



LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

TUESDAY, 7TH AUGUST, 2018 AT 10.00 AM

MEMBERSHIP

Councillors

B Flynn - Adel and Wharfedale;
J Heselwood - Bramley and Stanningley;
G Wilkinson - Wetherby;

**Agenda compiled by:
Governance Services
Civic Hall
LEEDS LS1 1UR
Tel No: 0113 3788662**

A G E N D A

Item No	Ward	Item Not Open		Page No
2			<p data-bbox="676 322 1134 360"><u>PRELIMINARY PROCEDURES</u></p> <p data-bbox="676 427 1078 465">ELECTION OF THE CHAIR</p> <p data-bbox="676 533 1404 602">APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p data-bbox="676 645 1382 790">To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p data-bbox="676 826 1386 972">(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
3			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
5			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><u>HEARINGS</u></p>	
6			<p>CERTIFICATION OF FILMS</p> <p>To receive and consider the attached report of the Chief Officer of Elections and Regulatory outlining an application for the certification of films to be shown at Leeds Festival 2018 at Bramham Park, Thorer Lane, Leeds, LS23 6ND.</p> <p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	1 - 8



Report of the Chief Officer of Elections, & Regulatory

Report to the Licensing Sub Committee

Date: 7 August 2018

Subject: Certification of Films

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Wetherby		
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 Members of an Application for the certification of films to be shown at the Leeds Festival 2018 within the grounds of Bramham Park, Thorner Lane Leeds 23

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 7 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` Passed for general exhibition

Category `PG` Passed for general exhibition but parents/guardians are advised that the film contains materials they might prefer children under fifteen years not to see.

Category `12'	Passed as suitable only for exhibition to persons of twelve years and over. When a programme includes a `12' film, no persons under twelve years can be admitted.
Category '12a'	Passed as suitable for children under the age of 12 if accompanied by an adult.
Category `15'	Passed as suitable only for exhibition to persons of fifteen years and over. when a programme includes a `15' film, no persons under fifteen years can be admitted.
Category `18'	Passed as suitable only for exhibition to adults. When a programme includes an `18; film no persons under the age of eighteen years can be admitted.

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 a Certificate from the BBFC.

2.4 Details of the BBFC Guidelines are attached at **Appendix A** for Members consideration

3.0 Main Issues

3.1 Application has been received from Mr Melvin Benn to have a number of short films certified as they are not currently certified by the BBFC. The films are to be shown in a temporary cinema based in marquees on the Leeds Festival site within the grounds of Bramham Park Leeds 23.

3.2 Details of the films which require certification including a brief synopsis and a recommended category in line with the BBFC classifications is attached at **Appendix B** for Members information.

3.3 A representative from the Oxford Film and Video Makers company will attend the hearing to give additional details of the films.

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 The applicant can appeal any decision made by committee. Any appeal would be to the Magistrates Court.

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

The Licensing Authority has a duty to create conditions or restrictions, and does have the authority to categories a film which is absent of a Certificate from the BBFC.

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bbfc

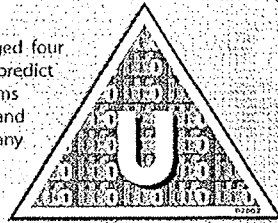
Age Ratings You Trust

Guidelines

APPENDIX A

U - Universal

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. If a work is particularly suitable for pre-school children, this will be indicated in the BBFCinsight.



Discrimination

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of.

Drugs

References to illegal drugs or drug misuse must be infrequent and innocuous, or have a clear educational purpose or anti-drug message suitable for young children.

Imitable behaviour

Potentially dangerous or anti-social behaviour which young children may copy must be clearly disapproved of. No emphasis on realistic or easily accessible weapons.

Language

Infrequent use only of very mild bad language.

Nudity

Occasional nudity, with no sexual context.

Sex

Only very mild sexual behaviour (for example, kissing) and references to such behaviour.

Threat

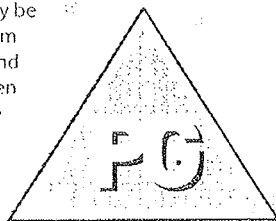
Scary or potentially unsettling sequences should be mild, brief and unlikely to cause undue anxiety to young children. The outcome should be reassuring.

Violence

Violence will generally be very mild. Mild violence may be acceptable if it is justified by context (for example, comedic, animated, wholly unrealistic).

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.



Discrimination

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of, or in an educational or historical context, or in a particularly dated work with no likely appeal to children. Discrimination by a character with whom children can readily identify is unlikely to be acceptable.

Drugs

References to illegal drugs or drug misuse must be innocuous or carry a suitable anti-drug message.

Imitable behaviour

No detail of potentially dangerous behaviour which young children are likely to copy, if that behaviour is presented as safe or fun. No glamorisation of realistic or easily accessible weapons such as knives. No focus on anti-social behaviour which young children are likely to copy.

Language

Mild bad language only. Aggressive or very frequent use of mild bad language may result in a work being passed at a higher category.

Nudity

There may be nudity with no sexual context.

Sex

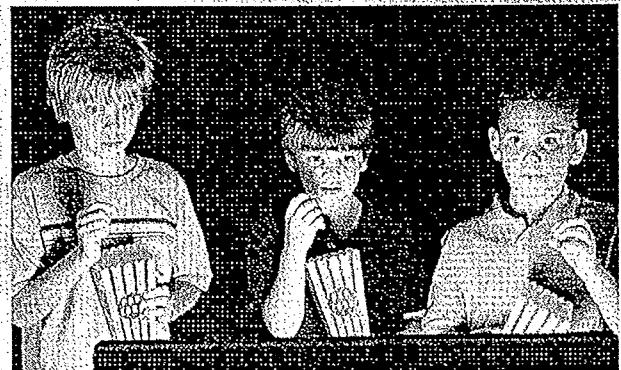
Sexual activity may be implied, but should be discreet and infrequent. Mild sex references and innuendo only.

Threat

Frightening sequences or situations where characters are in danger should not be prolonged or intense. Fantasy settings may be a mitigating factor.

Violence

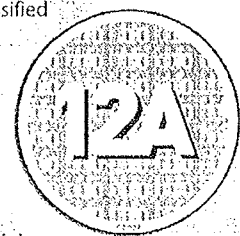
Violence will usually be mild. However there may be moderate violence, without detail, if justified by its context (for example, history, comedy or fantasy).



12A/12 – Suitable for 12 years and over

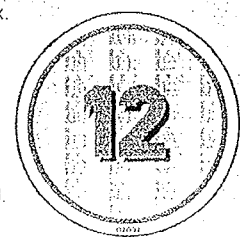
Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12.

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, we recommend that they check the BBFCinsight for that film in advance. No one younger than 12 may rent or buy a 12 rated video work.



Discrimination

Discriminatory language or behaviour must not be endorsed by the work as a whole. Aggressive discriminatory language or behaviour is unlikely to be acceptable unless clearly condemned.



www.bbfc.co.uk/education-resources

Drugs

Misuse of drugs must be infrequent and should not be glamorised or give instructional detail.

Imitable behaviour

No promotion of potentially dangerous behaviour which children are likely to copy. No glamorisation of realistic or easily accessible weapons such as knives. No endorsement of anti-social behaviour.

Language

There may be moderate language. Strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification.

Nudity

There may be nudity, but in a sexual context it must be brief and discreet.

Sex

Sexual activity may be briefly and discreetly portrayed. Moderate sex references are permitted, but frequent crude references are unlikely to be acceptable.

Threat

There may be moderate physical and psychological threat and horror sequences. Although some scenes may be disturbing, the overall tone should not be. Horror sequences should not be frequent or sustained.

Violence

There may be moderate violence but it should not dwell on detail. There should be no emphasis on injuries or blood, but occasional gory moments may be permitted if justified by the context. Sexual violence may only be implied or briefly and discreetly indicated, and its depiction must be justified by context.



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.

Discrimination

The work as a whole must not endorse discriminatory language or behaviour, although there may be racist, homophobic or other discriminatory themes and language.

Drugs

Drug taking may be shown but the work as a whole must not promote or encourage drug misuse (for example, through instructional detail). The misuse of easily accessible and highly dangerous substances (for example, aerosols or solvents) is unlikely to be acceptable.

Imitable behaviour

Dangerous behaviour (for example, hanging, suicide and self-harming) should not dwell on detail which could be copied. Whether the depiction of easily accessible weapons is acceptable will depend on factors such as realism, context and setting.



Language

There may be strong language. Very strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification.

Nudity

There are no constraints on nudity in a non-sexual or educational context. There may be nudity in a sexual context but usually without strong detail.

Sex

Sexual activity may be portrayed, but usually without strong detail. There may be strong verbal references to sexual behaviour, but the strongest references are unlikely to be acceptable unless justified by context. Works whose primary purpose is sexual arousal or stimulation are unlikely to be acceptable.

Threat

There may be strong threat and horror. A sustained focus on sadistic or sexual threat is unlikely to be acceptable.

Violence

Violence may be strong but should not dwell on the infliction of pain or injury. The strongest gory images are unlikely to be acceptable. Strong, sadistic violence is also unlikely to be acceptable. There may be detailed verbal references to sexual violence but the depiction of sexual violence must be discreet and justified by context.

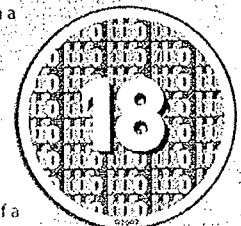


18 – Suitable only for adults

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. Adults should be free to choose their own entertainment. Exceptions are most likely in the following areas:

- where the material is in breach of the criminal law, or has been created through the commission of a criminal offence
- where material or treatment appears to us to risk harm to individuals or, through their behaviour, to society. For example, the detailed portrayal of violent or dangerous acts, or of illegal drug use, which may cause harm to public health or morals. This may include portrayals of sadistic or sexual violence which make this violence look appealing; reinforce the suggestion that victims enjoy sexual violence; or which invite viewer complicity in sexual violence or other harmful violent activities
- where there are more explicit images of sexual activity in the context of a sex work or where the primary purpose of the images in question is sexual arousal

In the case of video works, which may be more accessible to younger viewers, intervention may be more frequent than for cinema films.



Leeds Festival Shorts 2018

Title	Director	Duration	Link	Synopsis	Offensive Language	Sexual Content	Violence	Rating
A Date in 2025	Ryan Turner	13:58	https://vimeo.com/274932890	In the year 2025, a young man's superintelligent AI system tells him that he must go on a date or face certain suicide from loneliness.	Slight	Nil	Nil	12
Bad Deal	Brendan Beachman	02:46	https://vimeo.com/277365307	Derek has a bad day, but we've all been there before, right?	Moderate	Nil	Nil	15
Battle of the Geeks	Alaska	05:54	https://vimeo.com/245384385	A showdown between two geeks turns into a glorious battle royale.	Nil	Nil	Slight	PG
Between the Lines	Kieran Thompson	04:40	https://vimeo.com/239292925	Boy meets girl. Girl swipes left.	Nil	Nil	Nil	U
Cake	Alan Friel	06:19	https://vimeo.com/270902414	A dark comedy about two travellers in a barren landscape.	Slight	Nil	Implied	12
Cautionary Tales	Us	08:05	https://vimeo.com/252209946	A bizarre incident as a young boy left Aaron with an unusual facial disfigurement that has plagued him all his life. Isolated and vulnerable, Aaron seeks comfort in the friendship and understanding of an unexpected group of outcasts.	Nil	Nil	Nil	PG
CURVE	Tim Egan	09:51	https://vimeo.com/221821296	Clinging to a smooth, curved surface high above a sentient abyss, a girl tries to cover the few feet back to safety without losing purchase and falling to her death.	Nil	Nil	Nil	12
Death Metal	Chris McInroy	04:48	https://vimeo.com/240657577	Death Metal is a practical effects driven horror comedy about a metalhead who inherits a satanic guitar that riffs to shreds.	Moderate	Nil	Strong	15
DEATH VAN	Michael Enzbrunner	06:07	https://vimeo.com/233387572	The space-rock duo DEATH VAN tours through a miniature world inhabited by surreal creatures that are haunted by a menacing and mischievous entity.	Nil	Nil	Nil	PG
Don't Tell Me About Your Dreams	Sune Lykke Albinus	15:48	https://vimeo.com/229713700	A love story that portrays a generation growing up with all possibilities to shape their lives and dreams and therefore also sometimes struggle to settle down and make final decisions.	Nil	Strong	Nil	15
Everything's Gonna Be Okay	Matt Soson	13:39	https://vimeo.com/270252170	Two hikers backpacking through the desert stop to face the reality of a dire situation.	Slight	Nil	Nil	12
Happiness	Steve Cutts	04:16	https://vimeo.com/244405542	The story of a rodent's unrelenting quest for happiness and fulfillment.	Nil	Nil	Slight	12
HOLY F__K	Chris Chaiklen	08:49	https://vimeo.com/255388817	HOLY F__K is a darkly erotic and comedic short film about a demon and an exorcist's deadly sexual tangle towards release.	Moderate	Implied	Nil	15
Just Tell Him How You Feel	Joshua Calder	04:49	https://vimeo.com/270933861	A girl finds out the hard way that putting your heart on the line isn't always going to go the way you think it will.	Slight	Nil	Nil	12
La Nuit Je Danse avec la Mort	Vincent Gibaud	06:00	https://vimeo.com/242380204	The psychedelic, violent and liberating experience of young man who takes a drug at a party.	Nil	Mild	Slight	15
Mount Kimbie: Delta	Frank Lebon	04:06	https://vimeo.com/220328022	'We follow Milson Pulse on 21/05/17; the day he is convinced to plan and take part in a robbery lead by his girlfriend. it is also the day Milson goes missing.'	Nil	Nil	Slight	PG
Pink or Blue	Jake Dypka	03:08	https://vimeo.com/223503242	A poetic denouncement of sexism and presumed gender roles.	Slight	Nil	Nil	12
Robot & Scarecrow	Kibwe Tavares	15:23	https://vimeo.com/220442625	When a robot pop princess flees her keeper she runs straight into the arms of a lonely scarecrow desperate for adventure. They spend an incredible night together, caught in a heady vortex of music and magic.	Nil	Nil	Slight	PG
Rone: Wave	Greg Barth	05:03	https://vimeo.com/272629916	Cyber sex, virtual dating & unwanted voyeurs: a dystopian tale of modern loneliness is plagued by connection issues.	Nil	Mild	Nil	15
RUBBER GUILLOTINE	Bryan M. Ferguson	01:11	https://vimeo.com/175552262	"RUBBER GUILLOTINE" follows an angst 17 year old girl who sucker punches her parent's hopes for her future by aspiring to donate her skeleton to gelatine.	Moderate	Nil	Nil	15
SMEAR	Kate Herron	04:09	https://vimeo.com/222402030	Chloe thinks she's just going in for a routine test. Things do not go as planned.	Slight	Nil	Slight	12
TIMBER	Nils Hedinger	05:35	https://vimeo.com/245592750	A group of logs is about to freeze to death in a cold, icy desert. When they realize that the only fuel for a warming fire is their own body, things start heating up.	Nil	Nil	Slight	PG
Where Have All The Good Guys Gone	Crooked Cynics	04:04	https://vimeo.com/242549349	Comedy duo SimpsonVega go head-to-head at a dinner party that takes a nasty turn. Who will come out on top and be the bigger man?	Moderate	Nil	Nil	15

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Leeds Festival – additional shorts

Title	Link	Synopsis	Offensive Language	Sexual Content	Violence	Rating
Crashing Waves. Dir: Emma Gilbertson	<u>Link:</u> https://vimeopro.com/screensouth/all-delivered-films Password: Screen2016 (then type in film title in search)	Two young working class men explore the intimacy and vulnerability of relationships in a combative dance against the backdrop of an inner city estate, risking all under the scrutiny of a tight knit, ever judging community.	Slight	Mild	none	12
What's Wrong with Morris. Dir: Ryan Morris	<u>Link:</u> https://vimeopro.com/screensouth/all-delivered-films Password: Screen2016 (then type in film title in search)	What's wrong with Morris? is an expression of madness surrounding post-traumatic stress, specifically in those who have been in combat situations. The film is an interpretation of the film-maker's feelings of growing up with this madness. The film depicts a surreal portrait of the Morris family sat in front of their television whilst the madness of post traumatic stress consumes their lives	Slight	None	Slight	12
Hunting Miami Sublime. Dir: Joe Chalmers	<u>Link:</u> https://vimeopro.com/screensouth/all-delivered-films Password: Screen2016 (then type in film title in search)	Artist and Director Joe Chalmers presents, in a visual poem, the alternate world of Hunting Miami Sublime: Anachronistic subjectivities dual in a looped, psychokinesis-via-drumstick, surreality of impending demise-by-capital.	None	Mild	implied	12