

LICENSING SUB-COMMITTEE

MINUTES OF A MEETING of the Licensing Sub-Committee held on Friday, 21 July 2023 at 12.00 pm in the Council Chamber, Portsmouth Guildhal

Present

Councillors Dave Ashmore
Leo Madden
George Fielding

28. Appointment of Chair

Councillor Leo Madden was elected as Chair.

29. Declarations of Members' Interests

There were no declarations of members' interests.

30. Licensing Act 2003 – Section 20 - Mandatory Condition - Exhibition of Film, Kekee Manzil: House of Art - Boathouse No. 6 Portsmouth Historic Dockyard

Nickii Humphreys, Licensing Manager, introduced her report, explaining the need for the Sub-Committee to classify the film in the absence of a BBFC classification so that it could be shown at a screening at Boathouse No.6 in the Historic Dockyard in September 2023. Therefore, an age appropriate condition needed to be considered and the panel had had the opportunity to view the film immediately prior to the public Sub-Committee meeting. Members had been provided with the BBFC classification guidelines.

Decision

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 screening of a file to be shown at Boathouse No.6 in Portsmouth Historic Dockyard.

Section 20 of the Licensing Act 2003 Act provides that where a premises licence or club premises certificate 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, Malisa Chafer of Boathouse No.6. The film has not been classified by the BBFC and therefore the licensing authority is required to impose an age classification to it. The classification decided will only be relevant to viewing the film in Portsmouth.

The Sub Committee viewed the 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:

Kekee Manzil: House of Art

The film is described as a feature documentary. It contained themes of nudity solely within the context of art as well as violence in terms of death and destruction of property within a historical setting which was not dwelled upon or endorsed within the film. The film makes reference to discrimination within a religious context but again not endorsed by the film and there are isolated incidents of bad language but these are not excessive and allowed for within a 12 classification.

Given the above reasoning the sub-committee ascribe a 12 classification having considered the Act and the Guidance contained in the BBFC guidance. This category is passed for persons aged 12 and over.

The meeting concluded at 12.05 pm.

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Chair