

LICENSING SUB-COMMITTEE

MINUTES OF A MEETING of the Licensing Sub-committee held on Monday, 6 November 2017 at 6.00 pm in the executive meeting room, floor 3 of the Guildhall, Portsmouth

Present

Councillor Lee Mason (in the Chair)

Councillors Dave Ashmore
Scott Harris

Apologies for Absence

81. Election of Chair

Councillor Lee Mason was elected as Chair for this meeting.

82. Declaration of Members' Interests

There were no declarations of members' interests.

83. Licensing Act 2003 – Section 20 - Mandatory Condition - Exhibition of Films - Charity Film Premier - ODEON Port Solent - Fat Finger Films

Members had viewed the three films prior to the Sub Committee meeting.

The Licensing Manager presented her report, and explained that due to the lack of a British Board of Film Classification (BBFC) classification for each film, it was the duty of the Sub Committee to consider this request for classification, prior to the screening at a charity event.

Decisions

In the matter of an application for the sub-committee to impose age classifications using the British Board of Film Classification (BBFC) categories in respect of a charity film premier of 3 films to be shown at the Odeon cinema, Port Solent, Portsmouth.

Section 20 of the Licensing Act 2003 Act provides that where a premises licence authorises the exhibition of a film, it must include a condition requiring the admission of children (those aged under 18) to the films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (currently BBFC) or by the licensing authority itself for the area in which it is to be shown.

This Sub Committee was engaged by reason of the request of the applicant, Mr Chris Jupp, Founder of Fat Finger Films, and the Odeon Port Solent (as

premises licence holder) to exhibit three films at the Odeon Cinema in Port Solent, Portsmouth. The films had not been classified by the BBFC and therefore the licensing authority was required to impose an age classification to each film. The classification decided will only be relevant to viewing the film in Portsmouth.

The Sub Committee viewed each film in its entirety, and heard the representation of the relevant Licensing Authority, being the Responsible Authority in this matter.

Whilst carrying out its functions, the Licensing Authority recognises the need to promote and have regard to the licensing objectives set out in the 2003 Act. The principle licensing objective engaged in this application is the protection of children from harm.

In addition to viewing the films in their entirety, the Sub Committee considered all the papers put before them along with the appendix attached which is the BBFC Classification Guidelines - these being non-statutory but persuasive and relevant.

The Sub Committee can confirm the following reasoning was adopted in reaching a classification:

1. To whoever finds my body

The film contained themes of drugs, suicide and sexual violence but these were discreet and more implied than graphic images.

Given the above reasoning the sub-committee ascribe a **15** classification having consider the Act and the Guidance contained in the BBFC guidance. This category is passed for persons aged 15 years and over.

2. Scissor Happy

There was strong violence but images did not dwell on the infliction of pain or injury.

The film contained dangerous behaviour, using a pair of scissors, but did not dwell on the injuries.

Given the above reasoning the sub-committee ascribe a **15** classification having consider the Act and the Guidance contained in the BBFC guidance. This category is passed for persons aged 15 years and over.

3. Beast

There were images of strong violence but these did not dwell on the infliction of pain or injury and images of a mild sexual nature. The film also contained infrequent strong language which could be contextually justified.

Given the above reasoning the sub-committee ascribe a **15** classification having consider the Act and the Guidance contained in the BBFC guidance. This category is passed for persons aged 15 years and over.

The meeting concluded at 6.35 pm.

Councillor Lee Mason
Chair