

## LICENSING COMMITTEE - 14/11/2023

<b>Title of paper:</b>	20 Days in Mariupol – Film Classification	
<b>Director:</b>	Colin Wilderspin Director of Communities, Environment, and Resident Services	<b>Wards affected: Castle</b>
<b>Report author:</b>	Gary Barwell E-mail general.licensing@nottinghamcity.gov.uk	
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<b>Relevant Council Plan Strategic Priority:</b>		
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		<b>X</b>
Support early intervention activities		<input type="checkbox"/>
Deliver effective, value for money services to our citizens		<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>		
<p>This report asks members of the Committee to decide the classification of a film to be screened at one Nottingham venue which is not classified for cinema viewing by the BBFC.</p>		
<b>Recommendation:</b>		
<b>1</b>	<p>The Committee give its recommendations regarding the admission of children to the following film:</p> <ul style="list-style-type: none"> <li>• 20 Days In Mariupol – 94 minutes</li> </ul>	

### **1. REASONS FOR RECOMMENDATIONS**

Failure to give recommendations would mean that the film could not be shown to the public in a cinema in Nottingham without a criminal offence being committed.

### **2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

2.1 The film 20 Days In Mariupol will be screened to members of the public at the Broadway Cinema on 5<sup>h</sup> December 2023.

A premises licence is already in existence at the Broadway Cinema authorising the exhibition of films. This was granted on 20<sup>th</sup> 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 The BBFC has confirmed that a cinema screening certification had not been applied for in the first instance and that home and cinema screening certifications are considered separately. Whilst 20 Days In Mariupol is classified 18 by the BBFC for home screening the Licensing Authority has been asked to make recommendations for cinema screening regarding the admission of children to the screening in order to ensure compliance with the above condition.

2.4 The members of the Committee have been asked to view this film prior to the meeting and to make a recommendation in respect of cinema screening.

2.3 To assist in this process a copy of the British Board of Film Classification Guidelines can be found in Appendix 1 for reference

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

To not consider the classification.

### **4. FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

None.

### **5. LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

5.1 As indicated above the Committee is asked to give guidance as to the admission of children to the film 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 (for example, in the context of exposure to certain films. Licensing authorities must also consider the need to protect children

from sexual exploitation when undertaking licensing functions (paragraph 2.27). It also advises that, other than in the context of film classification for film exhibitions, licensing authorities should not use their powers under the Licensing Act 2003 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 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**

- Application
- Correspondence with BBFC

## **8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

The link for the film has been provided.

- 20 Days In Mariupol – 94 minutes

## **9. APPENDIX 1**

BBFC Film Classification Guidelines