



## LICENSING SUB-COMMITTEE

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MEETING TO BE HELD IN CIVIC HALL, LEEDS ON  
TUESDAY, 9TH JULY, 2019 AT 10.00 AM

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### MEMBERSHIP

#### Councillors

H Bithell - Kirkstall;  
A Hutchison - Morley North;

Third Member  
to be confirmed

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**Enquiries specific to  
Entertainment Licensing:**

**Matthew Nelson  
Tel No: 0113 37 85337**

**Agenda compiled by:  
Governance and Scrutiny  
Support  
Civic Hall  
LEEDS LS1 1UR  
Tel No: 0113 37 88662**

## **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p style="text-align: center;"><b><u>PRELIMINARY PROCEDURES</u></b></p> <p><b>ELECTION OF THE CHAIR</b></p> <p>To seek nominations for the election for the position of Chair.</p>	
2			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>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>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance and Scrutiny Support at least 24 hours before the meeting)</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – 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><b>LATE ITEMS</b></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/Equal Opportunities	Item Not Open		Page No
5			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></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><b><u>HEARINGS</u></b></p>	
6	Chapel Allerton		<p><b>TEMPORARY EVENT NOTICE FOR CARIBBEAN CRICKET CLUB, SCOTT HALL ROAD, LEEDS, LS7 2EE</b></p> <p>The report of the Chief Officer Elections and Regulatory advises Members that a temporary event notice has been received by the Licensing Authority in respect of Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE.</p> <p>(Report attached)</p>	1 - 26
7			<p><b>CERTIFICATION OF FILMS - EVERYMAN CINEMA, TRINITY SHOPPING CENTRE, LEEDS</b></p> <p>The report of the Chief Officer Elections and Regulatory advises Members of an application for the certification of a film to be shown at Everyman Cinema, Trinity Shopping Centre, Leeds from 12th July 2019.</p> <p>(Report attached)</p>	27 - 52

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<p><b><u>Third Party Recording</u></b></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"> <li>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.</li> <li>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.</li> </ul>	



**Report author: Mrs Emma White**  
0113 378 5029

**Report of the Chief Officer Elections and Regulatory**

**Report to the Licensing Sub Committee**

**Date: Tuesday 9<sup>th</sup> July 2019**

**Subject: Temporary Event Notice for Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Chapel Allerton		
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:		

**Summary of Main Issues**

This report advises Members that a temporary event notice has been received by the Licensing Authority in respect of Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE.

The notice is submitted to authorise licensable activities during the Leeds West Indian Carnival.

Both West Yorkshire Police and Leeds City Council Environmental Protection Team have served an objection notice on the grounds of the prevention of public nuisance.

This application was originally scheduled for hearing on the 18th June 2019. Due to work commitments however, the TEN user and premises representatives were unable to remain at the Civic Hall whilst other applications were heard. The committee agreed to adjourn the meeting to ensure a fair hearing and provide the TEN user with an opportunity to address the sub-committee directly.

Members of the Licensing Sub Committee are required to consider the temporary event notice, and objection notices, from the above responsible authorities.

## **1 Purpose of this Report**

- 1.1 To advise Members of a temporary event notice served under section 100 of the Licensing Act 2003 ("the Act") in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of objection notices from both West Yorkshire Police and the Environmental Protection Team.

## **2 History of Premises**

- 2.1 These premises currently have the benefit of a Club Premises Certificate issued under the Licensing Act 2003, authorising the supply of alcohol to members of the club and their bonafide guests only. A copy of the Club Premises Certificate can be found attached at Appendix A.

## **3 The Temporary Event Notice**

- 3.1 The proposed premises user is Mrs Diane Louise Flemming.
- 3.2 A redacted copy of the temporary event notice is attached at **Appendix B**.
- 3.3 In summary, the temporary event notice is for:

Activities applied for:     The sale by retail of alcohol  
  The provision of regulated entertainment  
  The provision of late night refreshment

The dates and hours:     From 23:00 hours on Saturday 24th August until 04:00  
  hours on Sunday 25th August 2019.

Specified maximum capacity of the event 499.

- 3.4 A map showing the location of the premises can be viewed at **Appendix C**.

## **4 Representations**

- 4.1 West Yorkshire Police and LCC Environmental Protection Team have received a copy of the notice.
- 4.2 West Yorkshire Police and Environmental Protection Team consider that allowing the premises to be used in the manner set out in the temporary event notice, will undermine the prevention of public nuisance and have subsequently issued an objection notice.
- 4.3 A copy of the objection notice by West Yorkshire Police is attached at **Appendix D**.
- 4.4 A copy of the objection notice by Environmental Protection Team is attached at **Appendix E**.

## **5 Equality and diversity implications**

- 5.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in



accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

## **6 Options Available to Members**

6.1 The Licensing sub-committee must take such of the following steps as it considers appropriate to promote the licensing objectives:

- Issue a counter notice against the event in order to prevent the event from taking place;
- If the premises benefits from a premises licence/club premises certificate, attach relevant conditions which are attached to that premises licence; or
- Allow the event to take place.

6.2 Members of the Licensing Sub Committee are asked to note that they may only attach conditions that are present on the premises licence/club premises certificate, and relevant to the activities stated on the temporary event notice.

## **7 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy

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## **Club Premises Certificate**

Appendix A

### **Part A Schedule 13 Licensing Act 2003**

#### **Club Details**

#### **Name of club in whose name this certificate is granted and relevant postal address of club**

Caribbean Cricket Club, Scott Hall Oval, Scott Hall Road, Leeds, LS7 2EE

#### **Qualifying club activities authorised by this certificate**

Supply of alcohol, Performance of live music, Performance of recorded music, Performance of dance, Entertainment similar to live music, recorded music or dance,

#### **Times the certificate authorises the carrying out of licensable activities**

##### *Supply of alcohol*

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

##### *Performance of live music*

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

Location of activity: Indoors

##### *Performance of recorded music*

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

Location of activity: Indoors

##### *Performance of dance*

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

Location of activity: Indoors

##### *Entertainment similar to live music, recorded music or dance*

Monday to Saturday	11:00 - 23:00
Sunday	12:00 - 22:30

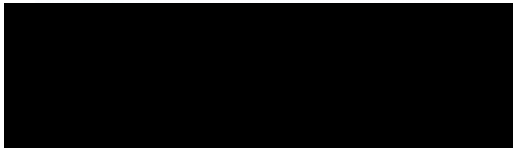
Location of activity: Indoors

#### **Opening hours of the club**

The hours of licensable activities for the premises are as above. There are no regulated opening hours for non-regulated activities.

Alcohol is supplied for consumption on and off the premises

Certificate issued under the authority of Leeds City Council



Miss Philomena Carville  
Principal Licensing Officer  
Entertainment Licensing  
Licensing and Registration

## Annex 1 – Mandatory Conditions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- a. games or other activities which require or encourage, or are designed to require or encourage individuals to -
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee other public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  3. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- a. a holographic mark, or
  - b. an ultraviolet feature.
4. The responsible person must ensure that -
    - a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
      - i. beer or cider: ½ pint;

- ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml;
  - b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and
  - c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

- a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- b. "permitted price" is the price found by applying the formula  $P = D + (D \times V)$  where -
  - i. P is the permitted price,
  - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
  - i. the holder of the premises licence,
  - ii. the designated premises supervisor (if any) in respect of such a licence, or
  - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Embedded restrictions**

- 6. Unless stated elsewhere on this certificate, alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:
  - a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11am to 11pm.
  - b. On Sundays, other than Christmas Day or New Year's Eve, 12noon to 10.30pm.
  - c. On Good Friday, 12noon to 10.30pm.

- d. On New Year's Eve, except on a Sunday, 11am to 11pm.
- e. On New Year's Eve on a Sunday, 12noon to 10.30pm
- f. On Christmas Day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:
  - i. not exceed six and a half hours;
  - ii. not begin earlier than 12noon;
  - iii. not end later than 10.30pm
  - iv. provide for a break of at least 2 hours, including 3pm to 5pm;
  - v. not extend for more than three and a half hours after 5pm.
- g. On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day(or, if there are no permitted hours on the following day, midnight on 31st December).

7. The above restrictions do not prohibit:

- a. during the first twenty minutes after the above hours, the consumption of the alcohol on the premises;
- b. during the first twenty minutes after the above hours, the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- c. during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied as ancillary to the meals;
- d. the supply to, or consumption by, any person of alcohol in any premises where they are residing.

8. Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal.

**Annex 2 – Conditions consistent with the operating schedule**

None

**Annex 3 – Conditions attached after a hearing by the licensing authority**

None

**Annex 4 – Plans**

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council licensing authority.

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TEN/01321/19

# Appendix B



Leeds  
Temporary Event Notice  
Licensing Act 2003

For help contact  
entertainment.licensing@leeds.gov.uk  
Telephone 0113 2474095

\* required information

## Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number



Include country code

- Indicate here if you would prefer not to be contacted by telephone

Are you

- Applying as a business or organisation including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed or for some other personal reason such as following a hobby.

Continued from previous page

**Your Address**

Address official correspondence should be sent to

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country



**Section 2 of 9**

**APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)**

Have you had any previous or maiden names?

Yes

No

Enter details of any previous names or maiden names

First name

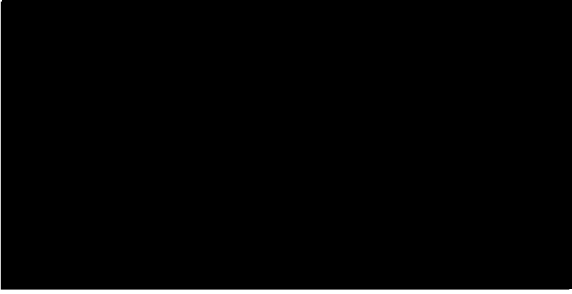
Diane

Family name



Add another previous name

\* Your date of birth



Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance

Place of birth

Continued from previous page

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

Yes  No

If 'Yes' is selected you can re-use the details from section one or amend them as required. Select "No" to enter a completely new set of details

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Additional Contact Details**

Are the contact details the same as in section one?

Yes  No

If 'Yes' is selected you can re-use the details from section one, or amend them as required. Select No to enter a completely new set of details

E-mail

Telephone number

Other telephone number

**Section 3 of 9**

**THE PREMISES**

I, the proposed user hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (See also guidance on completing the form, note 2)

\* Does the premises have an address?

Yes  No

Continued from previous page

**Address**

Is the address the same as (or similar to) the address given in section one?

If Yes is selected you can re-use the details from section one, or amend them as required. Select No to enter a completely new set of details

Yes  No

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither  Premises licence  Club premises certificate

\* Club premises certificate number

**Location Details**

\* Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Describe the nature of the event below (see also guidance on completing the form, note 5)

Continued from previous page

**Section 4 of 9**

**LICENSABLE ACTIVITIES**

State the licensable activities that you intend to carry on at the premises  
(see also guidance on completing the form, note 6)

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(See also guidance on completing the form, note 7)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event  
(See also guidance on completing the form, note 8)

**Event Dates**

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities

State the dates on which you intend to use these premises for licensable activities  
(see also guidance on completing the form, note 9)

Event start date            

24	/	08	/	2019
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days

Event end date            

25	/	08	/	2019
dd		mm		yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

24 08 19 (11 00pm) - 25 08 19 (04 00 am)
--

(see also guidance on completing the form, note 10)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities including any staff organisers or performers

499
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Note that the maximum number of people cannot exceed 499

(see also guidance on completing the form, note 11)

Continued from previous page

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises or both  
(see also guidance on completing the form, note 12)

- On the premises only  
 Off the premises only  
 Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)**

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

11 00pm (24 08 2019) - 04 00am (25 08 2019)

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)**

Do you currently hold a valid personal licence?  Yes  No

Provide the details of your personal licence below

Issuing licensing authority

Licence number

Date of issue   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)**

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No

*Continued from previous page*

Have you already given a temporary event notice for the same premises in which the event period

- a) Ends 24 hours or less before, or  
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes  No

**Section 8 of 9**

**ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)**

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

State the total number of temporary event notices your associate(s) have given for events in the same calendar year

Has any associate of yours already given a temporary event notice for the same premises in which the event period

- a) Ends 24 hours or less before, or  
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes  No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

*Continued from previous page*

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period

Yes  No

- a) Ends 24 hours or less before, or
- b) Begins 24 hours or less after the event period proposed in this notice?

**Section 9 of 9**

**CONDITION (See also guidance on completing the form, note 18)**

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21.

**DECLARATION (See also guidance on completing the form, note 19)**

- \* The information contained in this form is correct to the best of my knowledge and belief
- \* I understand that it is an offence to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale, and
- I understand that it is an offence to permit an unauthorised licensable activity to be carried on at any place and that a
- \* person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following

- 1 Save this form to your computer by clicking file/save as
- 2 Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/leeds/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand

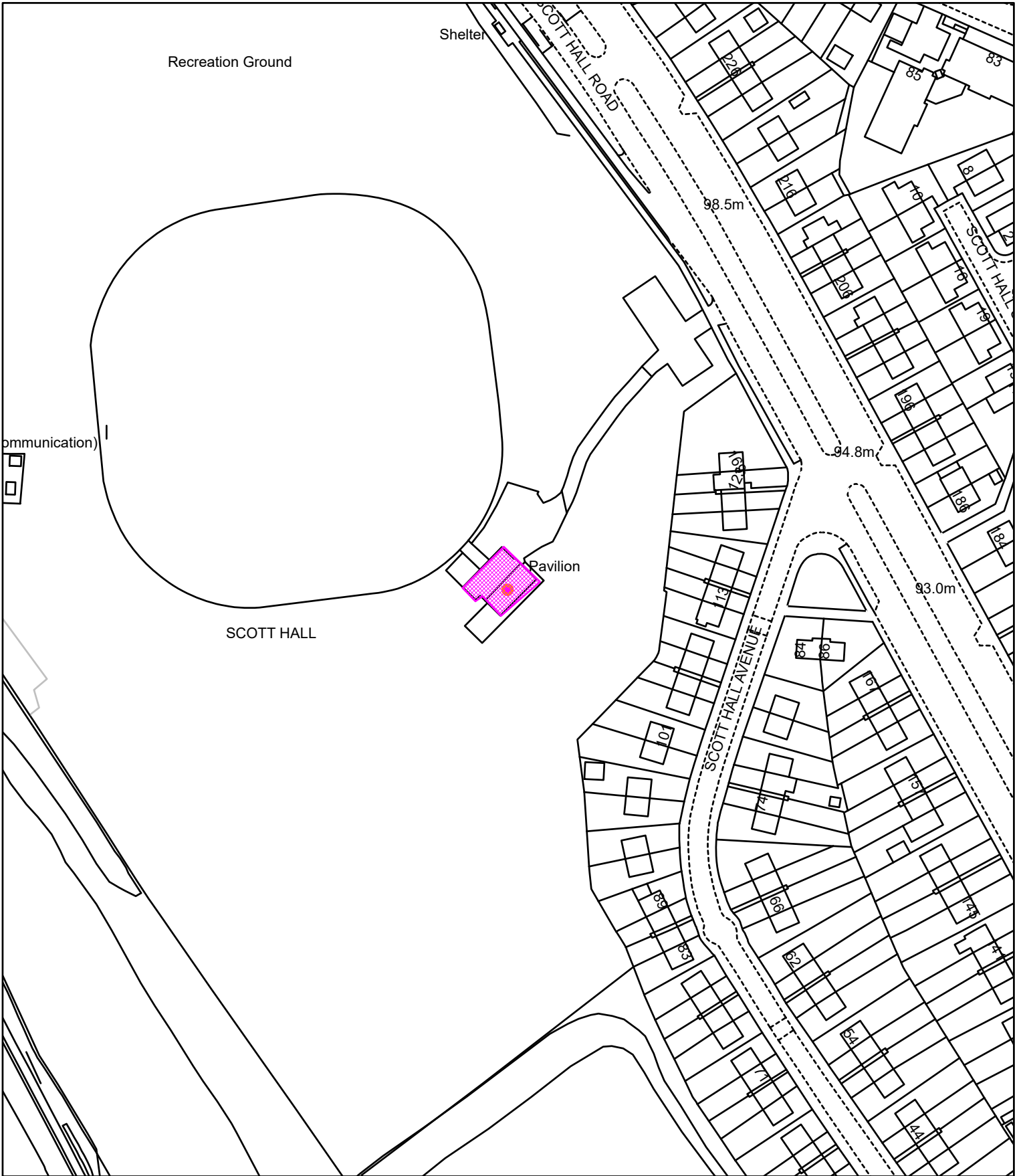


**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) Next >

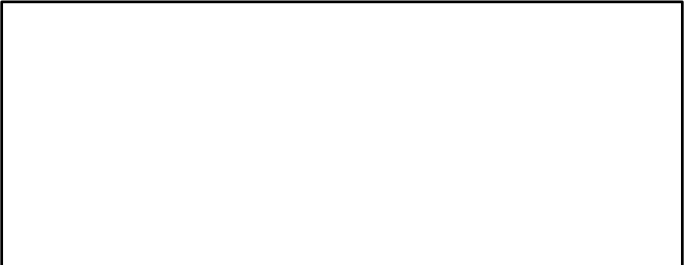
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This map is based upon the Ordnance Survey's digital data with the permission of the Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office

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**NOT PROTECTIVELY MARKED**

Leeds District Licensing Department  
 First Floor  
 Elland Road DHQ  
 Elland Road  
 Leeds  
 LS11 8BU

Tel: 0113 3859414

12<sup>th</sup> June 2019

Dear Sir/Madam

cc. Entertainment Licensing Section Leeds City Council Civic Hall Leeds LS1 1UR.  
 cc. Health & Environmental Action Service – Leeds City Council Millshaw Park Way LS11 0LS

**NOTICE OF OBJECTION BY A RELEVANT PERSON  
 TO TEMPORARY EVENT NOTICE  
 SECTION 104(2) as amended – LICENSING ACT 2003**

**PREMISES: Caribbean Cricket Club, Scott Hall Road, For Carnival Party**

Your temporary event notice was recently received by West Yorkshire Police for the above address between 24<sup>th</sup> and 25<sup>th</sup> August 2019 23:00hrs to 04:00hrs. The notices relate to licensable activities at the premises to host a Leeds West Indian Carnival Party.

I, **PC Andy CLIFFORD for West Yorkshire Police**, hereby give you notice that I intend to object to your temporary event notices.

West Yorkshire Police are satisfied that allowing the premises to be used in accordance with the notice would undermine the licensing objective "**prevention of public nuisance**".

You have attended meetings regarding the Leeds West Indian Carnival where other members of the community have been present. One of the concerns raised in these meetings was the level of noise associated with some of the parties going in to the early hours of the morning, affecting people's ability to sleep.

Being part of these meetings, you are aware of the impact it has had on local residents in the past. The cricket club is located very close to a number of residential properties and my concern is that this event will have a huge impact on those residents in the early hours of the morning.

**NOT PROTECTIVELY MARKED**

## **NOT PROTECTIVELY MARKED**

West Yorkshire Police therefore formally make representations against this temporary event notice for undermining the prevention of public nuisance. West Yorkshire Police therefore ask the presiding sub-committee at any future hearing to give the premises user a counter notice in promotion of the licensing objectives, under Section 105 Licensing Act 2003.

**PC 4198 Andy CLIFFORD**  
**Leeds District Licensing Officer.**  
**West Yorkshire Police**

**NOT PROTECTIVELY MARKED**



Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR

Environmental Protection Team  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS

Contact: Ruth Turner  
Tel: 0113 378 6568  
epteam@leeds.gov.uk  
Our reference: RT CCC TEN Object  
13 June 2019

Dear Sir/Madam

**Notice of formal Objection - TEN/01321/19  
Licensing Act 2003  
Tens Received on the 10<sup>th</sup> June 2019 for Licensed Activities at Caribbean Cricket  
Club, Scott Hall Road, For Carnival Party**

We have recently received notification of a temporary event for the 24<sup>th</sup> to 25<sup>th</sup> August 2019. This notification is for an event to host a Leeds West Indian Carnival Party to be held at the above address and is for the sale and supply of alcohol, the provision of regulated entertainment and the supply of late night refreshment from 11pm to 4am.

The premises is a cricket club which benefits from a club premises certificate and is open to members and guests for their use between the hours of 11am and 11pm. The club is situated close to residential premises with the closest being situated behind the club house on Scott Hall Avenue. There are also residential premises nearby on Scott Hall Road, Potternewton Crescent and Scottwood Lane. The event organiser has applied to host a Leeds West Indian Carnival Party which would start at 11pm and continue until 4am with a maximum capacity of 499 people and would be for the benefit of the public in general and not restricted wholly to club members. I have concerns that local residents will be severely affected by noise from loud music emanating from the premises and also noise from patrons coming and going in to the early hours of the morning and will severely impact on their ability to sleep.

This Department therefore has concerns that this application will undermine the licensing objective for the prevention of public nuisance should this proposed event take place and thus is formally serving notice that we object to this TEN.

Yours faithfully

Ruth Turner  
Team Manager – Environmental Health



## Report of the Chief Officer Elections and Regulatory

### Report to the Licensing Sub Committee

Date: 9<sup>th</sup> July 2019

Subject: Certification of Films – Everyman Cinema, Trinity Shopping Centre, Leeds

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Little London and Woodhouse	
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 a film to be shown at Everyman Cinema, Trinity Shopping Centre, Leeds from 12<sup>th</sup> July 2019.

### 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 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 films which are 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 An application has been received from Everyman Cinema to have a film certified as it is not currently certified by the BBFC. The uncertified film is to be shown at the Everyman Cinema, Trinity Shopping Centre, Leeds. These premises are currently licensed under the Licensing Act 2003 for Films.

3.2 The details of the film requiring classification:

### ***The White Storm 2 - Drug Lords***

**Synopsis (Short):** A former triad member-turned-property tycoon (Lau) offers a \$100 million bounty to eliminate the number one drug dealer in Hong Kong (Koo), who has recently upped his business by collaborating with Mexican drug lords. The bounty sets off a shootings frenzy and a battle of minds between the two titans.

**Synopsis (Long):** There is an iron rule in the Ching Hing Gang: No drug dealing. The gang leader, Yu Nam (by Kent Cheng), has two right-hand men: one is Tin (by Andy Lau), a bright and sober adherent of principles and loyalty; the other is Dizang (by Louis Koo), a cold-blooded smart man who secretly runs a drug business without Nam's knowledge.

Ordered by the top leader, Tin taught Dizang a lesson by cutting off one of his fingers and expelled him from the gang. On the same night, policeman Fung (by Michael Miu)'s wife was killed in Dizang's nightclub during an operation. Meanwhile, Tin swore to change sides after his beloved girlfriend walked out of his life.

15 years later, the local drug market is now quadripartite. Dizang becomes the biggest drug dealer in Hong Kong; while Tin has now established himself as a financial tycoon and a philanthropist, and is offering a \$100 million bounty to eliminate the No.1 drug dealer in Hong Kong. It causes a stir in both the society and the underworld. Inevitably, a battle between the two tycoons is underway!

Trailer: <https://vimeo.com/343431921>

3.3 Everyman Cinema has suggested a classification of 15 for this film. A representative from the Cinema will attend the hearing to give additional details of the film.

## **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.

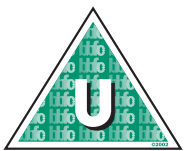
## **6.0 Recommendations**

6.1 Members are requested to consider this request for the certification of the film.

6.2 Members may take the decision to view the film prior to the issue of a certificate

## **7.0 Options available to Members**

7.1 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.



# Classification Guidelines

# Contents

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<b>8</b>	<b>General classification considerations</b>	<b>28</b>	<b>R18</b>
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<b>16</b>	<b>The classification categories</b>	<b>34</b>	<b>Appeals, advice viewings and feedback</b>
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## The British Board of Film Classification (BBFC) is an independent, non-governmental, not-for-profit, co-regulatory body. Our classification function is funded through fees charged to those who submit films and video works for classification.

We classify:

- films, trailers and advertisements on behalf of local authorities who license cinemas under the Licensing Act 2003<sup>1</sup>
- video works distributed on physical media under the Video Recordings Act 1984
- video works which are distributed over the internet under a voluntary, self-regulatory service
- commercial and internet content distributed via mobile networks under a voluntary, self-regulatory service

In addition to our classification functions, we are designated as the age-verification regulator under Part 3 of the Digital Economy Act 2017. The BBFC's responsibilities under this Act include:

- making sure that online commercial pornography services carry age-verification controls
- providing guidance on what kind of age-verification arrangements will ensure that these services comply with the law
- taking enforcement action against online pornographic services that do not carry effective age-verification and/or those that contain extreme pornographic material (as defined under UK law) which is illegal to possess

<sup>1</sup>Since 31 March 2016 the BBFC has sub-contracted the assessment of cinema advertisements for commercial goods and services to the Cinema Advertising Association, while retaining responsibility for classifying all feature films, trailers, public information films and charity campaigns.

Our Classification Guidelines follow an extensive public consultation to which more than 10,000 people contribute across the UK, as well as other research, expert advice and our accumulated experience over many years. The Guidelines, and our practice in applying them, pay particular attention to changes in public taste, attitudes and concerns, and changes in the law. They also take account of new evidence from research and expert sources. The Guidelines are reviewed every four to five years, and how we apply them is reviewed when necessary.

We take responsibility for the Guidelines and for their interpretation. This responsibility is subject to the normal considerations of fairness and reasonableness.

Here, and throughout the Guidelines, video works are taken to include films and programmes released on DVD or Blu-ray, or distributed by means of download or streaming on the internet.

The Guidelines cannot be a comprehensive account of everything that may at any time be of concern. If issues arise which are not specifically covered here, they will be dealt with by us on their merits and in line with the standards expressed and implied in these Guidelines. The Guidelines are not a legal document and should be interpreted in the spirit of what is intended as well as in the letter.

We will provide guidance on the interpretation of these Guidelines on request and their application to particular films.





# Guiding principles

## Our guiding principles are:

- to protect children and vulnerable adults from potentially harmful or otherwise unsuitable media content
- to empower consumers, particularly parents and those with responsibility for children, to make informed viewing decisions

We fulfil these roles chiefly by providing age classifications and publishing advice (known as ratings info) for individual films and videos. Ratings info gives a detailed breakdown of the issues that result in a particular classification, as well as other issues likely to be of relevance to viewers.

Our extensive research into public opinion guides us as we seek to ensure that classification decisions generally reflect public sensibilities and expectations as these change over time. We seek to ensure that films and videos reach the widest audience that is appropriate for their theme and treatment.

While media effects research and expert opinion can provide valuable insights, it can be inconclusive or contradictory on issues of suitability and harm. In such cases we must rely on our own experience and expertise to make a judgement as to the suitability of a work for classification at a particular age category, taking into consideration whether the availability of the material, to the age group concerned, is clearly unacceptable to broad public opinion.

We do this without infringing the right of adults to choose what they view provided that it remains within the law and is not potentially harmful.

In relation to harm, we will consider whether the material, either on its own, or in combination with other content of a similar nature, may cause any harm at the category concerned. This includes not just any harm that may result from the behaviour of potential viewers, but also any moral or societal harm that may be caused by, for example, desensitising a potential viewer to the effects of violence, degrading a potential viewer's sense of empathy, encouraging a dehumanised view of others, encouraging anti-social attitudes, reinforcing unhealthy fantasies, or eroding a sense of moral responsibility. Especially with regard to children, harm may also include impairing social and moral development, distorting a viewer's sense of right and wrong, and limiting their capacity for compassion.

We will not classify material which is in conflict with the criminal law, and we will have regard to whether the material has arisen from the commission of an unlawful act.

We act as a regulator across the United Kingdom. However, the UK does not have a single legal system, and so we take account of the different legal systems that coexist in the UK. Further details about the applicable legislation can be found in the Annexe – legal considerations.



# General classification considerations

**There are general factors that may influence a classification decision at any level and in connection with any issue. These factors are of particular importance when a work lies on the borderline between two age categories.**

## Context

We consider the context in which an issue (such as sex, language or violence) is presented within a film or video. In doing this we take account of factors such as the setting of a work (historical, fantasy, realistic, contemporary); the manner of presentation (for example, an aggressive and directed use of bad or discriminatory language may result in a higher classification than a light-hearted and self-referential use of the same term); the apparent intention of the film; the original production date of the work (for example, outdated attitudes might be considered less offensive, and consequently classified at a lower category, in an old, obviously dated, work); the expectations of the likely audience; and any special merits of the work.

## Theme

Classification decisions will take into account the theme of a work, but will depend significantly on the treatment of that theme, and especially the sensitivity of its presentation. The most challenging themes (for example, sexual violence, paedophilia and suicide) are unlikely to be appropriate at the lowest levels of classification (U or PG). However, there is no reason in principle why most themes, however difficult, could not be presented in a manner which allows classification at 18 or even, where suitable, at lower levels. Classification decisions are likely to be less restrictive where difficult themes are handled in a reassuring and age appropriate manner, or where there is a positive outcome. Classification decisions are likely to be more restrictive where difficult themes are handled in a manner likely to create or reinforce anxiety.

## Tone and impact

The overall tone of a work may also affect the classification decision. While the presentation of specific issues, such as sex and violence, may not be problematic at a particular category, a work with a dark or unsettling tone may receive a higher classification. Other tonal considerations which might have an influence on classification include the extent to which the work presents a despairing view of the world, or the extent to which transgressive or harmful behaviour is condoned or made to appear normal.

We take into account the impact of a work (i.e. how it makes the audience feel), for example the presentation of credible real world scenarios about which viewers, especially younger viewers, are likely to be anxious (e.g. terrorism, abduction, suicide, self-harm). We also take account of audience expectations regarding genre, for example in relation to horror films where threat may be more significant than the level of violence, or in the case of action films, where viewers are likely to have certain expectations regarding the type of highly choreographed and unrealistic violence they are likely to contain.

Where multiple classification issues are present in the same work, this may produce a cumulative impact that makes a higher classification more appropriate.



# Specific classification considerations

**This section of the Guidelines identifies concerns which apply, to a greater or a lesser degree, at all classification levels, and sets out the general approach that we take. The concerns are listed in alphabetical order.**

**Pages 18 to 28 of the Guidelines provide specific guidance for U through to R18 with regard to such concerns. This should be read together with the General classification considerations.**

## **Dangerous behaviour**

Classification decisions will take into account any detailed portrayal of criminal and violent techniques, and glamorisation of easily accessible weapons, such as knives. Works which portray anti-social behaviour (for example, bullying) uncritically are likely to receive a higher classification. Works which, taken as a whole, actively promote illegal behaviour may be cut or refused a classification.

Portrayals of potentially dangerous behaviour (especially relating to suicide, self-harm and asphyxiation) which children and young people may potentially copy, will be cut if a higher classification is not appropriate. The relative ease and likelihood of imitation are also considered.

Classification decisions may be less restrictive where the risks of any dangerous behaviour are likely to be obvious to the intended audience, or where material is intended to educate younger viewers about dangers. Classification decisions will be more restrictive where novel information is presented (for example, about specific suicide techniques), where harmful behaviour is glamorised, or where risks are not made clear.

## **Discrimination**

Potentially offensive content relating to matters such as race, gender, religion, disability or sexuality may arise in a wide range of works, and the classification decision will take account of the strength or impact of their inclusion. The context in which such content may appear also has a bearing. Works with such content may receive a lower category where discriminatory language and behaviour is implicitly or explicitly criticised; or the work has a historical setting within which outdated attitudes or outmoded expressions would be expected; or the work is obviously dated, with little or no appeal to children; or the work seeks to challenge discriminatory attitudes and assumptions. Works with such content may receive a higher category where discriminatory language and behaviour is accompanied by threat or violence; or where there is a clear power imbalance; or where such behaviour is left unchallenged; or where discriminatory attitudes and assumptions are normalised. Where discriminatory language or behaviour occurs, this will normally be indicated in ratings info.

## **Drugs**

No work taken as a whole may promote the misuse of drugs and any detailed portrayal of drug misuse likely to promote the activity may be cut. Works which normalise or glamorise drug misuse are likely to receive a higher classification than works which show drug misuse while emphasising the dangers.

Where smoking, alcohol abuse or substance misuse feature to a significant extent in works which appeal to children, this will normally be indicated in ratings info. Classification decisions will also take into account any promotion or glamorisation of such activities.

## **Language**

Language which people may find offensive includes the use of expletives with a sexual, religious or racial association, derogatory language about minority groups and commonly understood rude gestures. The extent of offence may vary according to age, gender, race, background, beliefs and expectations brought by viewers to the work as well as the context in which the word, expression or gesture is used.

For these reasons, it is impossible to set out comprehensive lists of words, expressions or gestures which are acceptable at each category. The advice at different classification levels, therefore, provides general guidance taking account of the views expressed in public consultation exercises.

## **Nudity**

Nudity with no sexual context is in principle acceptable at all classification levels, but will not generally occur more than occasionally at U.

Nudity with a sexual context will receive a higher classification. Where the principal purpose of depicting nudity is to sexually arouse it will usually only be passed at the adult categories (18 or R18).



## Specific classification considerations continued

### Sex

The portrayal of sexual activity can range from kissing to detail of unsimulated sex. The normalisation of overtly sexualised behaviour is a concern at the junior categories (U, PG and 12A/12). The classification system allows progressively stronger portrayals of sexual behaviour as the categories rise.

Sex works (works whose primary purpose is sexual arousal or stimulation) will only be passed at 18 or R18.

We will apply these Guidelines in relation to sex to the same standard regardless of sexual orientation of the activity portrayed.

### Sexual violence and sexual threat

Depictions of the stronger forms of sexual violence, including rape, are not permitted at the junior categories.

When considering scenes of sexual violence, aggravating factors include:

- the presence of a gang dynamic (e.g. a 'gang rape' scene)
- a focus on the victim being overpowered or powerless
- prolonged, detailed or gratuitous depiction
- an emphasis on nudity
- an emphasis on the pleasure of the attacker

- a strong emphasis on the distress and fear of the victim

- a credible 'real world' setting

- a protracted build-up of sexual threat

Mitigating factors include:

- brevity and lack of detail

- a clear educational message aimed at young people

- a strong narrative justification

We may refuse to classify content which makes rape or other non-consensual sexually violent behaviour look appealing or acceptable, reinforces the suggestion that victims enjoy such behaviour, or invites viewer complicity in such behaviour.

References to sexual violence are likely to be treated less restrictively than depictions of sexual violence, although any references at the junior categories will generally be oblique or undetailed.

Sexual threat and abusive behaviour are not permitted at the lowest levels of classification and will only be permitted at 12A/12 if brief and negatively presented.

### Threat and horror

Where films are targeted at a younger audience, classification decisions will take into account factors such as the frequency, length and detail of scary or otherwise unsettling scenes as well as factors such as the impact of music and sound, and whether there is a swift and reassuring outcome.

The classification of threat and horror will take account of the general tone, impact, realism and supernatural elements of a work as well as the level of detail in individual scenes. Fantasy settings or the inclusion of humour may be mitigating factors. The presentation of 'real world' issues and fears may be an aggravating factor.

### Violence

Classification decisions will take account of the degree and nature of violence in a work.

Works which feature the following are likely to receive a more restrictive classification:

- portrayal of violence as a normal solution to problems
- heroes who inflict pain and injury
- callousness towards victims
- the encouragement of aggressive attitudes
- characters taking pleasure in pain or humiliation
- the glorification or glamorisation of violence
- gratuitous violence
- violence presented in a credible and realistic context (e.g. gang violence, domestic violence)

Works which feature the following are likely to be treated less restrictively:

- violence in a historical context
- violence in an action or fantasy context
- violence that lacks detail
- violence that looks unreal, fake or overly staged
- comic violence
- violence that is challenged or punished
- violence in a context where it is likely to be expected by the intended audience

We are unlikely to classify content which is so demeaning or degrading to human dignity (for example, it consists of strong abuse, torture or death without any significant mitigating factors) that it may pose a harm risk.

# Other matters

## Education videos

When classifying an education video, including a sex education video, for use in schools, we will take account of the educational purpose of the video and the context in which it is to be viewed (for example in the classroom mediated by a teacher).

## Music videos

In addition to the usual issues, the classification of a music video will take account of any elements which are of particular concern to parents, including glamorisation of behaviour which they consider inappropriate such as drug misuse or sexualised behaviour. Where music videos are short and self-contained, material may be less likely to be justified by context.

## Photo or pattern sensitivity, motion sickness and reactions to low frequency sound

A small number of viewers are sensitive to flashing and flickering light, or some shapes and patterns, and may experience seizures or other serious physical effects. Some viewers experience feelings of motion sickness or other symptoms when viewing works which feature hand held or otherwise moving camerawork, or which feature very low frequency sounds.

It is the responsibility of film makers and distributors to identify works in which such issues arise and to ensure that, when required, appropriate warnings are given to viewers. However, if it is obvious during viewing that the work contains strong examples of such imagery

or sounds, we will advise the distributor of the need to ensure that appropriate warnings are in place. Where necessary, we may require assurances regarding the display of appropriate warnings as a condition of classification.

## Release format

Classification decisions may be stricter on video works than on film. This is because of the increased possibility of under-age viewing as recognised in the Video Recordings Act (see Annexe), as well as the increased possibility of works being replayed or sections viewed out of context. Accordingly, a video work (either packaged or online) may occasionally receive a higher classification than on film, or require new or different cuts. (Video works may also receive a higher classification because they contain additional content.)

The screen format or visual presentation of a submission may also alter a classification, for example, if the image has been processed in the 3D format, or is shown with an altered aspect ratio such as on an IMAX screen, or if the work is experienced as a piece of immersive linear VR (virtual reality).

## Titles

We will require changes as a condition of classification if the title of a work incites racial or religious hatred, or other criminal behaviour, or encourages an interest in abusive or illegal sexual activity.

If the title of a work is likely to cause significant offence to a significant number of people if displayed in a public place, we will advise the distributor to consider carefully the places in which it is likely to be seen and to take appropriate action, for example, by obscuring certain words on packaging or marketing materials. (This advice is not given in relation to video works classified R18 as such works may only be supplied or offered for supply in a licensed sex shop.)

## Trailers and advertisements

Audiences may choose to see a full-length feature based on expectations of the particular genre at the given classification and on the published ratings info. In contrast, audiences have no choice, and often no expectation, about the accompanying trailers or advertisements which may be very different in tone and content to the film the audience has chosen to view. In addition, because trailers and advertisements are short and self-contained, material is less likely to be justified by context and more likely to cause offence.

For these reasons, classification decisions for trailers and advertisements may be more restrictive than for equivalent material in a main feature. Strong language will not be allowed in trailers at the U, PG and 12A/12 categories. Strong language may be permitted in trailers at 15, unless significantly aggravated by other factors. Infrequent very strong language may be permitted in trailers at 15 but usually only where there are mitigating factors such as a comic context.

The more restrictive approach set out above may be relaxed where an advertisement is part of a public information campaign or has a charitable purpose.

Cinemas are responsible for the exhibition of cinema trailers and advertisements, and we have no involvement in deciding which films they precede. Questions or complaints about the exhibition of trailers or advertisements should be directed to the cinema management in the first instance.

## Video games

With a few limited exceptions we do not classify video games. We consider for classification those video games contained on discs which feature primarily linear video content and any pornographic video games.

We also advise the video games authority on the classification of linear video footage contained in games which is not integral to the game. This includes, for example, rewards and video content in games which is designed to be viewed in its own right, without taking forward the narrative drive of the game.

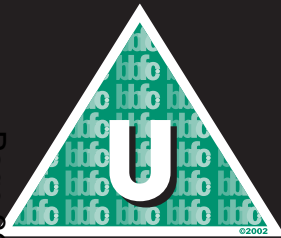
## Virtual reality

The BBFC is responsible for classifying linear VR (virtual reality) content whereas the video games authority is responsible for classifying non-linear VR content.

# The classification categories

We endeavour to classify submitted works in one of the following categories:

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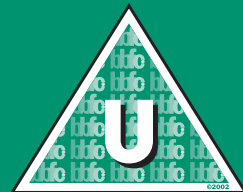


The following pages set out guidance on how the specific classification considerations (for example, sex and violence) are applied from U through to R18. The criteria should be read in combination with the general approach set out earlier under ‘Guiding principles’, ‘General classification considerations’ and ‘Specific classification considerations’.

Because works from time to time present issues in ways which cannot be anticipated, these criteria will not be applied in an over-literal way if such an interpretation would lead to an outcome which would confound audience expectations.

# 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.**

## **Dangerous behaviour**

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

## **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.

## **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 and horror**

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).



# 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.**

## **Dangerous 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.

## **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.

## **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 and horror**

Frightening sequences or situations where characters are in danger should not be prolonged or intense. Fantasy settings and comedy may be mitigating factors.

## **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 ratings info for that film in advance.**

**No one younger than 12 may rent or buy a 12 rated video work.**

## **Dangerous 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.

## **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.

## **Drugs**

Misuse of drugs must be infrequent and should not be glamorised or give detailed instruction.

## **Language**

There may be moderate bad 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.

## **Sexual violence and sexual threat**

There may be verbal references to sexual violence provided they are not graphic. The stronger forms of sexual violence, including rape, may only be implied and any sexual threat or abusive behaviour must be brief and negatively presented.

## **Threat and horror**

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.





# 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.**

### **Dangerous behaviour**

Dangerous behaviour (for example, suicide, self-harming and asphyxiation) 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.

### **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 detailed instruction). The misuse of easily accessible and highly dangerous substances (for example, aerosols or solvents) is unlikely to be acceptable.

### **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. Sexual nudity may be permitted but strong detail is likely to be brief or presented in a comic context.

### **Sex**

Sexual activity may be portrayed, but usually without strong detail. There may be strong verbal references to sexual behaviour. Repeated very strong references, particularly those using pornographic language, are unlikely to be acceptable. Works whose primary purpose is sexual arousal are unacceptable.

### **Sexual violence and sexual threat**

There may be strong verbal references to sexual violence but any depiction of the stronger forms of sexual violence, including rape, must not be detailed or prolonged. A strong and sustained focus on sexual threat is unacceptable.

### **Threat and horror**

There may be strong threat and horror. A sustained focus on sadistic 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.



# 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 violence, rape or other non-consensual sexually violent behaviour which make this violence look appealing; reinforce the suggestion that victims enjoy rape or other non-consensual sexually violent behaviour; or which invite viewer complicity in rape, other non-consensual sexually violent behaviour or other harmful violent activities
- where there are more explicit images of sexual activity in the context of a sex work (see right)

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

#### **Sex works at 18**

Sex works are works whose primary purpose is sexual arousal or stimulation. Sex works containing only material which may be simulated are generally passed 18. Sex works containing clear images of real sex, strong fetish material, sexually explicit animated images, or other very strong sexual images will be confined to the R18 category. Material which is unacceptable in a sex work at R18 is also unacceptable in a sex work at 18.



# 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.

The following content is not acceptable:

- material which is in breach of the criminal law, including material judged to be obscene under the current interpretation of the Obscene Publications Act 1959 (see Annexe – legal considerations)
- material (including dialogue) likely to encourage an interest in sexually abusive activity which may include adults role-playing as non-adults
- the portrayal of sexual activity which involves real or apparent lack of consent. Any form of physical restraint which prevents participants from indicating a withdrawal of consent
- the infliction of pain or acts which are likely to cause serious physical harm, whether real or (in a sexual context) simulated. Some allowance may be made for non-abusive, consensual activity
- penetration by any object likely to cause physical harm
- sexual threats, humiliation or abuse which do not form part of a clearly consenting role-playing game



# Intervention

**Where possible we will carry out our responsibilities through appropriate use of the classification categories, particularly in order to protect children from any potential harm.**

**If necessary, however, we may cut or even refuse to classify a film or video work.**

In some cases, we require assurances, cuts or other changes (for example, the addition of warning captions) as a condition of classification, or as a condition of classifying at a particular category. In some circumstances we may refuse to classify a work at any category. We publish details of all interventions on our website.

## **Cuts for category**

If the submitted work is suitable for classification, but only at a category higher than that requested by the customer, we will consider whether a lower category could be achieved through relatively minor or simple changes. If so, we may offer the customer a choice of accepting either the higher or lower category (the latter with defined changes as necessary).

Cuts for category are unlikely to be available if the required changes would be very extensive or complex, or would not address for example, a tonal or thematic issue running throughout the work.

## **Compulsory cuts**

If a submitted work raises issues or concerns that cannot be addressed by classification at a particular age category, we may require cuts or other changes as a condition of classification. Such intervention is most likely when the submitted work contains:

- material which may promote criminal activity
- material which is obscene or otherwise illegal
- material created by means of the commission of a criminal offence
- portrayals of children in a sexualised or abusive context
- material which makes rape, other non-consensual sexually violent behaviour, or sadistic violence look appealing

- graphic images of real injury, violence or death presented in a salacious or sensationalist manner which risks harm by encouraging callous or sadistic attitudes
- material which reinforces the suggestion that victims enjoy rape or other non-consensual sexually violent behaviour
- material which invites viewer complicity in rape, other non-consensual sexually violent behaviour, or other harmful violent activities
- sex works which contain material listed as unacceptable at R18

When the issue relates to the circumstances of filming (for example, in relation to animal cruelty or public indecency) the customer will normally be given an opportunity to present evidence before a final decision is reached.

## **Refusal to classify**

As a last resort, the BBFC may refuse to classify a work, in line with the objective of preventing non-trivial harm risks to potential viewers and, through their behaviour, to society. We may do so, for example, where a central concept of the work is unacceptable, such as a sustained focus on rape, other non-consensual sexually violent behaviour or sadistic violence. Before refusing classification we will consider whether the problems could be adequately addressed through intervention such as cuts. In deciding whether to refuse to classify, we will keep in mind the inherent difficulty of using behavioural research to draw conclusions about real world risks, and will have regard to the full range of available evidence, including the views of the public and our own knowledge and experience.

# Engagement with the public

We publish detailed information about the content we classify, which we call ratings info. It's a helpful guide, particularly for parents, that gives a summary of how and why a film or video was given its age rating.

## Ratings info includes:

- a short description of the issues contained in a film or video, and this appears on the black card shown on the cinema screen before a film starts, for example:



**strong violence, sex, language, drug misuse**

- we publish a longer, fuller version on our website and app

All content classified since the early 2000s has a short line of ratings info, and content classified more recently also has a longer version, giving you a detailed idea of what issues – bad language, drugs, sex and violence, or the use of discriminatory language or behaviour, for instance – you're likely to find in the film. It also raises any other issues that may be of concern, such as divorce or bereavement.

We try to avoid giving away major plot points. When ratings info does contain plot spoilers we always post a warning. Occasionally, the longer version of ratings info describes full sequences in a film – for example, it might describe a specific fight scene to give you a flavour of the sort of violence in the film and how strong it looks and feels – so be aware of this.

We publish ratings info the moment a film or video is classified, but the longer version may not be available until 10 days before the film opens. Sometimes, we classify films many weeks or even months before they are due to open, which is why not all films listed on our website will have a link to the longer ratings info yet. We encourage viewers to check ratings info when they are choosing content for children and for themselves.

## bbfc.co.uk

Our website provides a comprehensive database of all the content we classify, including ratings info and information about cuts. You can read the Classification Guidelines, search through our press releases, research and Annual Reports. We also publish case studies on films, including many set film texts for Film Studies courses in the UK, a timeline of key events in our history and regular podcasts.

## cbbfc.co.uk

Content for younger children, including the chance to rate trailers for children's films and learn more about our work, can be found on CBBFC, our website for children. Parents can also find advice about choosing content for children on VoD platforms and information about our education programme.

## BBFC app

Our free app for iOS and Android devices lets you check the latest film classifications and ratings info, watch trailers and read our Guidelines.

## Twitter – @BBFC

We update our Twitter account, @BBFC, with all our news and latest film classification decisions. You can ask us quick questions there too. For more detailed questions, you can email us on [feedback@bbfc.co.uk](mailto:feedback@bbfc.co.uk)

## Newsletters

We produce a regular newsletter about our latest classification decisions, podcasts and news. Our education team sends a newsletter to teachers once a term, focussing on our outreach programme, partnerships and resources, including case studies. For industry we send a regular update on our services, news and classification turnaround times each quarter. You can sign up to receive any of these newsletters on our website, [bbfc.co.uk](http://bbfc.co.uk)

## Podcasts

You can stream and download our regular short podcast on our website, Soundcloud and iTunes. Each episode focuses on a particular theme, film or TV series, and their age rating, highlighting key issues we took into account and any interesting facts about the classification process, for example any advice we gave, or reductions made by the film maker or distributor to secure a particular age rating.



# Appeals, advice viewings and feedback

## Appeals

We offer a formal reconsideration procedure which is open to any customer dissatisfied with the determination made in respect of their work. The reconsideration is free of charge and will normally take fewer than 10 working days.

A customer may also appeal directly to an independent authority. Such an appeal may take place following, or instead of, our reconsideration. In the case of films, the customer (or any member of the public) may address itself to the local authority which licenses cinemas in a particular area. In the case of video works a customer may appeal to the Video Appeals Committee. The VAC is independent of the BBFC and can be contacted by post as follows:

The Secretary  
The Video Appeals Committee  
3 Soho Square  
London  
W1D 3HD

Customers should note that a reconsideration or an appeal involves looking at the issues afresh. This means that the outcome could, in some circumstances, be more restrictive than the original determination.

## Advice viewings

A customer may submit works for advice at any stage of the production process. We will inform them of the likely classification a work will receive, and where appropriate any changes required to achieve the customer's preferred classification. However, advice given in such circumstances is not binding and we reserve the right to reach a different decision when the final version of the work is submitted formally for classification. If the final version of the work submitted for classification differs in any significant respect from that seen for advice, and if those changes appear to reflect advice we have given, then details of the changes will appear on our website.

## Feedback

If you want to send us any feedback about our age ratings or classification decisions, please don't hesitate to email us at [feedback@bbfc.co.uk](mailto:feedback@bbfc.co.uk) or write to us at:

Chief Executive's Office  
BBFC  
3 Soho Square  
London  
W1D 3HD



# Annexe – legal considerations

The following legislation is not listed according to chronology or importance. Instead, it reflects a useful way of explaining the structure of the legal framework that applies to our work.

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## The Licensing Act 2003

England and Wales

## Cinemas (Northern Ireland) Order 1991

Northern Ireland

## Cinemas Act 1985

Scotland

Cinemas require a licence from the local authority in which they operate. The licence must include a condition requiring the admission of children (anyone under 18) to any film to be restricted in accordance with our recommendations or those of the licensing authority. One of the key reasons for the licensing requirement is the protection of children, including from potentially harmful content in films.

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## The Video Recordings Act 1984

Video works (including films, TV programmes and some video games) which are supplied on a disc, tape or any other device capable of storing data electronically must have a BBFC classification unless they fall within the definition of an exempted work.

When considering whether to award a certificate to a work, or whether a work is suitable at a particular category, we are required by the Act to have special regard to the likelihood of works being viewed in the home, and to any harm that may be caused to potential viewers or, through their behaviour, to society by the manner in which the work deals with:

- criminal behaviour
- illegal drugs
- violent behaviour or incidents

- horrific behaviour or incidents
- human sexual activity

In considering these issues we have in mind the possible effect not only on children but also on other vulnerable people.

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## The Obscene Publications Acts 1959 & 1964

England and Wales

## The Civic Government (Scotland) Act 1982

Scotland

## The Obscene Publications Act 1857

Northern Ireland

It is illegal to publish a work which is obscene. A work is obscene if, taken as a whole, it has a tendency to deprave and corrupt a significant proportion of those likely to see it. Under the Obscene Publications Act 1959, no offence is committed if publication is justified as being for the public good on the grounds that it is in the interests of science, art, literature or learning or other objects of general concern.

In Scotland, case law implies a similar test would be applied. In Northern Ireland, while there is no express defence of “public good” it is likely that English law would be taken into consideration.

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## Criminal Justice and Immigration Act 2008

England, Wales and Northern Ireland

## Criminal Justice and Licensing (Scotland) Act 2010/Civic Government (Scotland) Act 1982

Scotland

It is illegal to be in possession of an extreme pornographic image. Under the Criminal Justice and Immigration Act 2008 an extreme pornographic image is one which is pornographic and grossly offensive, disgusting or otherwise of an obscene character, which features an apparently real person, and which portrays, in an explicit and realistic way, an act which:

- threatens a person’s life
- results, or is likely to result, in serious injury to a person’s anus, breasts or genitals
- involves sexual interference with a human corpse
- involves intercourse or oral sex with an animal
- involves non-consensual penetration of a mouth, vagina or anus with a penis or non-consensual sexual penetration of a vagina or anus by anything

Under the Civic Government (Scotland) Act 1982 an extreme pornographic image is one which is pornographic and obscene, and which depicts in an explicit and realistic way, an act which:

- takes or threatens a person’s life
- results, or is likely to result, in a person’s severe injury
- involves rape or other non-consensual penetrative sexual activity

- involves sexual activity involving (directly or indirectly) a human corpse
- involves sexual activity between a person and an animal

Works we classify under the Video Recordings Act are excluded from the scope of the offence across the UK.

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## The Protection of Children Act 1978

England and Wales

## Civic Government (Scotland) Act 1982

Scotland

## Protection of Children (Northern Ireland) Order 1978

Northern Ireland

It is illegal to make, distribute, show or possess indecent photographs or pseudo-photographs of a child. It is also illegal to make, distribute, show or possess indecent images of children which have been derived from a photograph or pseudo-photograph (for example, by tracing). Offences relating to the possession of such images are contained within the Criminal Justice Act 1988 (England, Wales and Scotland), and the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988. A child is defined as a person under the age of 18.

### **The Coroners and Justice Act 2009**

England, Wales and Northern Ireland

### **The Criminal Justice and Licensing Act 2010**

Scotland

It is illegal to be in possession of a prohibited image of a child. A prohibited image of a child is a non-photographic or non-pseudo-photographic image which is pornographic and grossly offensive, disgusting, or otherwise of an obscene character, and which focuses solely or principally on a child's genitals or anal region, or which portrays specified sexual acts by, of, or in the presence of a child, including masturbation, oral sex or penetration, including sexual acts with animals. A child is defined as being under 18 and an image of a child or other person can include imaginary representations. Works we classify under the Video Recordings Act are excluded from the scope of the offence unless images have been extracted from such works for the purpose of sexual arousal.

### **The Sexual Offences Act 2003**

England and Wales

### **Sexual Offences (Scotland) Act 2009**

Scotland

### **The Sexual Offences (Northern Ireland) Order 2008**

Northern Ireland

It is illegal to expose oneself with intent to cause alarm or distress – this offence augments the common law misdemeanour of indecent exposure. It is also prohibited for a person to record the private act of another, where the intention of the recording is for the sexual gratification of himself or a third party and where the recorded party has not consented to so being filmed.

### **The Criminal Justice and Courts Act 2015**

England and Wales

### **Abusive Behaviour and Sexual Harm (Scotland) Act 2016**

Scotland

### **Justice Act (Northern Ireland) 2016**

Northern Ireland

It is an offence to disclose a private sexual photograph or film without the consent of any individual who appears in the photograph or film, if it is done with the intention of causing that individual distress (or causing them fear, alarm or distress in Scottish law).

### **The Public Order Act 1986**

England, Scotland and Wales

### **The Public Order (Northern Ireland) Order 1987**

Northern Ireland

It is illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening, abusive or insulting if the intention is to stir up racial hatred or hatred on the grounds of sexual orientation, or if racial hatred or hatred on the grounds of sexual orientation is likely to be stirred up. It is also illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening if the intention is to stir up religious hatred.

In Northern Ireland the relevant group of persons may be defined not only by colour, race, nationality or ethnic or national origins, but also by “religious belief” or “sexual orientation” or “disability”.

### **The Cinematograph Films (Animals) Act 1937**

England, Scotland and Wales

It is illegal to show any scene “organised or directed” for the purposes of the film that involves actual cruelty to animals. This Act applies to the exhibition of films in public cinemas but we also apply the same test to video works. For the purposes of this legislation and The Animal Welfare Act 2006, only vertebrates which are domesticated or otherwise under the control of man are defined as “animals”.

### **The Animal Welfare Act 2006**

England and Wales

### **The Welfare of Animals Act (Northern Ireland) 2011**

Northern Ireland

### **The Animal Health and Welfare (Scotland) Act 2006**

Scotland

It is illegal to supply, publish, show or possess with intent to supply a video recording of an “animal fight” that has taken place within the UK since 6 April 2007.

### **The Tobacco Advertising and Promotion Act 2002**

It is illegal, in the course of a business, to publish a tobacco advertisement.

### **Blasphemy**

In Scotland and Northern Ireland, the common law crime of blasphemy exists but has not been utilised for prosecution in modern times. The offences of blasphemy and blasphemous libel under the common law of England and Wales were abolished in The Criminal Justice and Immigration Act 2008.

### **Human Rights Act 1998**

The Act permits such restrictions on freedom of expression as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

### **The Digital Economy Act 2017**

Under Part 3 of the Act it is unlawful to make pornographic material available on the internet to persons in the United Kingdom, on a commercial basis, other than in a way that secures that, at any given time, the material is not normally accessible by persons under the age of 18. The BBFC is the designated age-verification regulator under Part 3 of the Act. The BBFC may take enforcement action against non-compliant pornographic services and/or where a service makes extreme pornographic material, as defined by the Criminal Justice and Immigration Act 2008, available on the internet to persons in the United Kingdom.

### **Other unlawful material**

In carrying out its responsibilities the BBFC will have regard to whether the material itself appears to be unlawful in the United Kingdom, or has arisen from the commission of an unlawful act.





Get more info on our app

**[bbfc.co.uk/app](https://bbfc.co.uk/app)**

**British Board of Film Classification**

3 Soho Square,  
London,  
W1D 3HD

T 020 7440 1570

**[bbfc.co.uk/about-bbfc/contact-us](https://bbfc.co.uk/about-bbfc/contact-us)**

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