

Report of: Chief Officer, Elections and Regulatory

Report to: Licensing Sub Committee

Date: Tuesday 11th October 2022

Subject: Certification of a Film – Leeds International Film 2022 Trailers

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 Members of an application for the certification of a number of trailers to be shown as part of the advance promotion for Leeds International Film Festival 2022, taking place at Vue Cinema, The Light, on 12th October 2022.

The request is made for all trailers to be awarded an 18 rating, as it includes trailers for films to be shown throughout the festival which will seek an 18 rating when they are brought before a future Licensing Sub Committee. 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 Leeds Film to certify 36 trailers to be shown as part of the advance promotion for Leeds International Film Festival 2022. The screening is scheduled to take place on 12th October 2022, at Vue Cinema, The Light, LS1 8TL.
- 3.2 The Act defines the exhibition of film as ‘the exhibition of moving pictures’, including feature films, advertisements and trailers.
- 3.3 The exhibitor has explained the screening will last approximately 75 minutes and include 36 short trailers. Also explained is the request for all trailers to be awarded an 18 rating, as it includes trailers for films to be shown during the festival which will seek an 18 rating when they are brought before a future Licensing Sub Committee.
- 3.4 Links to view each trailer have been provided to the Licensing Sub Committee Members in advance of the hearing. However, in this instance there is no requirement for the committee to view the trailers as the request is to award an 18 rating to all trailers in accordance with the written declaration confirming that the trailers do 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 email containing further details on the screening, the written declaration as mentioned above and a list of the trailers requesting classification, can be seen at **Appendix B**.
- 3.6 A representative of Leeds Film 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.