little London & Woodhouse, Headingley & Hyde Park, Weetwood, Killingbeck & Seacroft, Gipton & Harehills and Beeston & Holbeck		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

## Executive Summary

To advise Licensing Sub Committee Members of an application for the certification of numerous films in respect of the Leeds International Film Festival 2022. The screenings are scheduled to take place between 3<sup>rd</sup> and 19<sup>th</sup> November 2023 at Vue Cinema in the Light, Everyman Cinema, Hyde Park Picture House, Cottage Road Cinema, Howard Assembly Room, Chapel FM Seacroft, Old Fire Station Gipton and St Luke’s Cares Beeston.

Of the films which have been submitted requiring classification the exhibitor has provided links to screeners for the viewing of 2 feature length films and 8 short films. Following legal advice, Members are recommended to certify the films they cannot view as category 18 ratings and further information on this matter is detailed at 3.2 of this report.

### 1.0 Purpose of this Report

1.1 This report informs Members with the background, history and issues of an application made under the Licensing Act 2003 (“the Act”) for the certification of a film that does not currently have a BBFC (British Board of Film Classification) certification. Finally, this report informs Members of the options available to them when considering an application for the certification of films.

## **2.0 Background Information**

2.1 The Licensing Act 2003 applies to premises which provide film exhibitions. At present there are a total of 8 cinemas licensed in the Leeds district.

2.2 The majority of films shown in cinemas will carry a certificate from the BBFC, the categories of which are as follows:

### **Category U Universal. Suitable for all.**

A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror.

### **Category PG Parental Guidance. General viewing, but some scenes may be unsuitable for young children.**

A PG film should not unsettle a child aged around eight or older. Unaccompanied children of any age may watch, but parents are advised to consider whether the content may upset younger or more sensitive children.

### **Category 12A/12 Suitable for 12 years and over.**

Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12. No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child. To help them decide, the BBFC recommend that they check the ratings info for that film in advance. No one younger than 12 may rent or buy a 12 rated video work.

### **Category 15 Suitable only for 15 years and over.**

No one younger than 15 may see a 15 film in a cinema. No one younger than 15 may rent or buy a 15 rated video work.

### **Category 18 Suitable only for adults.**

No one younger than 18 may see an 18 film in a cinema. No one younger than 18 may rent or buy an 18 rated video work.

### **Category R18 To be shown only in specially licensed cinemas, or supplied only in licensed sex shops and to adults only.**

The R18 category is a special and legally restricted classification primarily for explicit works of consenting sex or strong fetish material involving adults. Films may only be shown to adults in specially licensed cinemas, and video works may be supplied to adults only in licensed sex shops. R18 video works may not be supplied by mail order.

2.3 In addition to licensing premises for film exhibitions, the licensing authority has a duty under Section 20 of the Licensing Act 2003 to categorise a film which is absent of a certificate from a film classification body such as the BBFC. The licensing authority may also reject or modify a film which has received certification from the BBFC.

2.4 A copy of the current BBFC Classification Guidelines are available [here](#)

### 3.0 Main Issues

3.1 An application has been received from Leeds Film to certify a number of films to be shown as part of Leeds International Film Festival 2023. The films are scheduled for screening between 3<sup>rd</sup> and 19<sup>th</sup> November 2023 at Vue Cinema in the Light, Everyman Cinema, Hyde Park Picture House, Cottage Road Cinema, Howard Assembly Room, Chapel FM Seacroft, Old Fire Station Gipton and St Luke's Cares Beeston.

3.2 In response to a briefing by the BBFC and advice sought from the council's Legal Department, it is essential the Licensing Sub-Committee can view each film in order to rate it appropriately. In instances where films are unavailable, Members are advised to certify them 18 rating, subject to a written declaration from the applicant conforming that each film does not contain any content which would more likely than not, render the film liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines. A copy of the e-mail from the applicant requesting the classification and including the declaration, can be found at **Appendix A**.

3.3 A list detailing the Title and Synopsis for each film can be found at **Appendix B** of this report.

3.4 Of the films requesting certification the exhibitor has provided links to view advanced screeners for 2 feature length films and 8 short films which request to be rated either PG or 15. Details of those films are as follows:

Title	<b>KIDDO</b>
Synopsis	Dutch coming of age drama about Lu, a young girl in foster care, and her eccentric mother Karina, who whisks her on a wild road trip to visit her Grandma in Poland.
Recommended Classification	PG

Title	<b>This is Going to be Big</b>
Synopsis	Heartwarming documentary about a disabled school in Australia putting on a musical inspired by the singer John Farnham.
Recommended Classification	PG

Title	<b>Yorkshire Short Film Competition</b>
Synopsis	8 short films from Yorkshire exploring various and diverse subjects and themes - themes of depression, anorexia and suicide, some gory scenes, some sex scenes.
Recommended Classification	15

3.5 A representative will be available on the phone should Members of Licensing Sub Committee have any questions.

#### **4.0 Screeners**

4.1 Details of the films requesting classification, including a link to view the available screeners online, have been provided to Members of the Licensing Sub Committee in advance of the hearing.

#### **5.0 Implications for Council Policy and Governance**

5.1 There are no implications for Council policy and governance in respect of determining this application.

#### **6.0 Legal and Resource Implications**

6.1 There is no right of appeal to the Magistrates Court against this decision of the Committee.

#### **7.0 Recommendations**

7.1 Members are requested to consider this request for the certification of the films as attached hereto.

7.2 Members are recommended to view films prior to the issue of a Certificate.

#### **8.0 Options Available to Members**

8.1 The Licensing Authority has the authority to categories a film which is absent of a Certificate from the BBFC.