

Report author: Samantha Longfellow-Peniket

Telephone No: 0113 378 5029

Report of Chief Officer, Elections and Regulatory

Report to Licensing Sub Committee

Date: Tuesday, 5th November 2024

Subject: Certification of Films – Leeds Palestinian Film Festival 2024

Are specific electoral Wards affected?			☐ No
If relevant, name(s) of Ward(s):	Hunslet & Riverside Little London & Woodhouse Headingley & Hyde Park Otley & Yeadon		
Are there implications for equality and diversity and cohesion and integration?		Yes	⊠ No
Is the decision eligible for Call-In?		☐ Yes	⊠ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:		☐ Yes	⊠ No

Executive Summary

To advise the Licensing Sub Committee Members of an application for the certification of a number of films to be screened between 20th November 2024 and 6th December 2024 at Hyde Park Picture House LS6 1JD, Wheeler Hall LS2 8BE, Otley Courthouse LS21 3AN, Leeds Playhouse LS2 7UP, Heart LS6 3HN and The Civic Hall Banqueting Suite LS1 1UR.

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 films that do 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 thy 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 of 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 of 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

An application has been received from Leeds Palestinian Film Festival for the certification of number a of films as they are not currently certified by the BBFC. The screening is scheduled to take place between 20th November 2024 and 6th December 2024 at Hyde Park Picture House LS6 1JD, Wheeler Hall LS2 8BE, Otley Courthouse LS21 3AN, Leeds Playhouse LS2 7UP, Heart LS6 3HN and The Civic Hall Banqueting Suite LS1 1UR.

- A list detailing the films requesting certification, including a synopsis and the applicant's recommended rating, can be found at **Appendix A**.
- 3.2 To assist members with their deliberation officers of the Licensing Authority have viewed the film and provided comments in accordance with BBFC guidelines, this can be found at **Appendix B**.
- 3.3 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 confirming 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.
- 3.4 Details of the film including advance screeners have been provided to the Licensing Sub Committee Members in advance of the hearing.
- 3.5 A representative of Leeds Palestinian Film Festival will be available via phone.

4.0 Implications for Council Policy and Governance

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

5.0 Legal and Resource Implications

5.1 There is no right of appeal to the Magistrates' Court against the decision of the Licensing Sub Committee.

6.0 Recommendations

- 6.1 Members are requested to consider this request for the certification of the films as attached hereto.
- 6.2 Members may take the decision to view any of the films prior to the issue of a Certificate.

7.0 Options Available to Members

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