



East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT

Licensing Committee

Members:

Councillor Keith Robinson (Chairman)
Councillor Mark Newton (Vice-Chairman)
Councillor Paul Ashdown
Councillor Edward Back
Councillor Alison Cackett
Councillor Tony Cooper
Councillor Linda Coulam
Councillor Janet Craig
Councillor John Fisher
Councillor Andree Gee
Councillor Tony Goldson
Councillor Colin Hedgley
Councillor Keith Patience
Councillor Rachel Smith-Lyte
Councillor Steve Wiles

Members are invited to a **Meeting of the Licensing Committee**
to be held in the Deben Conference Room, East Suffolk House, Melton
on **Monday, 16 January 2023 at 6.30pm**

This meeting will be broadcast to the public via the East Suffolk YouTube
Channel at <https://youtu.be/HpS6UU1AhyY>

An Agenda is set out below.

Part One – Open to the Public

Pages

- | | | |
|----------|--|----------------|
| 2 | Declarations of Interest
Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered. | |
| 3 | Minutes
To confirm as a correct record the Minutes of the Meeting held on 17 October 2022. | 1 - 4 |
| 4 | Policy for the Classification of Films ES/1415
Report of the Licensing Manager and Housing Lead Lawyer | 5 - 37 |
| 5 | Issued Licences in East Suffolk and an Overview of the work of the Licensing Sub-Committees October – December 2022 ES/1416
Report of the Licensing Manager and Housing Lead Lawyer | 38 - 47 |

Part Two – Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

Close



Chris Bally, Chief Executive

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Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held in the Conference Room, Riverside, on **Monday, 17 October 2022 at 6.30pm.**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Edward Back, Councillor Alison Cackett, Councillor Linda Coulam, Councillor Janet Craig, Councillor John Fisher, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Mark Newton, Councillor Keith Robinson

Other Members present:

Councillor Judy Cloke, Councillor Mark Jepson

Officers present:

Teresa Bailey (Senior Licensing Officer), Martin Clarke (Licensing Manager & Housing Lead Lawyer), Sarah Davis (Democratic Services Officer (Scrutiny & Member Development)), Alli Stone (Democratic Services Officer (Governance)), Alison Woodley (Licensing Officer)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Tony Cooper, Tony Goldson and Steve Wiles. Councillor Judy Cloke attended the meeting as Councillor Goldson's substitute.

2 Declarations of Interest

No declarations of interest were made.

3 Minutes

It was by consensus

RESOLVED

That the Minutes of the Meeting held on 1 August 2022 be agreed as a correct record and signed by the Chairman.

4 Proposed Taxi Fare Increase

The Committee received report **ES/1310** of the Cabinet Member with responsibility for Community Health, which required the Committee to consider objections and comments received following a consultation regarding the proposed increase to the

hackney carriage fares tariff in the north of the East Suffolk district. The Chairman noted that this matter had been debated at the Committee's previous meeting of 1 August 2022.

Councillor Jepson, Assistant Cabinet Member for Community Health, noted that following the Committee's approval of the new fares at its previous meeting, a consultation had taken place with hackney carriage drivers and operators in the North of the district. As a result of feedback received from this consultation the initial waiting time had been recalculated and was included in the proposed tariff fare table attached as Appendix A to the report. Councillor Jepson invited the Senior Licensing Officer to provide further information.

The Senior Licensing Officer noted that two objections had been received during the consultation, with both objections relating to the need to replace meters as older meters could not be recalibrated to the new fares.

The Committee was advised that comment had also been received from one of the larger operators in the North of the district regarding the calculation of waiting time, which had not been taken into account when the proposed figures had been rounded up. The Senior Licensing Officer confirmed that this calculation had been verified with an independent meter agent and the proposed figures, attached as Appendix A to the report, had been amended to reflect this calculation.

The Chairman invited questions to Councillor Jepson and the officers.

The Senior Licensing Officer advised that 139 hackney carriage drivers had been consulted, along with 30 operators. Councillor Coulam expressed surprise at the low response to the consultation; the Licensing Manager & Housing Lead Lawyer noted that responses were more likely to be received when consultees are not happy with proposals.

In response to a question regarding hackney carriage drivers not upgrading or recalibrating their meters, officers explained that drivers are required to have their meters calibrated to the tariffs set by the Council and this is the maximum they can charge a passenger for a fare; it was noted that it was at individual drivers' discretion to charge lower than the fare indicated on their meter, including whether or not to barter with a passenger to agree a lower fare. The Committee was informed that meter calibration was checked during a vehicle inspection and a vehicle with an incorrectly calibrated meter would fail its inspection.

The Senior Licensing Officer explained that vehicle meters would be recalibrated by an agent from the meter manufacturer and then Council officers would undertake a measured mile in the vehicle to ensure the meter had been calibrated correctly.

Members discussed the cost to drivers to upgrade or replace their meters; the Chairman noted this would be a personal decision to each driver.

It was confirmed that the waiting time calculation had been correct when the current fares had been agreed.

Councillor Jepson noted that the Council had worked closely with hackney carriage drivers in the North of the district and had been influenced by drivers when considering raising the tariffs.

In response to a question on the proportion of drivers consulted supporting the proposed increases, the Licensing Manager & Housing Lead Lawyer set out the consultation publication requirements set out by the Local Government (Miscellaneous Provisions) Act 1976 (the Act) and noted that only those wishing to object to the proposals were invited to respond, considering those supporting the proposals were not required to respond.

The Licensing Officer confirmed that the current hackney carriage fares were set in 2012/13, so most meters in the North of the district were approximately nine to ten years old and some meters could not accept the latest chips to be recalibrated. The Committee was advised that there were 44 hackney carriage vehicles that would need to be recalibrated.

Officers reiterated that the two objections, identical in nature, had objected to the proposed fares on the grounds that the consultees would be required to replace their meters, as they could not be recalibrated. The Licensing Officer highlighted that three other drivers had acknowledged they would need to replace their meters should the proposed fares be agreed and were prepared to do so, adding that the figure of £360 cited by the objectors was not a universal figure and was lower in some cases, depending on the make/model of the meter.

It was proposed by Councillor Hedgley and seconded by Councillor Ashdown that the proposed hackney carriage fares for the North of the district, attached as Appendix A to the report, be adopted with effect from 17 October 2022. The Chairman invited the Committee to debate the proposal.

Councillor Craig supported the officers' comments that supporters of the proposals were not required to respond to the consultation but expressed sympathy with the views of the objectors.

Councillor Coulam noted that, at its last meeting, the Committee had asked to see the consultation letter before it was distributed and considered that the Committee had not received enough information. Councillor Coulam was of the view that a response from all hackney carriage drivers and operators was required to get an accurate picture. In response, the Senior Licensing Officer advised the Committee that the consultation letter was a covering letter including a replica of the newspaper advertisement as set out by the requirements of the Act.

Councillors Back and Cackett both spoke in support of the proposal, noting the low objection responses and considering that the main issue raised was the replacement of meters rather than the fare increases themselves.

The proposal was put to the vote, and it was unanimously

RESOLVED

That the proposed hackney carriage fares for the North of the district, attached as Appendix A to the report, be adopted with effect from 17 October 2022.

NOTE: Councillor Ashdown left the meeting at the conclusion of this item.

5 Issued Licences in East Suffolk and an Overview of the work of the Licensing Sub-Committees July – September 2022

The Committee received report **ES/1311** of the Cabinet Member with responsibility for Community Health, which provided an overview of the current number and licences issued with regard to the Licensing Act 2003, the Gambling Act 2005 and taxis by East Suffolk Council. The report also summarised the applications received and the work of the Licensing Sub-Committees from July to September 2022.

There being no questions it was by consensus

RESOLVED

That the overview of some of the work of the Licensing Team and the Licensing Sub-committees during the third quarter of 2022 be noted.

The meeting concluded at 7.04pm.

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Chairman



LICENSING COMMITTEE

Monday, 16 January 2023

Subject	Policy for the Classification of Films
Report by	Councillor Mary Rudd – Cabinet Member with Responsibility for Community Health
Supporting Officer	Martin Clarke Licensing Manager and Housing Lead Lawyer 01502 523226 Martin.clarke@east Suffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

To seek the Licensing Committee's approval for the adoption of a policy for the classification of films.

Options:

- 1) To approve the policy.
- 2) To not approve the policy.
- 3) To approve the policy following modification.

Recommendation/s:

To approve the draft policy for dealing with the classification of films for use immediately.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees

ESC policies and strategies that directly apply to the proposal:

Statement of Licensing Policy

Environmental:

No impact

Equalities and Diversity:

No impact

Financial:

No impact

Human Resources:

No impact

ICT:

No impact

Legal:

No impact

Risk:

No impact

External Consultees:	None
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected? Licensing plays an important role in the themes in the Council's Strategic Plan of growing our economy and enabling our community's. There are many young and new film makers, producers and directors who wish to exhibit their films within East Suffolk and by ensuring new films are given an appropriate classification, the Council can protect the younger audience and support the many film festivals and viewings that take place in the district.			

Background and Justification for Recommendation

1	Background facts
1.1	East Suffolk Council is the Licensing Authority under the provisions of the Licensing Act 2003 (the Act). It issues premises licences and club premises certificates which permit licensable activities as defined by the Act. One of the licensable activities is the provision of regulated entertainment.
1.2	Schedule 1 of the Act sets out what activities are regarded as regulated entertainment. The description of licensable activities includes the exhibition of a film.
1.3	<p>To be licensable, an activity needs to be provided for the purpose (at least partly) of entertaining an audience, has to be held on premises made available for the purpose of enabling that activity, and must also either:</p> <ul style="list-style-type: none"> • Take place in the presence of a public audience, or • Where the activity takes place in private, be the subject of a charge made with a view to a profit.
1.4	<p>All premises licences that permit regulated entertainment in the form of the exhibition of a film have a mandatory condition relating to the admission of children to that premises. Children under the Licensing Act 2003 are defined as anyone under the age of 18 years. The mandatory condition is a requirement under section 20 and 74 of the Act. The mandatory condition reads as follows:</p> <p>EXHIBITION OF FILMS</p> <p>1) Where the film classification body is specified in the licence, unless subsection (2) applies, admission of children must be restricted in accordance with any recommendation made by that body.</p> <p>2) Where the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.</p> <p>3) In this section -</p> <p>“children” means persons aged under 18; and</p> <p>“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).</p> <p>Note: the film classification body specified in this licence is the British Board of Film Classification.</p>
1.5	The Licensing Act 2003 provides a number of exemptions for certain types of film such as those exhibited for the purpose of advertisement, information, and education.
1.6	The Council is the classification body for the public exhibition of films shown within its area. The Council has the right to classify films that are shown in premises such as cinemas, hotels, clubs, public houses and community premises.
1.7	Premises must restrict the admission of children to either the film classification recommended by the British Board of Film Classification (BBFC) or, if the Council does not agree with that recommendation, to such other classification recommended by the Council.

1.8	If a film has not been classified by the BBFC it must not be shown at a premises without having first been classified by the area Council concerned. A typical example of this would be a locally made film to be shown at a local film festival.
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2 Current position

2.1	<p>In recent months the Council has received three last minute requests for film classifications. Each request has involved a number of films to be shown at film festivals and has meant an awful lot of time spent watching the films in a very short space of time. A film classification policy should ensure that appropriate notice is given for determining a classification.</p> <p>The Council will still have the option of considering late submissions on a case-by-case basis.</p>
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3 How to address current situation

3.1	In order to cater for film classification requests, it is prudent for the Council to have a formal policy and procedure in place. By approving the draft policy, the Council will adopt the BBFC guidelines for film classification.
3.2	As the matter of film classification is placed on the Council as a procedural matter for Licensing Authorities under the Licensing Act 2003, there is no proposal to carry out any form of consultation. If approval is given, the policy will have immediate effect.
3.3	It is the intention of the Licensing Team to write to all cinemas, village and community halls and other relevant organisations to remind them of the need to have independently and locally made films classified before they can be shown to members of the public, and to promote the new policy.
3.4	The Licensing Team believes no charge can be made for an application for a film classification as it is not a discretionary service for which a charge can be made under section 93 of the Local Government Act 2003. The Licensing Authority has the power and duty to recommend a classification and it does not amount to a discretionary service.

4 Reason/s for recommendation

4.1	To ensure enough time is given for the Licensing Committee to view films not previously classified, in order to give a suitable classification.
4.2	To promote the licensing objective The Protection of Children from Harm by awarding a suitable classification.
4.3	To provide a fair and consistent approach to film classification.

Appendices

Appendices:	
Appendix A	Draft policy
Appendix B	BBFC Guidelines



FILM CLASSIFICATION POLICY

January 2023

1. INTRODUCTION

- 1.1 Sections 20 and 74 of the Licensing Act 2003 (the Act) provides that where a Premises Licence or Club Premises Certificate authorises the exhibition of a film(s), the Licence/Certificate must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given by the British Board of Film Classification (the BBFC) or by the Council itself.
- 1.2 The public exhibition of films on licensed premises must therefore either be classified by the BBFC or authorised by the Licensing Authority under the powers of the Licensing Act 2003.
- 1.3 The purpose of this Policy is to set out the formal procedure for the Council to determine the classification of previously unclassified films, appeals by distributors against the British Board of Film Classification's decisions, or request to reclassify films.
- 1.4 Where a premises seeks or intends to exhibit a film(s), that premises must be covered by a Premises Licence, Club Premises Certificate, or a Temporary Event Notice under the Licensing Act 2003.
- 1.5 The Licensing Act 2003 defines children as 'any person under the age of 18' and defines the exhibition of a film as 'the exhibition of moving pictures'.

2. WHEN THE LICENSING AUTHORITY MAY CLASSIFY A FILM

- 2.1 The Licensing Authority may be requested to authorise the showing of an unclassified film(s) within the East Suffolk Council district. Typically, this will be for:
- A film festival covering a specific period of time
 - A one off screening of a film(s)
 - A trailer for a film
- 2.2 The Licensing Authority may also be requested to authorise a film that has already been classified by the BBFC when:
- A distributor of a film wishes to appeal against the decision of the BBFC and request that the Licensing Authority re-classifies/authorises the film for local screening (with recommendations on age restrictions) or;
 - An independent party may request that the Licensing Authority reclassifies/authorises the film for local screening (with recommendations on age restrictions).

3. POLICY

- 3.1 In accordance with the s.182 Statutory Guidance issued to Licensing Authorities; the Council shall concern itself primarily with the protection of children from harm. It will not use its powers to censor films save where there is clear cause to believe that this is required to promote the licensing objectives.
- 3.2 Under the Licensing Act 2003, the Council must carry out its function with a view to promoting the licensing objectives -
- a. The prevention of crime and disorder
 - b. Public safety
 - c. Prevention of public nuisance
 - d. Protection of children from harm
- 3.3 In terms of film exhibitions and festivals, the most relevant licensing objective is the Protection of Children from Harm.

Protection of Children from Harm

Paragraph 2.41 of the Statutory Guidance issued to Authorities states:

The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).

4. PRINCIPLES IN DETERMINING FILM CLASSIFICATIONS

- 4.1 The BBFC classifies films in accordance with its published Guidelines, which are based on extensive research into public opinion and professional advice.
- 4.2 The Council considers the classification system used by the BBFC to be nationally understood and accepted. It will therefore use this system and any amendments thereto, as a reference point for determining its recommendations(s) on the restriction of access of children to the film(s). It should be noted however that the Council is not obliged to follow these guidelines.
- 4.3 Where a licensed premises seeks to exhibit a film that has not been classified by the BBFC then it will be responsibility of the Council to authorise that film. As such, the procedures outlined later in this document will be followed.

- 4.4 The Council recognises the principle within the Human Rights Act 1998 that adults should be free to choose their own entertainment. Material should not be in breach of the criminal law, including material judged to be obscene under the current interpretation of the Obscene Publications Act 1959, the Copyright, Designs and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.
- 4.5 Applicants must ensure that all material that is the subject of the application complies with the current interpretation of the Obscene Publications Act 1959, the Copyright, Designs and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.
- 4.6 Any authorisations for the exhibition of film(s) issued by the Council shall only apply when the film(s) is exhibited within the East Suffolk Council district and does not affect the authorisation or recommendations in any other council area.
- 4.7 Once authorised by the Council, a film will be authorised for a particular showing or festival only subject to the recommendations imposed by the Council (unless further application for re-classification is made). Details of the authorisation including any recommendations shall be available from the Council's Licensing Team.
- 4.8 The issue of any authorisation by the Council is strictly limited to the authorisation within the East Suffolk Council district and it is assumed that all relevant third party consents and licences in respect of any and all copyright, confidential information and all other intellectual property rights have been obtained.
- 4.9 The Council will consider each authorisation on its own merit and may impose additional and more specific recommendations where it deems necessary in order to comply with the Protection of Children from Harm licensing objective.
- 4.10 Where the Council authorises unclassified material to be shown the Council will require an undertaking from the applicant that he has satisfied himself after proper enquiry that no material to be exhibited contravenes the current interpretation of the Obscene Publications Act 1959, the Copyright, Designs and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence.
- 4.11 The Council shall also not be liable for any material that has been created through the commission of a criminal offence. It is the responsibility of the applicant to ensure that no film or trailer contravenes the law.
- 4.12 Where the Council has determined to refuse authorisation of a film(s) clear and concise reasons shall be given.

5. EXEMPTIONS

5.1 The provision of the exhibition of a film(s) is exempt from regulation by the Licensing Act 2003 if either:

- a. It consists of or forms part of an exhibit put on show for any purpose of a museum or art gallery (the Licensing Act 2003 does not define a museum or art gallery so the ordinary meaning of the term is taken).
- b. Its sole or main purpose is to:
 - Demonstrate any product
 - Advertise any goods or services (excluding the advertising or films) or
 - Provide information, education or instruction.
- c. The film is shown on a 'not-for-profit' basis held in a community premises between the hours of 08:00 and 23:00 on any day provided that the audience does not exceed 500, and the exhibitor of the film
 - Obtains consent to the screening from a person who is responsible for the premises
 - Ensures that each screening abides by age classification ratings (the film must still be classified by either the BBFC or the Licensing Authority).

6. PROCEDURE FOR SUBMISSION OF FILM(S)

6.1 Applications for authorisation of films not classified by the BBFC shall be referred to and determined by the Licensing Sub-committee on behalf of the Licensing Authority.

6.2 Applications should be submitted to the Licensing Authority, for the attention of the Licensing Team, **at least 28 days before** the proposed screening.

6.3 An application for authorisation needs to be in a form that can be viewed, read, and understood, should state detailed reasons for the request and include the following information:

- The date(s), time(s) and proposed venue for the exhibition of the film(s)
- The name of the film maker
- A brief synopsis of the film(s)
- Any recommendation that may have been made by the film maker regarding an age limit for the intended audience for exhibition of the film
- Any existing classification issues by an existing classification body, whether within or outside the UK
- If the film has previously been classified by another Licensing Authority, details of

the classification awarded by that authority, together with the date and venue at which it was shown

- Information identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film
- The language spoken in the film and whether there are subtitles in English
- Details of how any age restrictions will be enforced

6.4 All requests shall be accompanied by the film(s). This may be in DVD format or links via email. If DVD(s) have to be sent then the cost will be borne by the applicant.

6.5 If the film contains dialogue in a language other than English, an interpreter, approved by the Licensing Authority may be required for the classification, the cost to be borne by the applicant.

6.6 The Licensing Sub-committee will view the entire film(s) and assess it against the BBFC guidelines and any national Government guidance.

6.7 A notice of determination will be issued within 5 working days of the classification being determined.

6.8 Where the Licensing Authority has determined to refuse the authorisation of a film, reasons for the decision will be given.

7. AUTHORISATION

7.1 Any authorisation(s) for the exhibition of film issued by the Licensing Authority will only apply when the film is exhibited within the area covered by East Suffolk Council and does not affect the authorisations of any other Council.

7.2 Once authorised by the Licensing Authority a film(s) will be authorised for a particular showing or festival only and subject to the recommendations imposed by the Licensing Authority.

7.3 The issue of any authorisation by the Licensing Authority is strictly limited to the determination of film classification and it will be assumed that all relevant third party consents and licences in respect of any and all copyright confidential information and all other intellectual property rights have been obtained.

7.4 Where the Licensing Authority has authorised unclassified material to be shown, it will require an undertaking from the applicant of that they are satisfied, after making proper enquiry, that no material to be exhibited contravenes the current interpretation of the Obscene Publications Act 1959, the Copyright, Designs and

Patents Act 1988, Counter Terrorism and Security Act 2015 or any other relevant legislation and has not been created through the commission of a criminal offence.

7.5 The Licensing Authority shall also not be liable for any material that has been created through the commission of a criminal offence. It is the responsibility of the applicant to ensure that no film or trailer contravenes the law.

7.6 Each application will be considered on its individual merits. There is no right of appeal to the classification imposed by the Licensing Authority, save by way of Judicial Review of the decision.

7.7 All authorisations issued under a Premises Licence or Club Premises Certificate will be subject to the mandatory conditions contained in the Act relating to the exhibition of film.

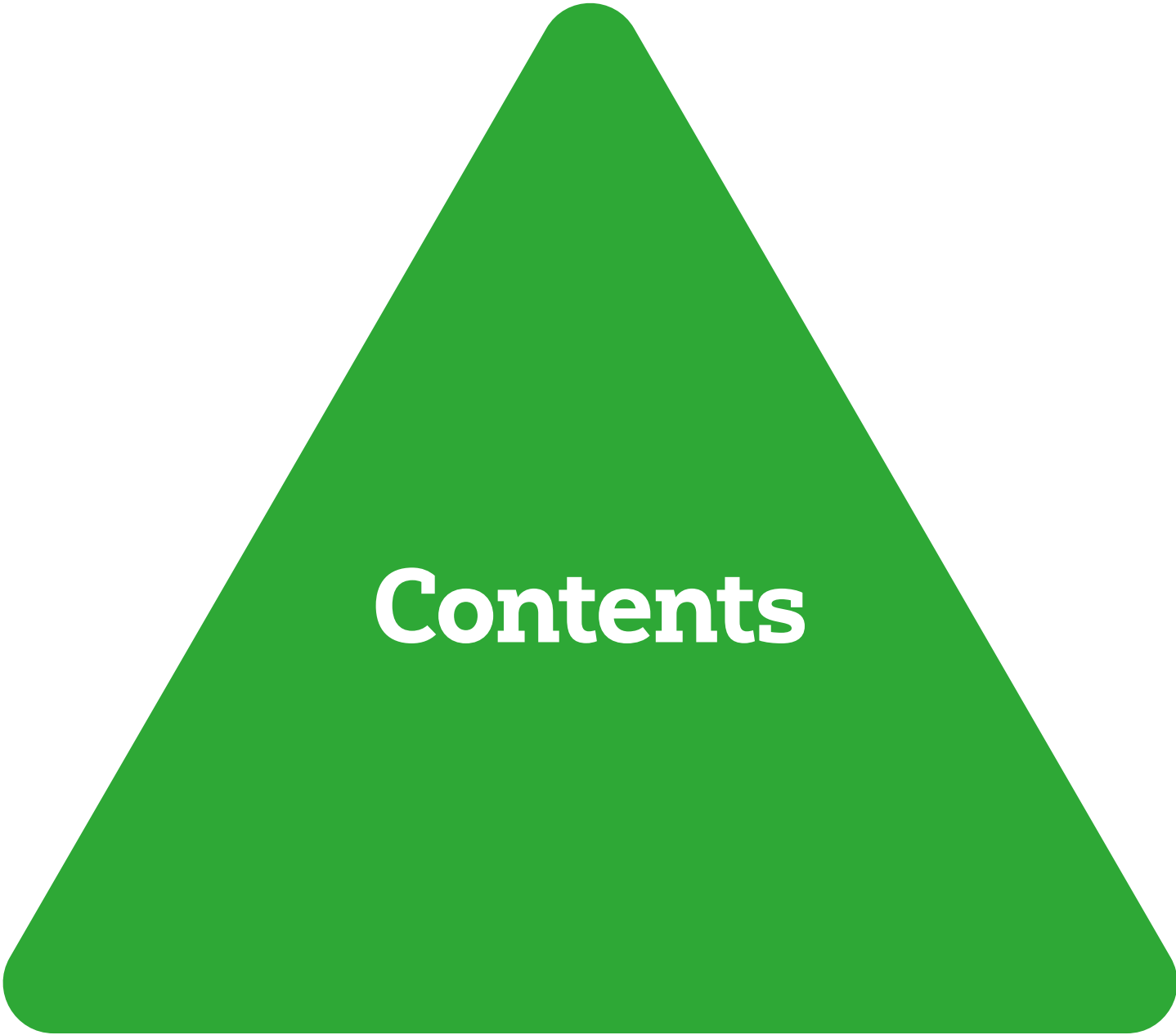
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Tel. 01394 444802



Classification Guidelines



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The British Board of Film Classification (BBFC) is an independent, non-governmental, not-for-profit, co-regulatory body. Our classification function is funded through fees charged to those who submit films and video works for classification.

- We classify:
- films, trailers and advertisements on behalf of local authorities who license cinemas under the Licensing Act 2003¹
 - video works distributed on physical media 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

Our Classification Guidelines follow an extensive public consultation to which more than 10,000 people contribute across the UK, as well as other research, expert advice and our accumulated experience over many years. The Guidelines, and our practice in applying them, pay particular attention to changes in public taste, attitudes and concerns, and changes in the law. They also take account of new evidence from research and expert sources. The Guidelines are reviewed every four to five years, and how we apply them is reviewed when necessary.

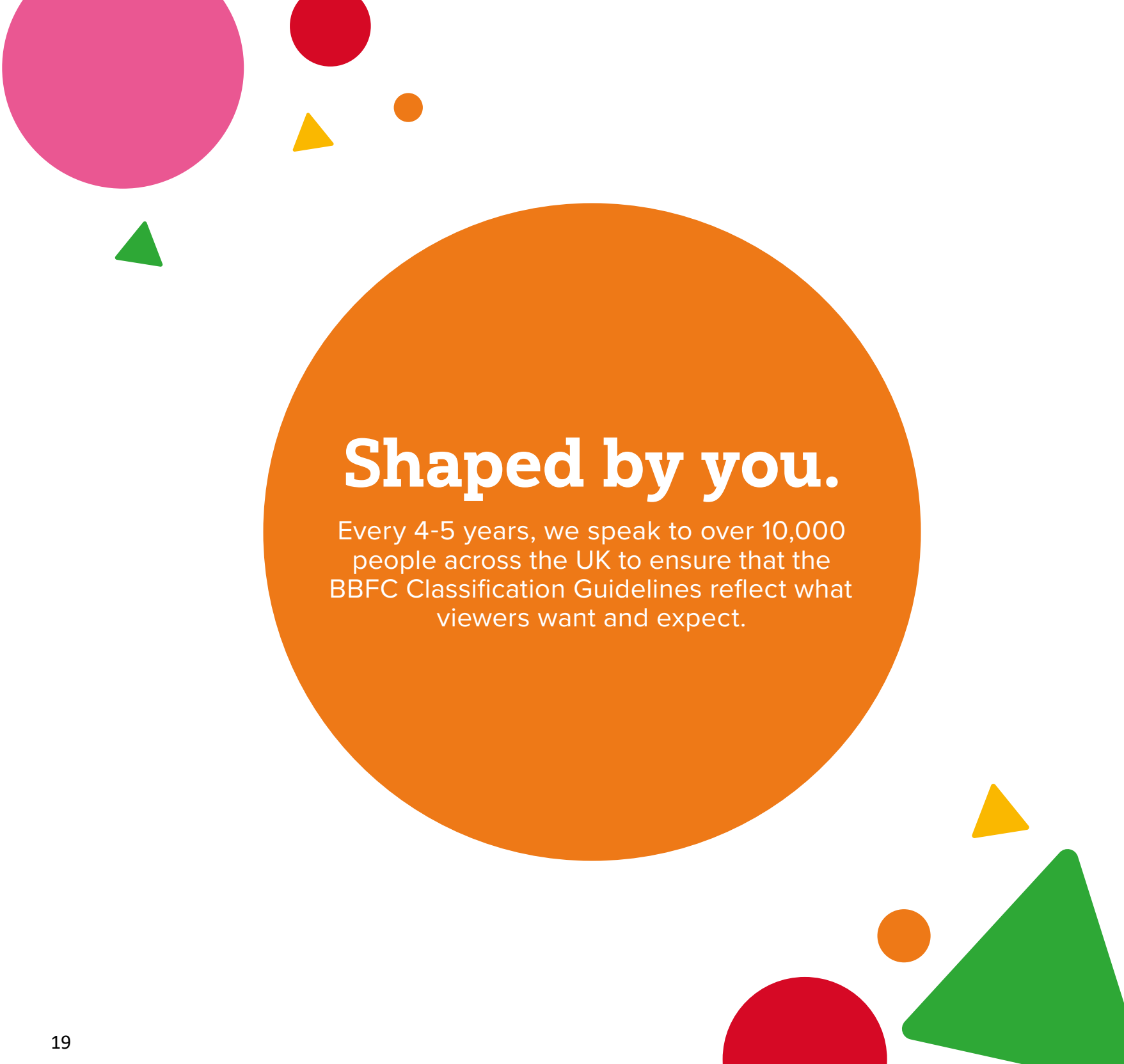
We take responsibility for the Guidelines and for their interpretation. This responsibility is subject to the normal considerations of fairness and reasonableness.

Here, and throughout the Guidelines, video works are taken to include films and programmes released on DVD or Blu-ray, or distributed by means of download or streaming on the internet.

The Guidelines cannot be a comprehensive account of everything that may at any time be of concern. If issues arise which are not specifically covered here, they will be dealt with by us on their merits and in line with the standards expressed and implied in these Guidelines. The Guidelines are not a legal document and should be interpreted in the spirit of what is intended as well as in the letter.

We will provide guidance on the interpretation of these Guidelines on request and their application to particular films.

¹Since 31 March 2016 the BBFC has sub-contracted the assessment of cinema advertisements for commercial goods and services to the Cinema Advertising Association, while retaining responsibility for classifying all feature films, trailers, public information films and charity campaigns.



Shaped by you.

Every 4-5 years, we speak to over 10,000 people across the UK to ensure that the BBFC Classification Guidelines reflect what viewers want and expect.



Guiding principles

Our guiding principles 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

We fulfil these roles chiefly by providing age classifications and publishing advice (known as ratings info) for individual films and videos. Ratings info gives a detailed breakdown of the issues that result in a particular classification, as well as other issues likely to be of relevance to viewers.

Our extensive research into public opinion guides us as we seek to ensure that classification decisions generally reflect public sensibilities and expectations as these change over time. We seek to ensure that films and videos reach the widest audience that is appropriate for their theme and treatment.

While media effects research and expert opinion can provide valuable insights, it can be inconclusive or contradictory on issues of suitability and harm. In such cases we must rely on our own experience and expertise to make a judgement as to the suitability of a work for classification at a particular age category, taking into consideration whether the availability of the material, to the age group concerned, is clearly unacceptable to broad public opinion.

We do this without infringing the right of adults to choose what they view provided that it remains within the law and is not potentially harmful.

In relation to harm, we will consider whether the material, either on its own, or in combination with other content of a similar nature, may cause any harm at the category concerned. This includes not just any harm that may result from the behaviour of potential viewers, but also any moral or societal harm that may be caused by, for example, desensitising a potential viewer to the effects of violence, degrading a potential viewer's sense of empathy, encouraging a dehumanised view of others, encouraging anti-social attitudes, reinforcing unhealthy fantasies, or eroding a sense of moral responsibility. Especially with regard to children, harm may also include impairing social and moral development, distorting a viewer's sense of right and wrong, and limiting their capacity for compassion.

We will not classify material which is in conflict with the criminal law, and we will have regard to whether the material has arisen from the commission of an unlawful act.

We act as a regulator across the United Kingdom. However, the UK does not have a single legal system, and so we take account of the different legal systems that coexist in the UK. Further details about the applicable legislation can be found in the Annexe – legal considerations.

General classification considerations

There are general factors that may influence a classification decision at any level and in connection with any issue. These factors are of particular importance when a work lies on the borderline between two age categories.

Context
We consider the context in which an issue (such as sex, language or violence) is presented within a film or video. In doing this we take account of factors such as the setting of a work (historical, fantasy, realistic, contemporary); the manner of presentation (for example, an aggressive and directed use of bad or discriminatory language may result in a higher classification than a light-hearted and self-referential use of the same term); the apparent intention of the film; the original production date of the work (for example, outdated attitudes might be considered less offensive, and consequently classified at a lower category, in an old, obviously dated, work); the expectations of the likely audience; and any special merits of the work.

Theme
Classification decisions will take into account the theme of a work, but will depend significantly on the treatment of that theme, and especially the sensitivity of its presentation. The most challenging themes (for example, sexual violence, paedophilia and suicide) are unlikely to be appropriate at the lowest levels of classification (U or PG). However, there is no reason in principle why most themes, however difficult, could not be presented in a manner which allows classification at 18 or even, where suitable, at lower levels. Classification decisions are likely to be less restrictive where difficult themes are handled in a reassuring and age appropriate manner, or where there is a positive outcome. Classification decisions are likely to be more restrictive where difficult themes are handled in a manner likely to create or reinforce anxiety.

Tone and impact
The overall tone of a work may also affect the classification decision. While the presentation of specific issues, such as sex and violence, may not be problematic at a particular category, a work with a dark or unsettling tone may receive a higher classification. Other tonal considerations which might have an influence on classification include the extent to which the work presents a despairing view of the world, or the extent to which transgressive or harmful behaviour is condoned or made to appear normal.

We take into account the impact of a work (i.e. how it makes the audience feel), for example the presentation of credible real world scenarios about which viewers, especially younger viewers, are likely to be anxious (e.g. terrorism, abduction, suicide, self-harm). We also take account of audience expectations regarding genre, for example in relation to horror films where threat may be more significant than the level of violence, or in the case of action films, where viewers are likely to have certain expectations regarding the type of highly choreographed and unrealistic violence they are likely to contain.

Where multiple classification issues are present in the same work, this may produce a cumulative impact that makes a higher classification more appropriate.



Specific classification considerations

This section of the Guidelines identifies concerns which apply, to a greater or a lesser degree, at all classification levels, and sets out the general approach that we take. The concerns are listed in alphabetical order.

Pages 18 to 28 of the Guidelines provide specific guidance for U through to R18 with regard to such concerns. This should be read together with the General classification considerations.

Dangerous behaviour

Classification decisions will take into account any detailed portrayal of criminal and violent techniques, and glamorisation of easily accessible weapons, such as knives. Works which portray anti-social behaviour (for example, bullying) uncritically are likely to receive a higher classification. Works which, taken as a whole, actively promote illegal behaviour may be cut or refused a classification.

Portrayals of potentially dangerous behaviour (especially relating to suicide, self-harm and asphyxiation) which children and young people may potentially copy, will be cut if a higher classification is not appropriate. The relative ease and likelihood of imitation are also considered.

Classification decisions may be less restrictive where the risks of any dangerous behaviour are likely to be obvious to the intended audience, or where material is intended to educate younger viewers about dangers. Classification decisions will be more restrictive where novel information is presented (for example, about specific suicide techniques), where harmful behaviour is glamorised, or where risks are not made clear.

Discrimination

Potentially offensive content relating to matters such as race, gender, religion, disability or sexuality may arise in a wide range of works, and the classification decision will take account of the strength or impact of their inclusion. The context in which such content may appear also has a bearing. Works with such content may receive a lower category where discriminatory language and behaviour is implicitly or explicitly criticised; or the work has a historical setting within which outdated attitudes or outmoded expressions would be expected; or the work is obviously dated, with little or no appeal to children; or the work seeks to challenge discriminatory attitudes and assumptions. Works with such content may receive a higher category where discriminatory language and behaviour is accompanied by threat or violence; or where there is a clear power imbalance; or where such behaviour is left unchallenged; or where discriminatory attitudes and assumptions are normalised. Where discriminatory language or behaviour occurs, this will normally be indicated in ratings info.

Drugs

No work taken as a whole may promote the misuse of drugs and any detailed portrayal of drug misuse likely to promote the activity may be cut. Works which normalise or glamorise drug misuse are likely to receive a higher classification than works which show drug misuse while emphasising the dangers.

Where smoking, alcohol abuse or substance misuse feature to a significant extent in works which appeal to children, this will normally be indicated in ratings info. Classification decisions will also take into account any promotion or glamorisation of such activities.

Language

Language which people may find offensive includes the use of expletives with a sexual, religious or racial association, derogatory language about minority groups and commonly understood rude gestures. The extent of offence may vary according to age, gender, race, background, beliefs and expectations brought by viewers to the work as well as the context in which the word, expression or gesture is used.

For these reasons, it is impossible to set out comprehensive lists of words, expressions or gestures which are acceptable at each category. The advice at different classification levels, therefore, provides general guidance taking account of the views expressed in public consultation exercises.

Nudity

Nudity with no sexual context is in principle acceptable at all classification levels, but will not generally occur more than occasionally at U.

Nudity with a sexual context will receive a higher classification. Where the principal purpose of depicting nudity is to sexually arouse it will usually only be passed at the adult categories (18 or R18).



<p>Sex</p> <p>The portrayal of sexual activity can range from kissing to detail of unsimulated sex. The normalisation of overtly sexualised behaviour is a concern at the junior categories (U, PG and 12A/12). The classification system allows progressively stronger portrayals of sexual behaviour as the categories rise.</p>	<ul style="list-style-type: none">• a strong emphasis on the distress and fear of the victim• a credible ‘real world’ setting• a protracted build-up of sexual threat
<p>Sex works (works whose primary purpose is sexual arousal or stimulation) will only be passed at 18 or R18.</p>	<p>Mitigating factors include:</p> <ul style="list-style-type: none">• brevity and lack of detail• a clear educational message aimed at young people• a strong narrative justification
<p>We will apply these Guidelines in relation to sex to the same standard regardless of sexual orientation of the activity portrayed.</p>	<p>We may refuse to classify content which makes rape or other non-consensual sexually violent behaviour look appealing or acceptable, reinforces the suggestion that victims enjoy such behaviour, or invites viewer complicity in such behaviour.</p>
<p>Sexual violence and sexual threat</p> <p>Depictions of the stronger forms of sexual violence, including rape, are not permitted at the junior categories.</p>	<p>References to sexual violence are likely to be treated less restrictively than depictions of sexual violence, although any references at the junior categories will generally be oblique or undetailed.</p>
<p>When considering scenes of sexual violence, aggravating factors include:</p> <ul style="list-style-type: none">• the presence of a gang dynamic (e.g. a ‘gang rape’ scene)• a focus on the victim being overpowered or powerless• prolonged, detailed or gratuitous depiction• an emphasis on nudity• an emphasis on the pleasure of the attacker	<p>Sexual threat and abusive behaviour are not permitted at the lowest levels of classification and will only be permitted at 12A/12 if brief and negatively presented.</p>

<p>Threat and horror</p> <p>Where films are targeted at a younger audience, classification decisions will take into account factors such as the frequency, length and detail of scary or otherwise unsettling scenes as well as factors such as the impact of music and sound, and whether there is a swift and reassuring outcome.</p>	<p>Works which feature the following are likely to be treated less restrictively:</p> <ul style="list-style-type: none">• violence in a historical context• violence in an action or fantasy context• violence that lacks detail• violence that looks unreal, fake or overly staged• comic violence• violence that is challenged or punished• violence in a context where it is likely to be expected by the intended audience
<p>The classification of threat and horror will take account of the general tone, impact, realism and supernatural elements of a work as well as the level of detail in individual scenes. Fantasy settings or the inclusion of humour may be mitigating factors. The presentation of ‘real world’ issues and fears may be an aggravating factor.</p>	<p>We are unlikely to classify content which is so demeaning or degrading to human dignity (for example, it consists of strong abuse, torture or death without any significant mitigating factors) that it may pose a harm risk.</p>
<p>Violence</p> <p>Classification decisions will take account of the degree and nature of violence in a work.</p>	
<p>Works which feature the following are likely to receive a more restrictive classification:</p> <ul style="list-style-type: none">• portrayal of violence as a normal solution to problems• heroes who inflict pain and injury• callousness towards victims• the encouragement of aggressive attitudes• characters taking pleasure in pain or humiliation• the glorification or glamorisation of violence• gratuitous violence• violence presented in a credible and realistic context (e.g. gang violence, domestic violence)	

Other matters

Education videos

When classifying an education video, including a sex education video, for use in schools, we will take account of the educational purpose of the video and the context in which it is to be viewed (for example in the classroom mediated by a teacher).

Music videos

In addition to the usual issues, the classification of a music video will take account of any elements which are of particular concern to parents, including glamorisation of behaviour which they consider inappropriate such as drug misuse or sexualised behaviour. Where music videos are short and self-contained, material may be less likely to be justified by context.

Photo or pattern sensitivity, motion sickness and reactions to low frequency sound

A small number of viewers are sensitive to flashing and flickering light, or some shapes and patterns, and may experience seizures or other serious physical effects. Some viewers experience feelings of motion sickness or other symptoms when viewing works which feature hand held or otherwise moving camerawork, or which feature very low frequency sounds.

It is the responsibility of film makers and distributors to identify works in which such issues arise and to ensure that, when required, appropriate warnings are given to viewers. However, if it is obvious during viewing that the work contains strong examples of such imagery

or sounds, we will advise the distributor of the need to ensure that appropriate warnings are in place. Where necessary, we may require assurances regarding the display of appropriate warnings as a condition of classification.

Release format

Classification decisions may be stricter on video works than on film. This is because of the increased possibility of under-age viewing as recognised in the Video Recordings Act (see Annexe), as well as the increased possibility of works being replayed or sections viewed out of context. Accordingly, a video work (either packaged or online) may occasionally receive a higher classification than on film, or require new or different cuts. (Video works may also receive a higher classification because they contain additional content.)

The screen format or visual presentation of a submission may also alter a classification, for example, if the image has been processed in the 3D format, or is shown with an altered aspect ratio such as on an IMAX screen, or if the work is experienced as a piece of immersive linear VR (virtual reality).

Titles

We will require changes as a condition of classification if the title of a work incites racial or religious hatred, or other criminal behaviour, or encourages an interest in abusive or illegal sexual activity.

If the title of a work is likely to cause significant offence to a significant number of people if displayed in a public place, we will advise the distributor to consider carefully the places in which it is likely to be seen and to take appropriate action, for example, by obscuring certain words on packaging or marketing materials. (This advice is not given in relation to video works classified R18 as such works may only be supplied or offered for supply in a licensed sex shop.)

Trailers and advertisements

Audiences may choose to see a full-length feature based on expectations of the particular genre at the given classification and on the published ratings info. In contrast, audiences have no choice, and often no expectation, about the accompanying trailers or advertisements which may be very different in tone and content to the film the audience has chosen to view. In addition, because trailers and advertisements are short and self-contained, material is less likely to be justified by context and more likely to cause offence.

For these reasons, classification decisions for trailers and advertisements may be more restrictive than for equivalent material in a main feature. Strong language will not be allowed in trailers at the U, PG and 12A/12 categories. Strong language may be permitted in trailers at 15, unless significantly aggravated by other factors. Infrequent very strong language may be permitted in trailers at 15 but usually only where there are mitigating factors such as a comic context.

The more restrictive approach set out above may be relaxed where an advertisement is part of a public information campaign or has a charitable purpose.

Cinemas are responsible for the exhibition of cinema trailers and advertisements, and we have no involvement in deciding which films they precede. Questions or complaints about the exhibition of trailers or advertisements should be directed to the cinema management in the first instance.

Video games

With a few limited exceptions we do not classify video games. We consider for classification those video games contained on discs which feature primarily linear video content and any pornographic video games.

We also advise the video games authority on the classification of linear video footage contained in games which is not integral to the game. This includes, for example, rewards and video content in games which is designed to be viewed in its own right, without taking forward the narrative drive of the game.

Virtual reality

The BBFC is responsible for classifying linear VR (virtual reality) content whereas the video games authority is responsible for classifying non-linear VR content.

The classification categories

We endeavour to classify submitted works in one of the following categories:



The following pages set out guidance on how the specific classification considerations (for example, sex and violence) are applied from U through to R18. The criteria should be read in combination with the general approach set out earlier under ‘Guiding principles’, ‘General classification considerations’ and ‘Specific classification considerations’.

Because works from time to time present issues in ways which cannot be anticipated, these criteria will not be applied in an over-literal way if such an interpretation would lead to an outcome which would confound audience expectations.

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.

Dangerous behaviour

Potentially dangerous or anti-social behaviour which young children may copy must be clearly disapproved of or be presented unrealistically. No emphasis on realistic or easily accessible weapons.

Discrimination

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of.

Drugs

References to illegal drugs or drug misuse must be infrequent and innocuous, or have a clear educational purpose or anti-drug message suitable for young children.

Language

Infrequent use only of very mild bad language.

Nudity

Occasional nudity, with no sexual context.

Sex

Only very mild sexual behaviour (for example, kissing) and references to such behaviour.

Threat and horror

Scary or potentially unsettling sequences should be mild, brief and unlikely to cause undue anxiety to young children. The outcome should be reassuring.

Violence

Violence will generally be very mild. Mild violence may be acceptable if it is justified by context (for example, comedic, animated, wholly unrealistic).



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.

Dangerous behaviour

No detail of potentially dangerous behaviour which young children are likely to copy, if that behaviour is presented as safe or fun. No glamorisation of realistic or easily accessible weapons such as knives. No focus on anti-social behaviour which young children are likely to copy.

Discrimination

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of, or in an educational or historical context, or in a particularly dated work with no likely appeal to children. Discrimination by a character with whom children can readily identify is unlikely to be acceptable.

Drugs

References to illegal drugs or drug misuse must be innocuous or carry a suitable anti-drug message.

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.

Nudity

There may be nudity with no sexual context.

Sex

Sexual activity may be implied, but should be discreet and infrequent. Mild sex references and innuendo only.

Threat and horror

Frightening sequences or situations where characters are in danger should not be prolonged or intense. Fantasy settings and comedy may be mitigating factors.

Violence

Violence will usually be mild. However, there may be moderate violence, without detail, if justified by its context (for example, history, comedy or fantasy).



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. To help them decide, we recommend that they check the ratings info for that film in advance.

No one younger than 12 may rent or buy a 12 rated video work.

Dangerous behaviour

No promotion of potentially dangerous behaviour which children are likely to copy. No glamorisation of realistic or easily accessible weapons such as knives. No endorsement of anti-social behaviour.

Discrimination

Discriminatory language or behaviour must not be endorsed by the work as a whole. Aggressive discriminatory language or behaviour is unlikely to be acceptable unless clearly condemned.

Drugs

Misuse of drugs must be infrequent and should not be glamorised or give detailed instruction.

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.

Nudity

There may be nudity, but in a sexual context it must be brief and discreet.

Sex

Sexual activity may be briefly and discreetly portrayed. Moderate sex references are permitted, but frequent crude references are unlikely to be acceptable.

Sexual violence and sexual threat

There may be verbal references to sexual violence provided they are not graphic. The stronger forms of sexual violence, including rape, may only be implied and any sexual threat or abusive behaviour must be brief and negatively presented.

Threat and horror

There may be moderate physical and psychological threat and horror sequences. Although some scenes may be disturbing, the overall tone should not be. Horror sequences should not be frequent or sustained.

Violence

There may be moderate violence but it should not dwell on detail. There should be no emphasis on injuries or blood, but occasional gory moments may be permitted if justified by the context.



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 or buy a 15 rated video work.

Dangerous behaviour

Dangerous behaviour (for example, suicide, self-harming and asphyxiation) should not dwell on detail which could be copied. Whether the depiction of easily accessible weapons is acceptable will depend on factors such as realism, context and setting.

Discrimination

The work as a whole must not endorse discriminatory language or behaviour, although there may be racist, homophobic or other discriminatory themes and language.

Drugs

Drug taking may be shown but the work as a whole must not promote or encourage drug misuse (for example, through detailed instruction). The misuse of easily accessible and highly dangerous substances (for example, aerosols or solvents) is unlikely to be acceptable.

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.

Nudity

There are no constraints on nudity in a non-sexual or educational context. Sexual nudity may be permitted but strong detail is likely to be brief or presented in a comic context.

Sex

Sexual activity may be portrayed, but usually without strong detail. There may be strong verbal references to sexual behaviour. Repeated very strong references, particularly those using pornographic language, are unlikely to be acceptable. Works whose primary purpose is sexual arousal are unacceptable.

Sexual violence and sexual threat

There may be strong verbal references to sexual violence but any depiction of the stronger forms of sexual violence, including rape, must not be detailed or prolonged. A strong and sustained focus on sexual threat is unacceptable.

Threat and horror

There may be strong threat and horror. A sustained focus on sadistic threat is unlikely to be acceptable.

Violence

Violence may be strong but should not dwell on the infliction of pain or injury. The strongest gory images are unlikely to be acceptable. Strong sadistic violence is also unlikely to be acceptable.



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.**

Adults should be free to choose their own entertainment. Exceptions are most likely in the following areas:

- where the material is in breach of the criminal law, or has been created through the commission of a criminal offence
- where material or treatment appears to us to risk harm to individuals or, through their behaviour, to society. For example, the detailed portrayal of violent or dangerous acts, or of illegal drug use, which may cause harm to public health or morals. This may include portrayals of sadistic violence, rape or other non-consensual sexually violent behaviour which make this violence look appealing; reinforce the suggestion that victims enjoy rape or other non-consensual sexually violent behaviour; or which invite viewer complicity in rape, other non-consensual sexually violent behaviour or other harmful violent activities
- where there are more explicit images of sexual activity in the context of a sex work (see right)

In the case of video works, which may be more accessible to younger viewers, intervention may be more frequent than for cinema films.

Sex works at 18
Sex works are works whose primary purpose is sexual arousal or stimulation. Sex works containing only material which may be simulated are generally passed 18. Sex works containing clear images of real sex, strong fetish material, sexually explicit animated images, or other very strong sexual images will be confined to the R18 category. Material which is unacceptable in a sex work at R18 is also unacceptable in a sex work at 18.



R18

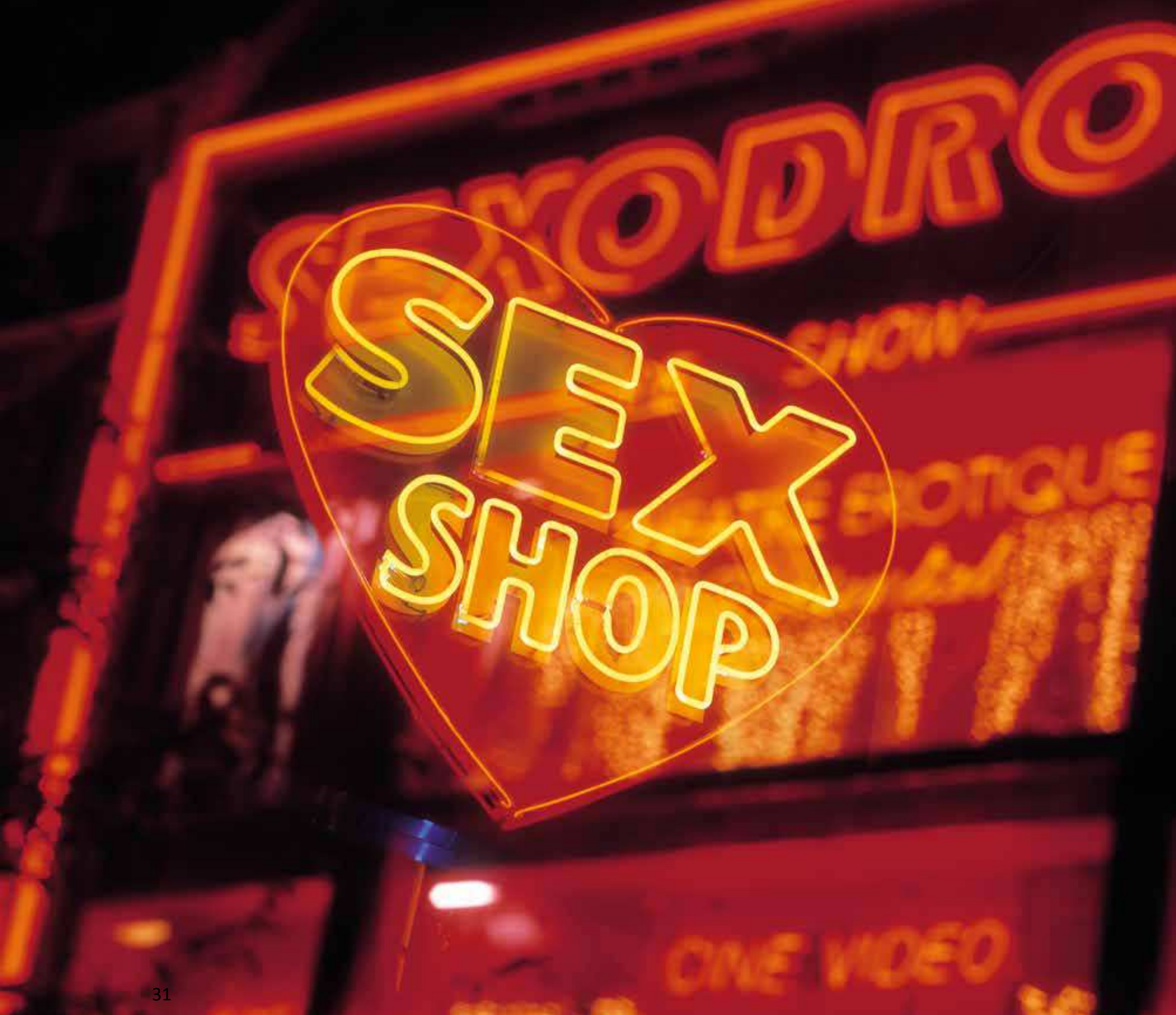
To be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults only



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.

The following content is not acceptable:

- material which is in breach of the criminal law, including material judged to be obscene under the current interpretation of the Obscene Publications Act 1959 (see Annexe – legal considerations)
- material (including dialogue) likely to encourage an interest in sexually abusive activity which may include adults role-playing as non-adults
- the portrayal of sexual activity which involves real or apparent lack of consent. Any form of physical restraint which prevents participants from indicating a withdrawal of consent
- the infliction of pain or acts which are likely to cause serious physical harm, whether real or (in a sexual context) simulated. Some allowance may be made for non-abusive, consensual activity
- penetration by any object likely to cause physical harm
- sexual threats, humiliation or abuse which do not form part of a clearly consenting role-playing game





Intervention

Where possible we will carry out our responsibilities through appropriate use of the classification categories, particularly in order to protect children from any potential harm.

If necessary, however, we may cut or even refuse to classify a film or video work.

In some cases, we require assurances, cuts or other changes (for example, the addition of warning captions) as a condition of classification, or as a condition of classifying at a particular category. In some circumstances we may refuse to classify a work at any category. We publish details of all interventions on our website.

Cuts for category

If the submitted work is suitable for classification, but only at a category higher than that requested by the customer, we will consider whether a lower category could be achieved through relatively minor or simple changes. If so, we may offer the customer a choice of accepting either the higher or lower category (the latter with defined changes as necessary).

Cuts for category are unlikely to be available if the required changes would be very extensive or complex, or would not address for example, a tonal or thematic issue running throughout the work.

Compulsory cuts

If a submitted work raises issues or concerns that cannot be addressed by classification at a particular age category, we may require cuts or other changes as a condition of classification. Such intervention is most likely when the submitted work contains:

- material which may promote criminal activity
- material which is obscene or otherwise illegal
- material created by means of the commission of a criminal offence
- portrayals of children in a sexualised or abusive context
- material which makes rape, other non-consensual sexually violent behaviour, or sadistic violence look appealing

- graphic images of real injury, violence or death presented in a salacious or sensationalist manner which risks harm by encouraging callous or sadistic attitudes
- material which reinforces the suggestion that victims enjoy rape or other non-consensual sexually violent behaviour
- material which invites viewer complicity in rape, other non-consensual sexually violent behaviour, or other harmful violent activities
- sex works which contain material listed as unacceptable at R18

When the issue relates to the circumstances of filming (for example, in relation to animal cruelty or public indecency) the customer will normally be given an opportunity to present evidence before a final decision is reached.

Refusal to classify

As a last resort, the BBFC may refuse to classify a work, in line with the objective of preventing non-trivial harm risks to potential viewers and, through their behaviour, to society. We may do so, for example, where a central concept of the work is unacceptable, such as a sustained focus on rape, other non-consensual sexually violent behaviour or sadistic violence. Before refusing classification we will consider whether the problems could be adequately addressed through intervention such as cuts. In deciding whether to refuse to classify, we will keep in mind the inherent difficulty of using behavioural research to draw conclusions about real world risks, and will have regard to the full range of available evidence, including the views of the public and our own knowledge and experience.

Engagement with the public

We publish detailed information about the content we classify, which we call ratings info. It's a helpful guide, particularly for parents, that gives a summary of how and why a film or video was given its age rating.

Ratings info includes:

- a short description of the issues contained in a film or video, and this appears on the black card shown on the cinema screen before a film starts, for example:



strong violence, sex, language, drug misuse

- we publish a longer, fuller version on our website and app

All content classified since the early 2000s has a short line of ratings info, and content classified more recently also has a longer version, giving you a detailed idea of what issues – bad language, drugs, sex and violence, or the use of discriminatory language or behaviour, for instance – you're likely to find in the film. It also raises any other issues that may be of concern, such as divorce or bereavement.

We try to avoid giving away major plot points. When ratings info does contain plot spoilers we always post a warning. Occasionally, the longer version of ratings info describes full sequences in a film – for example, it might describe a specific fight scene to give you a flavour of the sort of violence in the film and how strong it looks and feels – so be aware of this.

We publish ratings info the moment a film or video is classified, but the longer version may not be available until 10 days before the film opens. Sometimes, we classify films many weeks or even months before they are due to open, which is why not all films listed on our website will have a link to the longer ratings info yet. We encourage viewers to check ratings info when they are choosing content for children and for themselves.

bbfc.co.uk

Our website provides a comprehensive database of all the content we classify, including ratings info and information about cuts. You can read the Classification Guidelines, search through our press releases, research and Annual Reports. We also publish case studies on films, including many set film texts for Film Studies courses in the UK, a timeline of key events in our history and regular podcasts.

cbbfc.co.uk

Content for younger children, including the chance to rate trailers for children's films and learn more about our work, can be found on CBBFC, our website for children. Parents can also find advice about choosing content for children on VoD platforms and information about our education programme.

BBFC app

Our free app for iOS and Android devices lets you check the latest film classifications and ratings info, watch trailers and read our Guidelines.

Twitter – @BBFC

We update our Twitter account, @BBFC, with all our news and latest film classification decisions. You can ask us quick questions there too. For more detailed questions, you can email us on feedback@bbfc.co.uk

Newsletters

We produce a regular newsletter about our latest classification decisions, podcasts and news. Our education team sends a newsletter to teachers once a term, focussing on our outreach programme, partnerships and resources, including case studies. For industry we send a regular update on our services, news and classification turnaround times each quarter. You can sign up to receive any of these newsletters on our website, bbfc.co.uk

Podcasts

You can stream and download our regular short podcast on our website, Soundcloud and iTunes. Each episode focuses on a particular theme, film or TV series, and their age rating, highlighting key issues we took into account and any interesting facts about the classification process, for example any advice we gave, or reductions made by the film maker or distributor to secure a particular age rating.



Appeals, advice viewings and feedback

Appeals

We offer a formal reconsideration procedure which is open to any customer dissatisfied with the determination made in respect of their work. The reconsideration is free of charge and will normally take fewer than 10 working days.

A customer may also appeal directly to an independent authority. Such an appeal may take place following, or instead of, our reconsideration. In the case of films, the customer (or any member of the public) may address itself to the local authority which licenses cinemas in a particular area. In the case of video works a customer may appeal to the Video Appeals Committee. The VAC is independent of the BBFC and can be contacted by post as follows:

The Secretary
The Video Appeals Committee
3 Soho Square
London
W1D 3HD

Customers should note that a reconsideration or an appeal involves looking at the issues afresh. This means that the outcome could, in some circumstances, be more restrictive than the original determination.

Advice viewings

A customer may submit works for advice at any stage of the production process. We will inform them of the likely classification a work will receive, and where appropriate any changes required to achieve the customer's preferred classification. However, advice given in such circumstances is not binding and we reserve the right to reach a different decision when the final version of the work is submitted formally for classification. If the final version of the work submitted for classification differs in any significant respect from that seen for advice, and if those changes appear to reflect advice we have given, then details of the changes will appear on our website.

Feedback

If you want to send us any feedback about our age ratings or classification decisions, please don't hesitate to email us at feedback@bbfc.co.uk or write to us at:

Chief Executive's Office
BBFC
3 Soho Square
London
W1D 3HD



Annexe – legal considerations

The following legislation is not listed according to chronology or importance. Instead, it reflects a useful way of explaining the structure of the legal framework that applies to our work.

The Licensing Act 2003

England and Wales

Cinemas (Northern Ireland) Order 1991

Northern Ireland

Cinemas Act 1985

Scotland

Cinemas require a licence from the local authority in which they operate. The licence must include a condition requiring the admission of children (anyone under 18) to any film to be restricted in accordance with our recommendations or those of the licensing authority. One of the key reasons for the licensing requirement is the protection of children, including from potentially harmful content in films.

The Video Recordings Act 1984

Video works (including films, TV programmes and some video games) which are supplied on a disc, tape or any other device capable of storing data electronically must have a BBFC classification unless they fall within the definition of an exempted work.

When considering whether to award a certificate to a work, or whether a work is suitable at a particular category, we are required by the Act to have special regard to the likelihood of works being viewed in the home, and to any harm that may be caused to potential viewers or, through their behaviour, to society by the manner in which the work deals with:

- criminal behaviour
- illegal drugs
- violent behaviour or incidents

- horrific behaviour or incidents
- human sexual activity

In considering these issues we have in mind the possible effect not only on children but also on other vulnerable people.

The Obscene Publications Acts 1959 & 1964

England and Wales

The Civic Government (Scotland) Act 1982

Scotland

The Obscene Publications Act 1857

Northern Ireland

It is illegal to publish a work which is obscene. A work is obscene if, taken as a whole, it has a tendency to deprave and corrupt a significant proportion of those likely to see it. Under the Obscene Publications Act 1959, no offence is committed if publication is justified as being for the public good on the grounds that it is in the interests of science, art, literature or learning or other objects of general concern.

In Scotland, case law implies a similar test would be applied. In Northern Ireland, while there is no express defence of “public good” it is likely that English law would be taken into consideration.

Criminal Justice and Immigration Act 2008

England, Wales and Northern Ireland

Criminal Justice and Licensing (Scotland) Act 2010/Civic Government (Scotland) Act 1982

Scotland

It is illegal to be in possession of an extreme pornographic image. Under the Criminal Justice and Immigration Act 2008 an extreme pornographic image is one which is pornographic and grossly offensive, disgusting or otherwise of an obscene character, which features an apparently real person, and which portrays, in an explicit and realistic way, an act which:

- threatens a person’s life
- results, or is likely to result, in serious injury to a person’s anus, breasts or genitals
- involves sexual interference with a human corpse
- involves intercourse or oral sex with an animal
- involves non-consensual penetration of a mouth, vagina or anus with a penis or non-consensual sexual penetration of a vagina or anus by anything

Under the Civic Government (Scotland) Act 1982 an extreme pornographic image is one which is pornographic and obscene, and which depicts in an explicit and realistic way, an act which:

- takes or threatens a person’s life
- results, or is likely to result, in a person’s severe injury
- involves rape or other non-consensual penetrative sexual activity

- involves sexual activity involving (directly or indirectly) a human corpse
- involves sexual activity between a person and an animal

Works we classify under the Video Recordings Act are excluded from the scope of the offence across the UK.

The Protection of Children Act 1978

England and Wales

Civic Government (Scotland) Act 1982

Scotland

Protection of Children (Northern Ireland) Order 1978

Northern Ireland

It is illegal to make, distribute, show or possess indecent photographs or pseudo-photographs of a child. It is also illegal to make, distribute, show or possess indecent images of children which have been derived from a photograph or pseudo-photograph (for example, by tracing). Offences relating to the possession of such images are contained within the Criminal Justice Act 1988 (England, Wales and Scotland), and the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988. A child is defined as a person under the age of 18.

The Coroners and Justice Act 2009

England, Wales and Northern Ireland

The Criminal Justice and Licensing Act 2010

Scotland

It is illegal to be in possession of a prohibited image of a child. A prohibited image of a child is a non-photographic or non-pseudo-photographic image which is pornographic and grossly offensive, disgusting, or otherwise of an obscene character, and which focuses solely or principally on a child’s genitals or anal region, or which portrays specified sexual acts by, of, or in the presence of a child, including masturbation, oral sex or penetration, including sexual acts with animals. A child is defined as being under 18 and an image of a child or other person can include imaginary representations. Works we classify under the Video Recordings Act are excluded from the scope of the offence unless images have been extracted from such works for the purpose of sexual arousal.

The Sexual Offences Act 2003

England and Wales

Sexual Offences (Scotland) Act 2009

Scotland

The Sexual Offences (Northern Ireland) Order 2008

Northern Ireland

It is illegal to expose oneself with intent to cause alarm or distress – this offence augments the common law misdemeanour of indecent exposure. It is also prohibited for a person to record the private act of another, where the intention of the recording is for the sexual gratification of himself or a third party and where the recorded party has not consented to so being filmed.

The Criminal Justice and Courts Act 2015

England and Wales

Abusive Behaviour and Sexual Harm (Scotland) Act 2016

Scotland

Justice Act (Northern Ireland) 2016

Northern Ireland

It is an offence to disclose a private sexual photograph or film without the consent of any individual who appears in the photograph or film, if it is done with the intention of causing that individual distress (or causing them fear, alarm or distress in Scottish law).

The Public Order Act 1986

England, Scotland and Wales

The Public Order (Northern Ireland) Order 1987

Northern Ireland

It is illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening, abusive or insulting if the intention is to stir up racial hatred or hatred on the grounds of sexual orientation, or if racial hatred or hatred on the grounds of sexual orientation is likely to be stirred up. It is also illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening if the intention is to stir up religious hatred.

In Northern Ireland the relevant group of persons may be defined not only by colour, race, nationality or ethnic or national origins, but also by “religious belief” or “sexual orientation” or “disability”.

The Cinematograph Films (Animals) Act 1937

England, Scotland and Wales

It is illegal to show any scene “organised or directed” for the purposes of the film that involves actual cruelty to animals. This Act applies to the exhibition of films in public cinemas but we also apply the same test to video works. For the purposes of this legislation and The Animal Welfare Act 2006, only vertebrates which are domesticated or otherwise under the control of man are defined as “animals”.

The Animal Welfare Act 2006

England and Wales

The Welfare of Animals Act (Northern Ireland) 2011

Northern Ireland

The Animal Health and Welfare (Scotland) Act 2006

Scotland

It is illegal to supply, publish, show or possess with intent to supply a video recording of an “animal fight” that has taken place within the UK since 6 April 2007.

The Tobacco Advertising and Promotion Act 2002

It is illegal, in the course of a business, to publish a tobacco advertisement.

Blasphemy

In Scotland and Northern Ireland, the common law crime of blasphemy exists but has not been utilised for prosecution in modern times. The offences of blasphemy and blasphemous libel under the common law of England and Wales were abolished in The Criminal Justice and Immigration Act 2008.

Human Rights Act 1998

The Act permits such restrictions on freedom of expression as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Other unlawful material

In carrying out its responsibilities the BBFC will have regard to whether the material itself appears to be unlawful in the United Kingdom, or has arisen from the commission of an unlawful act.

Get more info on our app

bbfc.co.uk/app

British Board of Film Classification

3 Soho Square,
London,
W1D 3HD

T 020 7440 1570

bbfc.co.uk/about-bbfc/contact-us

BBFC Classification Guidelines 2019

bbfc View what's
right for you



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LICENSING COMMITTEE

Monday, 16 January 2023

Subject	Issued Licences in East Suffolk and an Overview of the work of the Licensing Sub-Committees October - December 2022
Report by	Councillor Mary Rudd – Cabinet Member with Responsibility for Community Health
Supporting Officer	Martin Clarke Licensing Manager and Housing Lead Lawyer 01502 523226 Martin.clarke@east Suffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

This report provides an overview of the current number and licences issued with regard to the Licensing Act 2003, the Gambling Act 2005 and taxis by East Suffolk Council. The report also summarises the applications received and the work of the Licensing Sub-Committees from October to December 2022.

Options:

Not applicable. This is an update report for noting.

Recommendation/s:

That the Committee:

- 1) Notes the overview of some of the work of the Licensing Team and the Licensing Sub-committees during the final quarter of 2022.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Not applicable. This is an update report for noting.

Environmental:

Not applicable. This is an update report for noting.

Equalities and Diversity:

Not applicable. This is an update report for noting.

Financial:

Not applicable. This is an update report for noting.

Human Resources:

Not applicable. This is an update report for noting.

ICT:

Not applicable. This is an update report for noting.

Legal: Not applicable. This is an update report for noting.	
Risk: Not applicable. This is an update report for noting.	
External Consultees:	Not applicable. This is an update report for noting.

Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		

P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected? Not applicable. This is an update report for noting.			

Background and Justification for Recommendation

1 Background facts				
1.1	Applications determined during October - December 2022			
Premises and type of application	Address	Hearing/mediated	Date of Hearing	Outcome
White Horse VARIATION WPREM2419	47 The Street, Corton, NR32 5HP	Yes	7.11.22	Cons end 16.9.22 Issued
Fox & Hounds Social Club NEW WPREM2593	25 Ravensmere, Beccles, NR34 9DX	No	N/A	Cons end 7.10.22 Issued
Leiston Newsagent VARIATION PREM0308	75 High Street, Leiston, IP16 4BX	Yes	10.11.22	Cons end 19.10.22 Issued
Engineers Arms VARIATION PREM0127	7 Main Street, Leiston, IP16 4ER	Yes	11.11.22	Cons end 19.10.22 Issued
Carnitas Taqueria NEW PREM2249	Beach Street, Micklegate Road, Felixstowe, IP11 2GN	No	N/A	Cons end 23.10.22 Issued
The Grit Lowestoft Centre for the Arts & Heritage NEW WPREM2594	Old Court Buildings, Old Nelson Street, Lowestoft, NR32 1EQ	No	N/A	Cons end 25.10.22 Issued
Leiston Local NEW PREM0308	54 High Street, Leiston, IP16 4EW	No	N/A	Cons end 09.11.22

				Issued
Marsh End SURRENDER PREM0670	Church Road, Blythburgh, IP19 9LL	N/A	N/A	Surrendered 3.10.22 Completed 10.11.22
Pearl River Chinese Takeaway SURRENDER (no alcohol) WPREM2286	3 Blyburgate, Beccles, NR34 9TA	N/A	N/A	Surrendered 11.10.22 Completed 20.12.22
Beccles Conservative Club SURRENDER WCLUB		N/A	N/A	Surrendered 20.10.22 Completed
Oulton Broad Service Station NEW WPREM2596	Normanston Drive, Oulton Broad, NR32 2PY	No	N/A	Cons end 24.11.22 Issued
Loaded-Southwold NEW WPREM2597	6 Victoria Street, Southwold, IP18 6HZ	Yes	19.12.2 2	Cons end 29.11.22 Issued
Morrisons Store & Petrol Filling Station NEW WPREM2595	Tower Road, Gisleham, NR33 7NG	No	N/A	Cons end 30.11.22 Issued
YouDrink SURRENDER WPREM2563	14 Portsch Close, Carlton Colville, NR33 8TY	N/A	N/A	Surrendered 2.11.22 Completed 20.12.22
Bridge Classic Cars Ltd NEW PREM2252	The Nursery, Main Road, Pettistree, IP13 0HH	No	N/A	Cons end 9.12.22 Issued
The Felsto Arms VARIATION PREM0093	Sea Road, Felixstowe, IP11 2BB	Yes	9.1.23	Cons end 14.12.22
Pizzeria Locale Ltd NEW PREM2251	26a High Street, Saxmundham, IP17 1AS	No	N/A	Cons end 15.12.22 Issued
Dixons News NEW	9 Ashburnham Way, Carlton Colville, NE33 8LG			Cons end 23.12.22
V & M Express VARIATION WPREM2557	134 Bevan Street East, Lowestoft, NR32	Yes	-	Cons end 26.12.22 Withdrawn 8.12.22

Fantasia NEW AGC	Sea Road, Felixstowe, IP11 2DH			Cons end 29.12.22
Cherry Tree VARIATION PREM0181	73 Cumberland Street, Woodbridge, IP12 4AG			Cons end 2.1.23
White Hart VARIATION PREM0441	London Road, Blythburgh, IP19 9LQ			Cons end 2.1.23
Bruisyard Village Hall VARIATION PREM0645	Rendham Road, Bruisyard, IP17 2DX	Yes		Cons end 2.1.23 ON HOLD 15.12.22
First Light Festival VARIATION WPREM2541	Lowestoft Beach			Cons end 5.1.23
Nisa Local NEW	11b-11c The Thoroughfare, Woodbridge, IP12 1AA			Cons end 5.1.23
Morrisons Store & Petrol Filling Station NEW	George Westwood Way, Beccles, NR34 9EJ			Cons end 9.1.23
Two Magpies NEW	60 Thoroughfare Woodbridge, IP12 1AL			Cons end 10.1.23
1.2	Appeals to Magistrates Court There are currently no appeals to the Magistrates Court.			
1.3	28-day consultation period has passed, and application is still to be determined There is currently one application waiting to be considered by the Licensing Sub-committee: Variation of Premises Licence – Felsto Arms, Felixstowe – hearing 9 January 2023.			

1.4	<p>In consultation</p> <p>New Premises Licence – Dixons News, Carlton Colville. Consultation period ends on 23 December 2022</p> <p>New Gambling Premises Licence – Fantasia, Felixstowe. Consultation period ends on 29 December 2022</p> <p>Variation of Premises Licence – Cherry Tree, Woodbridge. Consultation period ends on 2 January 2023.</p> <p>Variation of Premises Licence – White Hart, Blythburgh. Consultation period ends on 2 January 2023.</p> <p>Variation of Premises Licence – First Light Festival, Lowestoft. Consultation period ends on 5 January 2023.</p> <p>New Premises Licence – Nisa Local, Woodbridge. Consultation period ends on 5 January 2023</p> <p>New Premises Licence – Morrisons Store & Petrol Station, Beccles. Consultation period ends on 9 January 2023</p> <p>New Premises Licence – Two Magpies Bakery, Woodbridge. Consultation period ends on 10 January 2023</p>
1.5	<p>There have been 6 Sub-committee hearings regarding licensed or gambling premises, or personal licences during the period October to December 2022:</p> <p>21/10/2022 – Film classification</p> <p>07/11/2022 – White Horse, Corton – application to vary</p> <p>10/11/2022 – Leiston Newsagent – application to vary</p> <p>11/11/22 – Engineers Arms. Leiston – application to vary</p> <p>07/12/22 – Film classification</p> <p>19/12/22 – Loaded, Southwold – new application</p>

2 Current position

2.1

Licensing Act Premises

On **30 September 2022** there were 1057 Premises Licences and 913 of these include alcohol on the licence.

There were 63 Club Premises Licences.

On **23 December 2022** there were 1062 Premises Licences and 919 of these include alcohol on the licence.

There were 63 Club Premises Licences.

In summary, on 30 September 2022 there were 1120 Premises Licences and Club Premises Licences, and on 23 December 2022, there were 1125.

9 new Premises Licences were granted between 28 June 2022 and 30 September 2022.

4 Premises Licences were surrendered.

Licensing Act Premises Comparisons

Date	Number of premises licences and club premises certificates
1 January 2020	1070
1 July 2020	1071
1 January 2021	1073
1 July 2021	1086
1 January 2022	1093
1 July 2022	1111
23 December 2022	1125

2.2

Gambling Act Premises

On **30 September 2022** there were 35 Gambling Premises Licences in total.

During the final quarter no gambling premises licences were surrendered.

On **23 December 2022** there were 35 gambling premises licences in total.

There were 9 Bingo Premises Licences.

There were 11 Adult Gaming Centre Premises Licences.

There was 1 Family Entertainment Centre Premises Licence.

There was 1 Betting Premises Licence (in respect of a track)

There were 13 Betting Premises Licences (in respect of a premises other than a track).

Gambling Act Premises Comparisons

Date	Number of premises licences and club premises certificates
1 January 2020	40
1 July 2020	40
1 January 2021	37
1 July 2021	38

	1 January 2022	38																																																																																			
	1 July 2022	35																																																																																			
	23 December 2022	35																																																																																			
2.3	Taxi and Private Hire Licences On 30 September 2022 , East Suffolk Council licensed: 69 hackney carriage vehicles and 172 hackney carriage/private drivers 375 private hire vehicles and 326 private hire drivers 77 private hire operators On 23 December 2022 , there were: 65 hackney carriage vehicles and 171 hackney carriage/private drivers 391 private hire vehicles and 339 private hire drivers 76 private hire operators Since the last Licensing Committee in October 2022, the taxi and private hire licence activity is as follows: October to December 2022 <table><tr><td><u>Type of Licence</u></td><td><u>Renewed</u></td><td><u>Did not renew</u></td><td><u>New</u></td><td><u>Change of Veh</u></td></tr><tr><td>Private Hire Vehicle</td><td>60</td><td>7</td><td>25</td><td>13</td></tr><tr><td>Hackney Carriage</td><td>8</td><td>5</td><td>4</td><td>4</td></tr><tr><td>Private Hire Driver</td><td>18</td><td>6</td><td>22</td><td>n/a</td></tr><tr><td>Hackney Carriage Driver</td><td>12</td><td>1</td><td>2</td><td>n/a</td></tr><tr><td>Private Hire Operator</td><td>4</td><td>2</td><td>1</td><td>n/a</td></tr><tr><td>Rickshaws & Horse drawn</td><td>0</td><td>0</td><td>0</td><td>0</td></tr></table> There are currently 49 new applications for drivers in progress. Taxi and Private Hire Licence Comparisons <table><tr><td>Date</td><td>HC/PH Drivers</td><td>PH Drivers</td><td>HC Vehicles</td><td>PH Vehicles</td><td>PH Operators</td></tr><tr><td>1 January 2020</td><td>237</td><td>352</td><td>136</td><td>349</td><td>72</td></tr><tr><td>1 July 2020</td><td>223</td><td>341</td><td>108</td><td>301</td><td>75</td></tr><tr><td>1 January 2021</td><td>203</td><td>315</td><td>95</td><td>289</td><td>75</td></tr><tr><td>1 July 2021</td><td>197</td><td>301</td><td>101</td><td>295</td><td>79</td></tr><tr><td>1 January 2022</td><td>194</td><td>321</td><td>73</td><td>350</td><td>81</td></tr><tr><td>1 July 2022</td><td>178</td><td>325</td><td>70</td><td>367</td><td>80</td></tr><tr><td>23 December 2022</td><td>171</td><td>339</td><td>65</td><td>391</td><td>76</td></tr></table>		<u>Type of Licence</u>	<u>Renewed</u>	<u>Did not renew</u>	<u>New</u>	<u>Change of Veh</u>	Private Hire Vehicle	60	7	25	13	Hackney Carriage	8	5	4	4	Private Hire Driver	18	6	22	n/a	Hackney Carriage Driver	12	1	2	n/a	Private Hire Operator	4	2	1	n/a	Rickshaws & Horse drawn	0	0	0	0	Date	HC/PH Drivers	PH Drivers	HC Vehicles	PH Vehicles	PH Operators	1 January 2020	237	352	136	349	72	1 July 2020	223	341	108	301	75	1 January 2021	203	315	95	289	75	1 July 2021	197	301	101	295	79	1 January 2022	194	321	73	350	81	1 July 2022	178	325	70	367	80	23 December 2022	171	339	65	391	76
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2.4	There have been 2 Sub-Committee hearings regarding a taxi/private hire licence during the period October to December 2022.
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3 Reason/s for recommendation

3.1	To keep Licensing Committee members updated as to the work of the Licensing Sub-Committee and Licensing Services.
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Appendices

Appendices:
None