

Report of: Chief Officer, Elections and Regulatory

Report to: Licensing Sub Committee

Date: Tuesday 27th September 2022

Subject: Certification of a Film – Lumumba, Death of a Prophet

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): 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 the Licensing Sub Committee Members of an application for the certification of a film titled, 'Lumumba, Death of a Prophet'. The screening is scheduled to take place on the 28th September 2022, at Heart Headingley Enterprise & Arts Centre, Bennett Rd, Leeds LS6 3HN.

The exhibitor has been unable to provide an advance screener to view the film and having sought legal advice, Members are recommended to certify the film as a category 18 rating. Further information on this element 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 Scalarama Leeds to certify the film titled, 'Lumumba, Death of a Prophet'. The screening is scheduled to take place on the 28th September 2022, at Heart Headingley Enterprise & Arts Centre, Bennett Rd, Leeds LS6 3HN.
- 3.2 A document offering further details on the film and screening, including a synopsis and the declaration mentioned below, can be viewed at **Appendix B**.
- 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 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 representative of the film exhibitor is due to attend the hearing to provide additional details and answer any questions that Members of the Licensing Sub Committee may have.

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 this decision of the 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.