

Committee:	Licensing and Environmental Health	Date:	10 May 2017
Title:	Certification of a Film Classification		
Report Author:	Amanda Turner, Licensing Team Leader, 01799 10613	Item for decision:	Yes

Summary

1. This application is made for the classification of a film, required as a result of section 20 of the Licensing Act 2003, as it has not received a classification by the British Board of Film Classification (BBFC).

Recommendations

2. That the Committee consider and determine the application to classify the film “The Messenger” in accordance with the guidance from the British Board of Film Classifications.

Financial Implications

3. None.

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

BBFC Classification Guidelines on age ratings
Council’s Licensing Act 2003 Policy

Impact

- 5.

Communication/Consultation	None
Community Safety	The protection of children from harm is a licensing objective, and the primary purpose of film classification
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None

Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. By virtue of Section 20 of the Licensing Act 2003, where a premises licence authorises the exhibition of films, a mandatory condition is placed on the licence requiring the admission of children to films to be restricted in accordance with the recommendations of a film classification body (the British Board of Film Classification “BBFC”), or the local authority.
7. If a film has not been classified by British Board of Film Classification (BBFC) it must not be shown at a licensed premise without first having been classified by the local Authority as the premises licence holder cannot comply with the mandatory condition of Section 20.
8. Therefore where films have not previously been classified by the BBFC, the Local Authority, as Licensing Authority, are the classification body for the public exhibition of films shown within their administrative area.
9. The Council’s Licensing Policy at 6.8 says Uttlesford District Council will follow the classification system of the BBFC to determine the classification of films.
10. A copy of the BBFC guidelines on age ratings and BBFC notes on specific ratings are attached to this report.
11. The licensing team received notification from Saffron Screen requesting classification of a film called “The messenger” which they would like to show in the cinema on 19 May 2018. The film running time is 90 minutes.
12. The film is a documentary exploring our deep-seated connection to birds and warns that the uncertain fate of songbirds might mirror our own. Moving from the northern reaches of the Boreal Forest to wetlands near Mount Ararat to the streets of New York City, this film brings us face to face with a remarkable variety of human-made perils that have devastated these airborne music makers. A rich and satisfying call to action, presented with some novel ideas on how to restore the ecological balance.
13. Saffron Screen benefits from a premises licence under the Licensing Act 2003 issued April 2006 which includes the licensable activity relating to the exhibition of indoor films.
14. The committee may give approval for the film to be shown to all ages or subject to age restrictions it thinks appropriate.
15. No formal consultation has taken place regarding this application.

16.

Risk	Likelihood	Impact	Mitigating actions
1. Not rating the film, or giving it the wrong age rating might result in the moral and psychological harm being caused to members of the public in particular children, by film exhibitions containing strong language, horror/violence or sexual images.	1.	2.	1. In adopting and approving the recommendations the Council will be exercising due diligence in licensing matters and following the industry standard guidance.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.