

Film Classification Policy

Head of Service/Contact:	Rod Brown, Head of Housing & Community
Annexes/Appendices (attached):	Draft Film Classification Policy
Other available papers (not attached):	Report to the Licensing and Planning Policy Committee of 10 July 2018.

Report summary

That Council adopt the Film Classification Policy.

Recommendation (s)

The Council adopt the recommendations of the Licensing and Planning Policy Committee on 10 July 2018.

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 Adopting the policy will help Council to meet the policy objectives of supporting businesses and our local economy.

2 Background

- 2.1 The public exhibition of all films on licensed premises must be either classified by the British Board of Film Classification (BBFC) or authorised by the Licensing Authority under the powers of the Licensing Act 2003.
- 2.2 On 10 July 2018, the Licensing and Planning Policy Committee will consider a Film Classification Policy for recommendation to Council. The Policy will apply to the classification of films and when a request for reclassification of a film is sought.
- 2.3 The draft Policy is attached as **Annex 1**. If necessary, a revised draft of the policy will be published prior to the Council meeting.

3 Proposals

- 3.1 That Council adopt the Policy and recommendations of the Licensing and Planning Policy Committee.

4 Financial and Manpower Implications

- 4.1 The adoption, implementation and application of the policy will be undertaken using existing resources.
- 4.2 **Chief Finance Officer's comments:** *Any income generated from fees is based on cost recovery so these changes are not expected to impact on the Council's finances.*

5 Legal Implications (including implications for matters relating to equality)

- 5.1 The purpose of the proposed policy to set a procedure for the determination of the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's decisions, or requests to reclassify films. This will enable the Council to support, if needed any mandatory conditions imposed pursuant to section 20 of Licensing Act 2003 and also any other situation where the Council may be requested to authorise the showing of an unclassified file. Such examples could include a film festival covering a specific period of time, a one off screening of a film, a trailer for a film.
- 5.2 There is no right of appeal when a decision is made by the Council but any decision could be the subject of a judicial review. This risk is minimised by adopting a policy, following the BBFC guidance and ensuring that classification decisions are made in line with the Licensing Act 2003 Section 182 Guidance.
- 5.3 **Monitoring Officer's comments:** *None for the purposes of this report.*

6 Sustainability Policy and Community Safety Implications

- 6.1 None for the purposes of this report.

7 Partnerships

- 7.1 None for purposes of this report.

8 Risk Assessment

- 8.1 There is currently no formal procedure or policy in place to the classification of films. The introduction of a Film Classification Policy will ensure a robust and transparent procedure is followed.

9 Conclusion and Recommendations

- 9.1 That Council agree to adopt the Film Classification Policy.

Ward(s) Affected: (All Wards);