

LICENSING COMMITTEE - 23 October 2018

Title of paper:	A Northern Soul	
Director:	Andrew Errington Director Community Protection	Wards affected: Bridge
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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):

This report asks members of the Committee to decide the re-classification of a film to be screened at the Broadway Cinema, 14-18 Broad Street, Nottingham, NG1 3AL.

Recommendation:	
1	The Committee classifies the following film in regard to the admission of children to the venue screening it: <ul style="list-style-type: none"> A Northern Soul

1. REASONS FOR RECOMMENDATIONS

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

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 The film is part of the 10ft Films Limited Production for BBC 2 and it will be screened to members of the public at the Broadway Cinema on Tuesday 6 November 2018.

A premises licence was granted to The Broadway Cinema on 20 October 2006 authorising the exhibition of films.

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 film is to be shown as part of the 10ft Films Limited Production for BBC 2 and has been classified by the BBFC as a 15 however it has been requested that the film be re-classified as a 12A 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 it.

2.4 The members of the Committee have been asked to view A Northern Soul prior to the meeting and to make a recommendation in respect of the film and to consider the film being re-classified as a 12 A rather than the current rating by the BBFC of 15.

To assist in this process a copy of the British Board of Film Classification Guidelines has been supplied to the Committee for reference.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

To not consider the re-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 2.22 – 2.31). 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

None.

8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

A web link for A Northern Soul has been provided to the Committee Members:

9. APPENDIX 1

Online information page in respect of A Northern Soul, submitted upon request to re-consider the classification of the film.