

# WIRRAL COUNCIL

## LICENSING ACT 2003 COMMITTEE

2 JUNE 2015

<b>SUBJECT:</b>	<b>CLASSIFICATION OF A FILM IN ACCORDANCE WITH GUIDANCE ISSUED BY THE BRITISH BOARD OF FILM CLASSIFICATION</b>
<b>WARD AFFECTED:</b>	<b>NEW BRIGHTON WARD</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform Members of a decision made by Members of the Licensing Act 2003 Sub-Committee to classify a film which is to be shown at Light Cinema, Marine Point, Kings Parade, New Brighton.
- 1.2 Members are also asked to note the previous decisions made by Members of the Licensing Act 2003 Sub-Committee to classify films in accordance with the British Board of Film Classification Guidelines.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Licensing Act 2003 provides that where a Premises Licence authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under Section 4 of the Video Recordings Act 1984 specified in the licence or by the Licensing Authority itself.
- 2.2 The Light Cinema currently has a Premises Licence which permits the exhibition of a film. The following mandatory condition is imposed on the Licence:  
  
“...admission of children must be restricted in accordance with any recommendation made by the Licensing Authority”.
- 2.3 If a classification is not specified on a film, the Licensing Authority has a responsibility to protect children from harm and impose a classification if it is appropriate.
- 2.4 The following is a list of categories devised by the BBFC together with a brief description of that category:

## **‘U’ – Universal**

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. If a work is particularly suitable for pre-school children, this will be indicated in the BBFC insight.

## **‘PG’ – Parental Guidance**

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.

## **‘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, we recommend that they check the BBFC insight for that film in advance. No one younger than 12 may rent or buy a 12 rated video work.

## **‘15’ – Suitable only for 15 years and over**

No one younger than 15 may see a 15 film in a cinema.

## **‘18’ – Suitable only for adults**

No one younger than 18 may see an ‘18’ film in a cinema.

- 2.5 The following films have previously been classified by Members of the Licensing Act 2003 Sub-Committee, all of which have been screened at the Light Cinema:

<b>Name of Film</b>	<b>Date of Classification</b>	<b>Classification</b>
Verity’s Summer	25 April 2013	15
Derby Baby	27 September 2012	12A
Small Creatures	29 November 2012	15

- 2.6 The Licensing Authority received a request to classify a film entitled ‘Tigers’, from the Infant Feeding Lead for Wirral Community NHS Trust as they wish to show the film at the Light Cinema on 25 June 2015. The film is based on a true story of a former salesman in the formula milk industry in Pakistan. The film is to be screened on 25 June as part of Breastfeeding awareness month.
- 2.7 On 13 May 2015 Members of the Licensing Act 2003 Sub-Committee viewed the film ‘Tigers’. Members had reference to the BBFC guidance and resolved to classify the film with the PG classification.

### **3.0 RELEVANT RISKS**

3.1 There are none arising directly from this report.

### **4.0 OTHER OPTIONS CONSIDERED**

4.1 There is no provision for other options to be considered.

### **5.0 CONSULTATION**

5.1 Statutory consultation has been undertaken in respect of this application.

### **6.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

6.1 There are no previously approved actions outstanding.

### **7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

7.1 There are no specific implications arising from this report.

### **8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

8.1 There are no specific implications arising from this report.

### **9.0 LEGAL IMPLICATIONS**

9.1 A decision of this Committee can be subject to Appeal.

### **10.0 EQUALITIES IMPLICATIONS**

10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

### **11.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

11.1 There are no specific implications arising from this report.

### **12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

12.1 There are no planning implications arising from this report.

### **13.0 RECOMMENDATIONS**

13.1 The Licensing Act 2003 Committee are asked to note the recommendation by the Sub-Committee in relation to the film named Tigers to be screened at the Light Cinema and also note the previous recommendations.

## 14.0 REASONS FOR RECOMMENDATIONS

14.1 That the Licensing Act 2003 Committee are updated on the activity of Members of the Licensing Act 2003 Sub-Committee in relation to the administration of functions under the Licensing Act 2003 in respect of classification of films.

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## APPENDICES

- None

## BACKGROUND PAPERS/REFERENCE MATERIAL

- None

## BRIEFING NOTES HISTORY

- None

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date