

Report of the Chief Officer, Elections and Regulatory

Report to the Licensing Sub Committee

Date: 4th December 2018

Subject: Certification of Film “Await Further Instructions”

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name of Ward: 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 film to be shown at the Everyman Cinema, Trinity Shopping Centre, Leeds. The film is due to be released on the 9th December 2018.

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.

2.0 Background information

2.1 The Licensing Act 2003 applies to premises which provide film exhibitions. At present there are a total of 7 cinemas licensed in the Leeds District.

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

Category ‘U’ Passed for general exhibition

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

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

2.3 In addition to licensing premises for film exhibitions, the Licensing Authority has a duty under Section 20 of the Licensing Act 2003 to categorise a film which does not hold a certificate from a film classification body such as the BBFC. The Licensing Authority may also reject or modify a film classification which has received a certificate from the BBFC.

3.0 Main Issues

3.1 An application has been received to have a film certified by the licensing authority from Trinity Filmed Entertainment Limited, 42a Charlotte Street, London W1T 2NP.

3.2 The film is titled *Await Further Instructions*. The film is a thriller/horror.

3.3 The synopsis is:

A mysterious black substance surrounds the Milgram family house on Christmas morning, trapping them inside. Something monumentally creepy is happening right outside their door, but what exactly? As the family quickly descend into terrified arguments, the TV glows with an ominous message: *Stay Indoors and Await Further Instructions*. As the screen's grip grows ever more sinister, their paranoia escalates into bloody carnage...

3.4 The BBFC (British Board of Film Classification) has rated the film 15 for home entertainment purposes only, which does not extend to theatrical exhibition, for "very strong language, strong silence, bloody images, horror, threat". The film distributor concurs with this classification stating that there is no sexualised violence or lingering gore, which might make it an 18.

3.5 A link to view the video has been provided before the meeting.

3.6 A representative from the production company will attend the hearing to provide further information if required.

3.7 The film is to be shown at the Everyman Cinema in the Trinity Shopping Centre, Leeds which has the benefit of a Premises Licence under the Licensing Act 2003 with the provision of films.

4.0 History

4.1 This is the first time this film has been screened in the Leeds City Council area.

5.0 Implications for council policy and governance

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

6.0 Legal and resource implications

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

7.0 Options available to Members

7.1 The licensing authority has the authority to categorise a film which is absent of a Certificate from the BBFC. The licensing subcommittee can determine to classify the film with an appropriate age classification. Further information on the age classification scheme used by the BBFC is provided at Appendix A.

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

8.0 Recommendations

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