

Report of: Chief Officer, Elections and Regulatory

Report to: Licensing Sub Committee

Date: Tuesday 29th October 2019

Subject: Certification of Films – Leeds International Film Festival 2019

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Little London & Woodhouse and Headingley & Hyde Park		
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 numerous films in respect of the Leeds International Film Festival. All screenings are scheduled to take place between 6th November 2019 and 21st November 2019 at the Leeds Town Hall, Hyde Park Picture House, Vue Light, Everyman Cinemas and Belgrave Music Hall.

A total of 79 films have been submitted requiring classification, but the applicant only has access to links for viewing two films. Having sought legal advice, Members are recommended to certify the films they cannot view as category 18 ratings. Further information on this matter is detailed at 3.2 of this report.

1.0 Purpose of this Report

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

2.0 Background Information

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

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

3.0 Main Issues

- 3.1 An application has been received from Leeds Film of Leeds City Council, to have a total of 79 films certified for the Leeds International Film Festival. The films are scheduled for screening between 6th November and 21st November 2019, at Leeds Town Hall, the Hyde Park Picture House, Vue Light, Everyman Cinemas and Belgrave Music Hall.
- 3.2 In response to a briefing by the BBFC and due to recent issues experienced with films that Members have been unable to view, the film classification process has now changed. Advice sought from the council's Legal Department has reaffirmed it is essential the Licensing Sub-Committee can view each film in order to rate it appropriately. In instances where films are unavailable, Members are advised to certify them 18 rating, subject to a written declaration from the applicant conforming that each film does not contain any content which would more likely than not, render the film liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines. A copy of the e-mail from the applicant requesting the classification and including the declaration, can be found at **Appendix B**.
- 3.3 A list detailing the Title, Synopsis and the applicant's suggested rating of all 79 films, can be found at **Appendix C** of this report.
- 3.4 Details of the viewable films, are as follows:

Title	White Snake
Synopsis	A girl with magical gifts embodies the Chinese legend of the White Snake, in a land of magic, demons and plenty of snakes. Recommended PG.
Recommended Classification	PG

Title	Kes: Reimagined
Synopsis	Film version of the stage adaptation of Kes about a boy from a Barnsley council estate who owns a kestrel. Recommended certificate PG
Recommended Classification	PG

- 3.5 A representative from Leeds Film is due to attend the hearing and provide additional details of each film.

4.0 Screener

4.1 The screeners for the available films are not for public viewing at this stage. Members will therefore be provided with the screener link and access details in advance of the hearing to view the film. The option for Members to view the film at the hearing will also be available.

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 Recommendations

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

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

8.0 Options Available to Members

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