

**Report of:** Chief Officer, Elections and Regulatory

**Report to:** Licensing Sub Committee

**Date:** Tuesday 26<sup>th</sup> October 2021

**Subject:** Certification of Films – Leeds International Film Festival 2021

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 Weetwood		
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 Licensing Sub Committee 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 3<sup>rd</sup> November 2021 and 18<sup>th</sup> November 2021, at Vue Cinema in the Light, Everyman Cinema, Howard Assembly Room, Cottage Road Cinema, Belgrave Music Hall and the New School of Arts Cinema at Leeds Beckett University.

A total of 134 films have been submitted requiring classification, however the applicant only has access to links for viewing 3 of those films. Following legal advice, Members are recommended to certify the films they cannot view as category 18 ratings and 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:



2.4 A copy of the current BBFC Classification Guidelines are attached at **Appendix A** for Member's consideration.

### 3.0 Main Issues

3.1 An application has been received from Leeds Film, Leeds City Council, to have a total of 134 films certified for the Leeds International Film Festival 2021. The films are scheduled for screening between 3<sup>rd</sup> November 2021 and 18<sup>th</sup> November 2021, at Vue Cinema in the Light, Everyman Cinema, Howard Assembly Room, Cottage Road Cinema, Belgrave Music Hall and the New School of Arts Cinema at Leeds Beckett University.

3.2 A document listing all 134 films requesting certification can be viewed at **Appendix B** of the agenda. The document includes the title, a synopsis and the applicant's recommended rating for each film.

3.3 In response to a briefing by the BBFC and advice sought from the council's Legal Department, it is essential the Licensing Sub-Committee can view each film in order to rate it appropriately. In instances where films are unavailable, Members are advised to certify them 18 rating, subject to a written declaration from the applicant 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 declaration can be found at **Appendix C**.

3.4 Details of the three viewable films requesting an age rating other than 18, are as follows:

Title	<b>Absolute Denial</b>
Synopsis	An obsessive, genius programmer sacrifices everything in his personal and professional life to build a computer of unprecedented power to test his theory on AI. Some strong language.
Recommended Classification	15

Title	<b>Fortune Favours Lady Nikuko</b>
Synopsis	Japanese family animation about the easy-going and cheerful Nikuko and her daughter Kikuko.
Recommended Classification	U

Title	<b>Valentina</b>
Synopsis	A coming-of-age drama about a young trans girl trying to start a fresh life in a new town in Brazil. Includes transphobia, bullying and suggestions of sexual violence
Recommended Classification	15

3.5 A representative of the applicant is due to attend the hearing and provide additional details of each film and answer any questions that Members of the Licensing Sub Committee may have.

#### **4.0 Screeners**

- 4.1 Screeners for the available three films are not for public viewing at this stage. Members of the Licensing Sub Committee have therefore been provided with links to access the three screeners in advance of the hearing.

#### **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 There is no right of appeal to the Magistrates Court against this decision of the Committee.

#### **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.