

REPORT TO: LICENSING SUB-COMMITTEE 3 MAY 2019

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: NICKII HUMPHREYS

**Licensing Act 2003 – Section 20 - Mandatory Condition - Exhibition of Films
Portsmouth Football Club Documentary - Boathouse No. 6 Portsmouth
Historic Dockyard**

1. PURPOSE OF REPORT

The purpose of this report is for the Committee to exercise its statutory powers as Licensing Authority to impose an age classification using the BBFC film classification categories in respect of a film exhibition to be shown at Boathouse No. 6, Portsmouth Historic Dockyard, College Road, HM Naval Base, Portsmouth. The proposed date for public screening of this film is Wednesday 22 May 2019.

2. BACKGROUND INFORMATION

Section 20 of the Licensing Act 2003 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 to 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 only the British Board of Film Classification - "BBFC") or by the Licensing Authority itself.

Portsmouth Football Club wishes to exhibit a documentary film about Portsmouth FC's recent history at Boathouse No.6. The film has not been classified by the BBFC and therefore Portsmouth Football Club and Boathouse No.6 are seeking local authority clearance in order to exhibit this film, based upon the BBFC film classification groups.

3. SUMMARY OF FILM SYNOPSIS

Year: 2019 Genre: Documentary Duration: 88 minutes

Synopsis: Portsmouth FC's recent history is truly a tale of our footballing times. Big names. Big Business. Big Debt. In 2008 Portsmouth were on top of the world, FA Cup winners and welcoming AC Milan to Fratton Park. But behind the scenes things were unravelling. Five years on, Portsmouth found themselves on the brink of going out of business. This film tells the remarkable story of how Pompey were saved, told by the people that loved them most; the fans.

4. BBFC CLASSIFICATION GUIDELINES

BBFC is an independent, non-governmental, not-for-profit, co-regulatory body. Its role is to classify:

- Films, trailers and advertisements on behalf of local authorities who licence cinemas;
- Video works under the Video Recordings Act 1984;
- Video works which are distributed over the internet under a voluntary, self-regulatory service;

- Commercial and internet content distributed via mobile networks under a voluntary, self-regulatory service.

The Classification Guidelines produced by the BBFC follow extensive public consultation, as well as other research, expert advice and its accumulated experience over many years. The Guidelines pay particular attention to changes in public taste, attitudes and concerns as well as changes in the law. They also take into account new evidence from research or expert sources. The guidelines are reviewed on a regular basis.

The guiding principles applied by the BBFC are:

- To protect children and vulnerable adults from potentially harmful or otherwise unsuitable media content;
- To empower consumers, particularly parents and those with responsibility for children, to make informed viewing decisions.

Attached as Appendix A is a copy of the most recent BBFC Guidelines but in summary the following general advice applies to the classification categories in terms of age restrictions:

U Universal - Suitable for all

A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror.

Language - Infrequent use only of very mild bad language

See Page 18 of the Guidelines for more comprehensive guidance.

PG Parental Guidance - General viewing, but some scenes may be unsuitable for young children

A PG film should not unsettle a child aged around eight or older, Unaccompanied children of any age may watch, but parents are advised to consider whether the content may upset younger, or more sensitive, children.

Language - Mild bad language only. Aggressive or very frequent use of mild bad language may result in a work being passed at a higher category.

See Page 20 of the Guidelines for more comprehensive guidance.

12A/12 - Suitable for 12 years and over

Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12. No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child.

Language - There may be moderate bad language. Strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification.

See Page 22 of the Guidelines for more comprehensive guidance.

15 - Suitable only for 15 years and over

No one younger than 15 may see a 15 film in a cinema. No one younger than 15 may rent and or buy a 15 rated video work.

Language - There may be strong language. Very strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification

See Page 24 of the Guidelines for more comprehensive guidance.

18 - Suitable only for adults

No one younger than 18 may see an 18 film in a cinema. No one younger than 18 may rent or buy an 18 rated video work.

See Page 26 of the Guidelines for more comprehensive guidance.

R18 - To be shown only specially licensed cinemas, or supplied only in licensed sex shops and to adults only.

The R18 category is a special and legally-restricted classification primarily for explicit works of consenting sex or strong fetish material involving adults. Films may only be shown to adults in specially licensed cinemas, and video works may be supplied to adults only in licensed sex shops. R18 video works may not be supplied by mail order.

See Page 28 of the Guidelines for more comprehensive guidance.

5. APPEAL PROVISIONS

There are no appeal provisions in the Act in respect of any classification decision made by the Licensing Authority.

6. APPENDICES

A. BBFC Guidelines.

THE COMMITTEE IS REQUESTED TO DETERMINE THE MATTER

**Licensing Manager
For Head of Service**