

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

**Report to:** Licensing Sub Committee

**Date:** Tuesday 1<sup>st</sup> February 2022

**Subject:** Certification of Films – Japanese Tour Films  
The Pyramid Theatre, Leeds University Union

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Little London & 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 Licensing Sub Committee Members of an application for the certification of three films to be screened as part of the series; Japanese Tour Films. All screenings are scheduled to take place between the 13<sup>th</sup> February 2022 and the 27<sup>th</sup> March 2022.

An advance screener for the film, The Lone Ume Tree, has been provided for Members of the Licensing Sub Committee to view and requests a category PG rating. Advance screeners for the remaining films requesting certification are unavailable and as a result, the applicant requests that category 18 ratings are applied subject to the disclaimer mentioned in further detail at 3.4 of the 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.



2.4 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 Grand Theatre & Opera House Ltd., to three films to be appropriately age rating certified. The films are scheduled for screening between the 13<sup>th</sup> February 2022 and the 27<sup>th</sup> March 2022, at The Pyramid Theatre, Leeds University Union

3.2 Of the three films requesting certification an advance screener has been provided for 'The Lone Ume Tree' only. The applicant requests a category PG rating is applied.

3.3 Advance screeners are unavailable for the remaining two films titled, 'Iwane: Sword of Serenity' and 'Ora, Ora Be Goin' Alone'. Subsequently these two films request 18 rating certifications.

3.4 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 or insufficient opportunity is provided to view the films, Members are advised to certify them 18 rating subject to a written declaration from the applicant confirming 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.

3.5 A copy of the application for all three films, including the synopsis, recommend rating and the declaration where applicable, can be found at **Appendix B**.

3.6 To assist members with their deliberation officers of the Licensing Authority have viewed the available film and provided following comments, in accordance with BBFC guidelines:

*There are several instances throughout the film of disability discrimination by other adult characters towards one of the film's main characters, Chu-san. Some of those views appear to change in later scenes. A child character does not share the same view throughout the film, which is likely in keeping with the BBFC Classification Guidelines regarding discrimination for a PG certification.*

*At 24:18 of the film a scene includes mild bad language and mild aggressive behaviour.*

*At 54:20 of the film a comment made by a character could be considered sexist.*

3.7 The details of each film requiring classification, including a link to view the available screener online, have been provided to Members of the Licensing Sub Committee in advance of the hearing.

3.8 A representative from Leeds Grand Theatre & Opera House Ltd. is due to attend the hearing and provide additional details of each 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 There is no right of appeal to the Magistrates' Court against the decision of the Licensing Sub Committee.

#### **6.0 Recommendations**

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

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

#### **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.