

Report of: Chief Officer, Elections and Regulatory

Report to: Licensing Sub Committee

Date: Tuesday 2nd August 2022

Subject: Certification of a Film – ‘Carajita’

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 the Licensing Sub Committee of an application for the certification of a film to be screened at Vue Cinema, 22 The Light, The Headrow, Leeds, LS1 8TL. The screening is scheduled to take place in September 2022 as part of the ‘Leeds International Film Festival Presents’ programme.

The applicant has provided an advance screener for the film and recommends a 15 certificate in respect of the film titled, ‘Carajita’.

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:

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 a film which is 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 certification from the BBFC.

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 requesting the certification of a film scheduled for screening during September 2022, at Vue Cinema, 22 The Light, The Headrow, Leeds, LS1 8TL.

3.3 The following details have been provided by the promoter:

***Carajita** (Dominican Republic, Argentina, 2022 Dirs Ulises Porra, Silvina Schnicer, 89 mins)*

A drama set in the Dominican Republic, Carajita paints a picture of the social structures of Central America through the story of three women.

Includes a non-explicit sex scene, mild physical violence, workplace harassment, and death.

Recommended Certificate: 15

3.4 To assist members with their deliberation officers of the Licensing Authority have viewed the available screener and confirm that, in the officer's opinion, the promoter's assessment of the film is accurate and there are no concerns with a 15 rating when considered in accordance with the BBFC guidelines.

3.5 Details of the films requesting classification, including a link to view the screener, have been provided to Members of the Licensing Sub Committee in advance of the hearing.

3.6 A representative of Leeds Film is due to attend the hearing and provide 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 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 categories a film which is absent of a Certificate from the BBFC.