

Licensing Committee - 24 October 2022

Title:	Jewish Film Festival	
Director:	Andrew Errington - Community Protection	Ward affected: Castle
Report author and contact details:	Katie Jones katie.jones@nottinghamcity.gov.uk general.licensing@nottinghamcity.gov.uk	
Other colleagues who have provided input:	Ann Barrett – Team Leader, Planning Environment and Leisure, Solicitors	
Date of consultation with Portfolio Holder	N/A	
Relevant Council Plan Strategic Priority:		
Cutting unemployment by a quarter		<input type="checkbox"/>
Cut crime and anti-social behaviour		<input type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City		<input type="checkbox"/>
Your neighbourhood as clean as the City Centre		<input type="checkbox"/>
Help keep your energy bills down		<input type="checkbox"/>
Good access to public transport		<input type="checkbox"/>
Nottingham has a good mix of housing		<input type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs		<input type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events		X
Support early intervention activities		<input type="checkbox"/>
Deliver effective, value for money services to our citizens		<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):		
<p>This report asks members of the Committee to decide the classification for two films, which are not classified by the BBFC. Appendices 2 and 3 are the applications, including a brief description of each film.</p>		
Recommendation:		
1	<p>The Committee give its recommendations regarding the admission of children to the following films:</p> <ul style="list-style-type: none"> • The Man in the Basement; • Who's Afraid of Jewish Humour. 	

1. REASONS FOR RECOMMENDATIONS

Failure to give recommendations would mean either that the film festival would not proceed or that the films could not be shown to the public without a criminal offence being committed.

2. BACKGROUND

2.1 The films are part of the Jewish Film Festival and it is proposed that they will be screened to members of the public at Broadway Cinema namely 'The Man in the

Basement’ will be exhibited Sunday 13 November 2022 at 7pm and ‘Who’s Afraid of Jewish Humour’ will be exhibited on Sunday 20 November 2022 at 7pm.

A premises licence is already in existence at the Broadway cinema authorising the exhibition of films, and this was granted on 20 October 2006.

- 2.2 Under section 20 of the Licensing Act 2003, where a premises licence authorises the exhibition of films the licence must include a condition requiring the admission of children to be restricted in accordance with that section. The Council’s mandatory condition under that section states:

“The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made:

- a. by the British Board of Film Classification (BBFC,) where the film has been classified by that Board, or
- b. **by the Licensing Authority where no classification certificate has been granted by the BBFC**, or, where the licensing authority has notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies to the film.”

- 2.3 Both films to be shown as part of the Jewish film festival are unclassified by the BBFC and therefore, in order to ensure compliance with the above condition, the Licensing Authority has been asked to make recommendations regarding the admission of children to them.

The applicant seeks certification 15 for both films.

- 2.4 The members of the committee will view both films at a private viewing prior to the meeting and have been asked to make a recommendation in respect of each film. To assist in this process, a copy of the British Board of Film Classification Guidelines can be found at appendix 1 for reference.

3. **OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

To not consider the classification – rejected as the films must be classified to be able to be shown to the public.

4. **FINANCE COMMENTS**

None.

5. **LEGAL AND PROCUREMENT COMMENTS**

- 5.1 As indicated above the Committee is asked to give guidance as to the admission of children to the films concerned. This is in relation to the Council’s duty to promote the protection of Children from Harm licensing objective. This is a function that the Committee is rarely called upon to exercise and whilst not bound by the British Board of Film Classification Guidelines they may give some assistance to the Committee in reaching a conclusion.

- 5.2 Whilst the Statutory Guidance does not deal with this issue in great detail it does indicate that the protection from children from harm objective includes protection from moral, psychological and physical harm including wider harm such as the use of strong language and sexual expletives (paragraph 2.22). It also advises that other than in the context of film classification, licensing authorities should not use their powers to seek to impose conditions which censor the content of regulated entertainment (paragraph 10.17).
- 5.3 Crime and Disorder Act Implications - Close partnership working between the City Council, applicants, the local community, and enforcement agencies is key to the successful delivery of the licensing regime. A key aim of the City Council is to reduce the risk of crime and disorder occurring in local neighbourhoods and the community in general.

6. EQUALITY IMPACT ASSESSMENT

Not needed (report does not contain proposals or financial decisions).

7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None.

8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

None.