

## LICENSING COMMITTEE

Meeting - 29 June 2016

Present: Mr Walters MBE (Chairman)  
Mr D Smith, Mrs Jordan, Mr Pepler, Mr Read, Mr Samson,  
Mr Sandy, Mr Sangster and Mrs Lewis

Apologies for absence: Mr Hogan

### 5. MINUTES

The minutes of the meeting of the Licensing Committee held on 23 March and 10 May 2016 were received.

### 6. LICENSING ACT 2003 - OFFICER DETERMINATIONS

The Committee received a report which informed Members of Officer Determinations during the period 3<sup>rd</sup> March 2016 to 7<sup>th</sup> June 2016.

**RESOLVED** that the report be noted.

### 7. FILM CLASSIFICATION AND RECLASSIFICATION UNDER THE LICENSING ACT 2003

The Committee considered a report regarding Film classification and reclassification under The Licensing Act 2003.

Officers explained to Members of the Committee that a request for film classification had led to the creation of a Policy that would deal with such requests. The report detailed that the Licensing Act does bestow local authorities with the responsibility for film classification, but that this is normally carried out by the BBFC.

The draft policy, attached as Appendix 1, proposed that the Council would follow the BBFC guidance to ensure that classifications are considered in line with the requirements of the Licensing Act and statutory guidance. The Committee were made aware that the function would be delegated to the Head of Healthy Communities in order that officers would be able to carry out the work required for each request, thereby preventing the need for the arrangement of a sub-committee, allowing requests to be dealt with as efficiently as possible. It was further noted by the Committee that the Head of Healthy Communities could waiver his delegation if considered appropriate for sub-committee to consider a classification case.

After questions from Members, it was clarified that the fees proposed ensure cost recovery, with £47 estimated to be the hourly cost of a Healthy Communities officer, and the time required for the administration of such a request. Similarly, the £1 per minute additional fee allows for recovering the cost of viewing the film.

It was therefore **RESOLVED** by the Licensing Committee to:

1. Approve the draft policy for dealing with the classification of films for adoption with immediate effect
2. Agree to adopt the Guidance issued by the BBFC to assist in the classification and re-classification of films.

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It was further agreed that the Licensing Committee **RECOMMEND** to Council that:

1. The Head of Healthy Communities be authorised to determine the classification and re-classification of films including appeals under the licensing legislation in accordance with the Policy.
2. All cases not determined by the Head of Healthy Communities under delegated authority be dealt with by the Licensing Sub-Committee.
3. The level of fee for the classification of films be set at £47, plus £1 per minute of the full length of the submitted film, plus any costs associated with the hire of any associated venue or equipment costs.

### 8. LICENSING SUB-COMMITTEE

The Committee received a report which informed members of the Licensing Committee determination during the period 1 March 2016 to 9 June 2016, of which there were none.

**RESOLVED** that the report be noted.

### 9. ANY OTHER BUSINESS

None.

The meeting terminated at 5.12 pm