

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

12th November, 2021

MEETING OF LICENSING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Council Chamber and via Teams on Wednesday, 17th November, 2021 at 5.00 pm., for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

2. Delegated Matters

- (a) Applications approved under Delegated Authority (Pages 1 - 4)
- (b) Applications for the Provisional Grant of an Indoor and an Outdoor Entertainments Licence - Libertine, 10-14 Tomb Street (Pages 5 - 12)
- (c) Application for the Screening of an Unclassified Film (Pages 13 - 46)
- (d) HMO Licences Issued Under Delegated Authority (Pages 47 - 50)
- (e) Application for the Renewal of a Licence to Operate a House of Multiple Occupation - 12 Curzon Street (Pages 51 - 80)

3. Non-Delegated Matters

- (a) Licence Fees for Sex Establishments (Pages 81 - 82)
- (b) Schedule of Meetings 2022 (Pages 83 - 84)



Subject:	Applications approved under Delegated Authority
Date:	17th November, 2021
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	James Cunningham, Senior Licensing Officer, ext. 3375

Restricted Reports	
Is this report restricted?	Yes ☐ No ☒
If Yes, when will the report become unrestricted?	
After Committee Decision	☐
After Council Decision	☐
Sometime in the future	☐
Never	☐

Call-in	
Is the decision eligible for Call-in?	Yes ☒ No ☐

1.0	Purpose of Report/Summary of main Issues
1.1	Under the Scheme of Delegation, the Director of Planning and Building Control is responsible for exercising all powers in relation to the issue, but not the refusal, of Permits and Licences, excluding provisions relating to the issue of Licences where adverse representations have been made.
2.0	Recommendation
2.1	The Committee is requested to note the applications which have been approved under the Scheme of Delegation.

3.0Main Report

Key Issues

3.1Under the terms of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, the following Amusement Permits were issued since the last Committee meeting.

Premises and Location	Type of Application	Applicant
Elite Gaming, 163 Stranmillis Road, Belfast, BT9 5AJ	Renewal	Mr Conor Forbes, Little Vegas (NI) Ltd
Mavericks, 28 Bradbury Place, Belfast, BT7 1RQ	Renewal	Mr Gareth McCausland, Belfast Leisure Company Ltd
Oasis Gaming Centre, 61 Boucher Road, Belfast, BT12 6HR	Renewal	Mr Gerald Steinberg, Oasis Retail Service Ltd
Onassis Amusements, 17-19 Queen Street, Belfast, BT1 6EA	Renewal	Ms Kelly Burns, Botanic Leisure Ltd
Twilight Zone Amusement Centre, 191 Kingsway, Belfast, BT17 9RY	Renewal	Eze Gaming Ltd
Twilight Zone, 13 North Street, Belfast, BT1 1NA	Renewal	Eze Gaming Ltd
Twilight Zone, 44 Cregagh Road, Belfast, BT6 9EQ	Renewal	Eze Gaming Ltd

3.2Under the terms of the Street Trading Act (Northern Ireland) 2001, the following Street Trading Licences were issued since the last Committee meeting.

Location	Type of Application	Commodity	Hours Licensed	Applicant
Falls Park at Falls Road	Stationary	Flowers and plants	Sunday only 07.00 – 17.00	Harry McAnulty
Boucher Plaza outside Abbey Autoline, 4-6 Boucher Road	Temporary	hot and cold non-alcoholic beverages and confectionery	05/11/21 09.00 – 12.00 and 21.00 – 00.00	Sasha McKnight
Writer's Square	Temporary	Audio and electrical goods	31/10/21 13.00 – 18.00	Esther Clark
Writer's Square	Temporary	Audio and electrical goods	01/11/21 - 07/11/21 Mon-Sat 09.00 – 18.00 (Thurs 09.00 – 21.00) and Sunday 13.00 – 18.00	Esther Clark
Writer's Square	Temporary	Audio and electrical goods	08/11/21 - 14/11/21 Mon-Wed 09.00 – 18.00 Thurs - Sat 09.00 – 21.00 Sunday 13.00 – 18.00	Esther Clark

- 3.3 Under the terms of the Road Traffic Regulation (Northern Ireland) Order 1997, the following Road Closure Orders were made since the last Committee meeting.

Location	Type of Activity	Date and Hours permitted	Applicant
Ballynahatty Road, Edenderry Road, New Forge Lane	5k & 10k Run	11:00 – 12noon 06 November 21	Gerard Rowe
Ormeau Embankment, Ormeau Road	10k Run	14:00 – 16:00 04 December	John Allen
Ormeau Embankment, Ormeau Road	5k & 10k Run	09:00 – 13:00 17 October 21	Beth Healy
Orient Gardens	Street Party	18:00 – 22:00 30 October 21	Stephen Maitland

- 3.4 Under the terms of the Licensing of Pavement Cafés Act (Northern Ireland) 2014, the following Pavement Café Licences were issued since the last Committee meeting.

Premises	Location	Type of Application	Applicant
Voodoo-Santeria 9-11 Fountain Street, Belfast, BT1 5EA	Adjacent & Remote	Grant	Ciaran Smyth Phoenix Wine & Spirits Stores Limited
Fish City 33 Ann Street, Belfast, BT1 4EB	Adjacent	Grant	Anthony O'Loane
Urban Scullery, City East, 68-72 Newtownards Road, Belfast, BT4 1GW	Adjacent	Grant	Jonny Stevenson Urban Scullery Ltd
Caffé Nero The Soloist Building, Lanyon Place, Belfast, BT1 3LP	Adjacent	Grant	Charlotte Griffin Nero Holdings Ltd
Caffé Nero Unit 2, The Weaving Works, 379 Ormeau Avenue, Belfast, BT2 8HH	Adjacent	Grant	Charlotte Griffin Nero Holdings Ltd
St George's Market East Bridge Street, Belfast, BT1 3NQ	Adjacent	Grant	Clodagh Cassin Belfast City Council
Caffé Nero 376-378 Upper Newtownards Road, Belfast, BT4 3FB	Adjacent	Grant	Charlotte Griffin Nero Holdings Ltd
Sage 231 Lisburn Road, Belfast, BT9 7EN	Adjacent	Grant	Ashraf Farag
Havana Bank Square 58 Berry Street, Belfast, BT1 1FJ	Adjacent & Remote	Grant	Patrick Magee

	<u>Financial and Resource Implications</u>
3.5	None
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.6	There are no issues associated with this report.



Belfast
City Council

LICENSING COMMITTEE

Subject:	Applications for the Provisional Grant of an Indoor and an Outdoor Entertainments Licence - Libertine, 10-14 Tomb Street
Date:	17th November, 2021
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext. 2435
Contact Officer:	Quintin Thompson, Senior Building Control Surveyor, Ext 2570

Restricted Reports	
Is this report restricted?	Yes ☐ No ☒
If Yes, when will the report become unrestricted?	
After Committee Decision	☐
After Council Decision	☐
Sometime in the future	☐
Never	☐

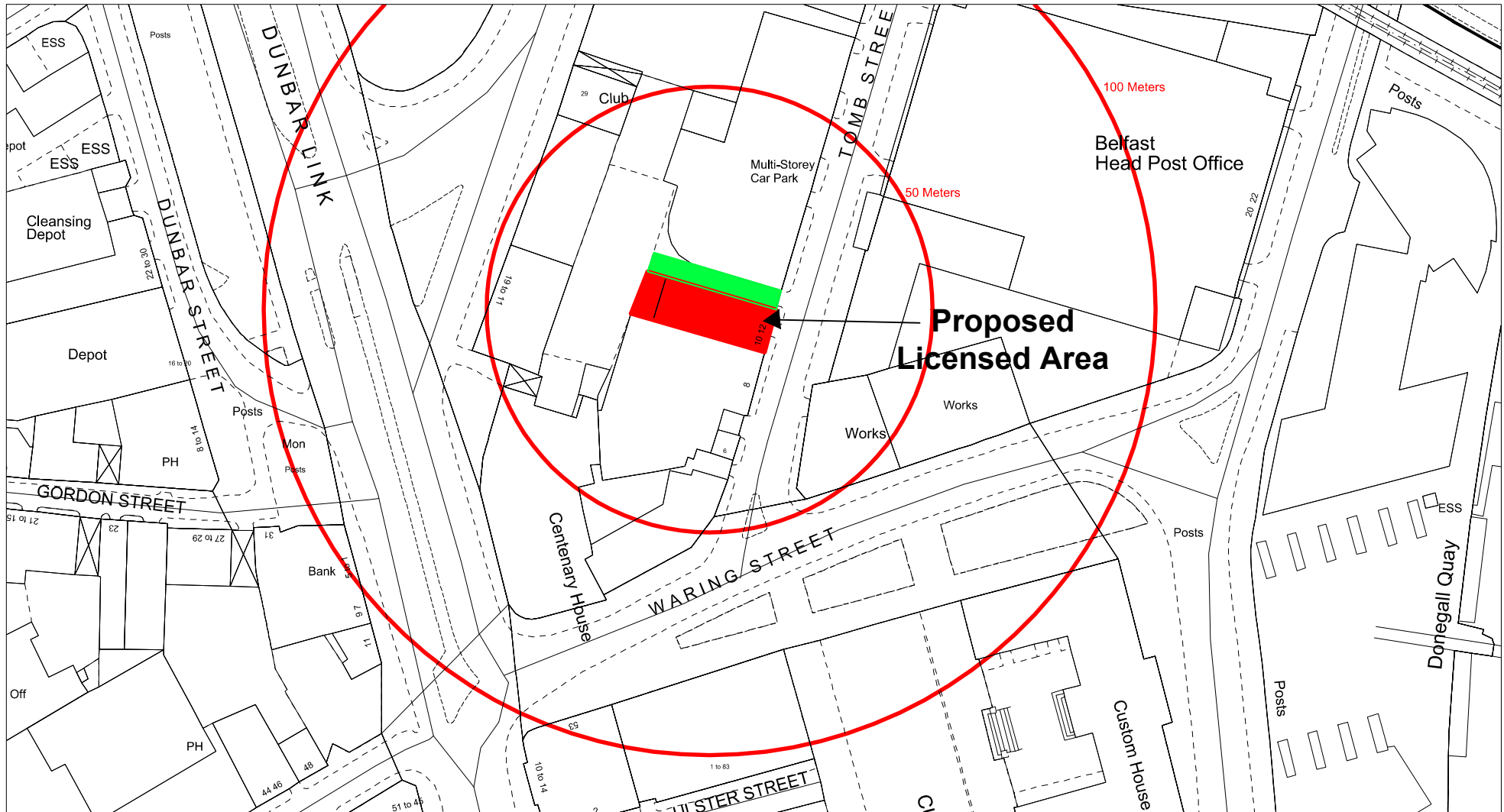
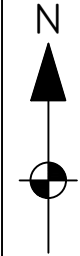
Call-in
Is the decision eligible for Call-in? Yes ☒ No ☐

1.0	Purpose of Report/Summary of Main Issues		
1.1	To consider an application for the provisional grant of a Seven-Day Annual Indoor Entertainments Licence, based on the Council's standard conditions to provide music, singing, dancing or any other entertainment of a like kind and an application for the provisional grant of a Seven-Day Annual Outdoor Entertainments Licence to provide outdoor musical entertainment.		
	Area and Location	Ref. No.	Applicant
	Libertine	WK/2020/01841	Mr Jim Crawford
	10-14 Tomb Street	WK/2020/01846	Elwynn Leisure Limited
	Belfast		149 Lisburn Road
	BT1 3AS		Belfast, BT9 7AJ

1.2	A location map is attached at Appendix 1.
2.0	Recommendations
2.1	Taking into account the information presented and any representations received, the Committee is required to consider the applications and to: a) approve either or both of the applications for the provisional grant of the Seven-Day Annual Indoor and Outdoor Entertainments Licences, or b) approve either or both of the applications for the provisional grant with special conditions, or c) refuse either or both of the applications for the provisional grant of the Seven-Day Annual Indoor and Outdoor Entertainments Licences.
2.2	If an application is refused, or special conditions are attached to the licence to which the applicant does not consent, then the applicant may appeal the Council's decision within 21 days of notification of that decision to the County Court. In the case that the applicant subsequently decides to appeal, entertainment may not be provided until any such appeal is determined.
3.0	Main Report
	<u>Key Issues</u> <u>Provisional Grant of a Licence</u> 3.1 There is provision within the Local Government (Miscellaneous Provisions) (NI) Order (the Order) to make application for the grant of an Entertainments Licence in respect of premises which are to be, or are in the course of being, constructed, extended or altered. 3.2 If the Committee is satisfied that the premises would, if completed in accordance with plans deposited, be such that it would grant the licence, it may grant the licence subject to a condition that it shall be of no effect until confirmed by the Council. 3.3 This is described as the provisional grant of a licence. 3.4 Should the Committee grant a provisional licence, the Order states that, when it is satisfied that the premises have been completed in accordance with the plans deposited, the Council must then issue the licence. 3.5 Should the Committee be of a mind to grant the licence provisionally, it is requested to consider delegating authority to the Director of Planning and Building Control, in consultation with the City Solicitor, to issue the licence once all necessary technical requirements relating to health, safety, welfare and amenity have been completed to the satisfaction of the Building Control Service. <u>Details of the Premises and Proposals</u> 3.6 The premises, formerly known as Fourteen Tomb Street, previously operated as a Nightclub on the Ground Floor and First Floor and held an Outdoor Entertainments Licence for the smoking area located at the side of the premises.

3.7	The areas where entertainment is proposed to be provided are the same as previously licenced, i.e.: • Ground Floor, with a maximum capacity of 220 persons; • First Floor, with a maximum capacity of 220 persons; • External Smoking Area, with a maximum capacity of 250 persons.
3.8	The days and hours during which entertainment is proposed to be provided, both indoors and outdoors, are the same as those granted for the previous licences, i.e.: • Monday to Saturday: 11.30 a.m. to 3.00 a.m. the following morning and • Sunday: 12.30 p.m. to 3.00 a.m. the following morning
3.9	Members are reminded that all applications for the grant of Outdoor Entertainments Licences to provide outdoor entertainment beyond 11.00 p.m. and to provide indoor entertainment past 1.00 a.m. are subject to consideration by the Committee.
3.10	The applicant has advised that the reason for applying for the extended hours is to be competitive with other premises in the vicinity.
3.11	The applicant proposes to provide entertainment in the form of live music, such as live bands and DJ's.
3.12	Layout plans of the premise are attached at Appendix 2. <u>Representations</u>
3.13	Public notice of the applications has been placed and no written representation has been lodged as a result of the advertisement. <u>PSNI</u>
3.14	The Police Service of Northern Ireland has been consulted in relation to the applications. At the time of writing, the Service has not received a response. An update will be provided at the Committee meeting. <u>NIFRS</u>
3.15	The Northern Ireland Fire and Rescue Service has been consulted in relation to the applications and has confirmed that it has no objections. <u>Health, Safety and Welfare</u>
3.16	The applicant has submitted a Building Regulations application for the refurbishment works. It is envisaged that the building works to refurbish this space will be completed in December, 2021.
3.17	Before the Entertainments Licence can be confirmed, as outlined in paragraph 3.4, the Building Regulations application must be approved and all site works must be completed to the satisfaction of the Service in accordance with the Regulations. This will ensure compliance, amongst other matters, with all fire safety, structural and access requirements.
3.18	All certification pre-requisite to the grant of a licence will also be required before the licence can be confirmed.

3.19	When received, the applicant's proposals to mitigate the spread of Covid-19 will be issued to the Health and Safety section of City and Neighbourhood Services for their consideration. <u>Noise</u>
3.20	The premises have been closed due to Covid-19 and, therefore, no complaints have been received in the past 12 months. The last noise complaint was received on 10th May 2019 and resulted in the Night-Time Noise Team approaching the management and asking for the noise levels to be reduced and a door to be kept closed.
3.21	Members are reminded that the Clean Neighbourhood and Environment Act 2011 gives the council additional powers in relation to the control of entertainment noise after 11.00 p.m. <u>Applicant</u>
3.22	The applicant, and/or their representatives, will be available at the Committee meeting to answer any queries which may arise in relation to the application. <u>Financial and Resource Implications</u>
3.23	None. <u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.24	There are no issues associated with this report.
4.0	Documents Attached
	Appendix 1 – Location map Appendix 2 – Layout Plans



DRAWN BY M Treacy	Libertine, 10-14 Tomb Street	SCALE 1:1250 @ A4
DATE 10/11/2021		

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Proposed & Existing Ground Floor GA Plans

Scale 1:50 @ A1 / 1:100 @ A3

key to fire symbols

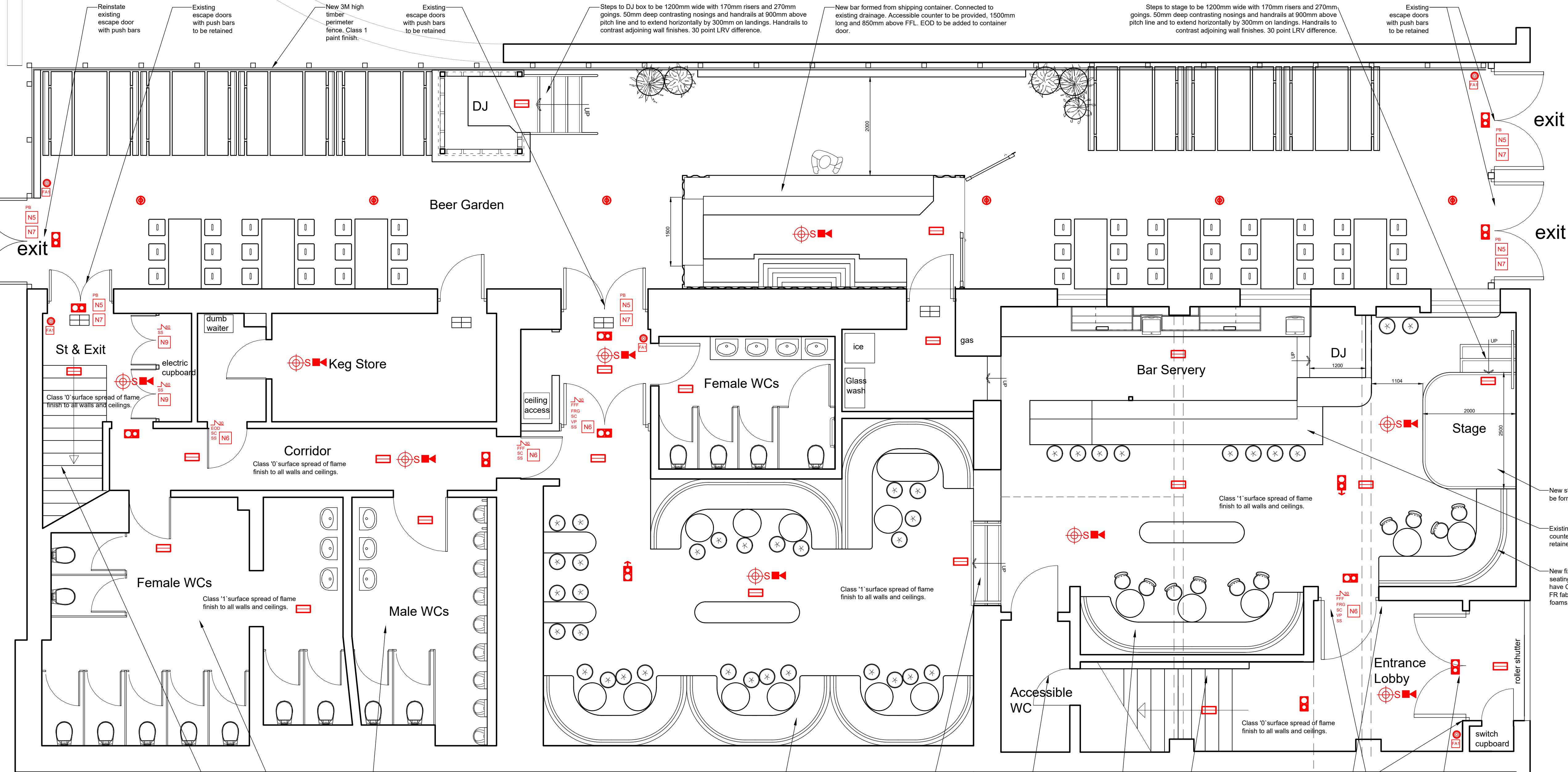
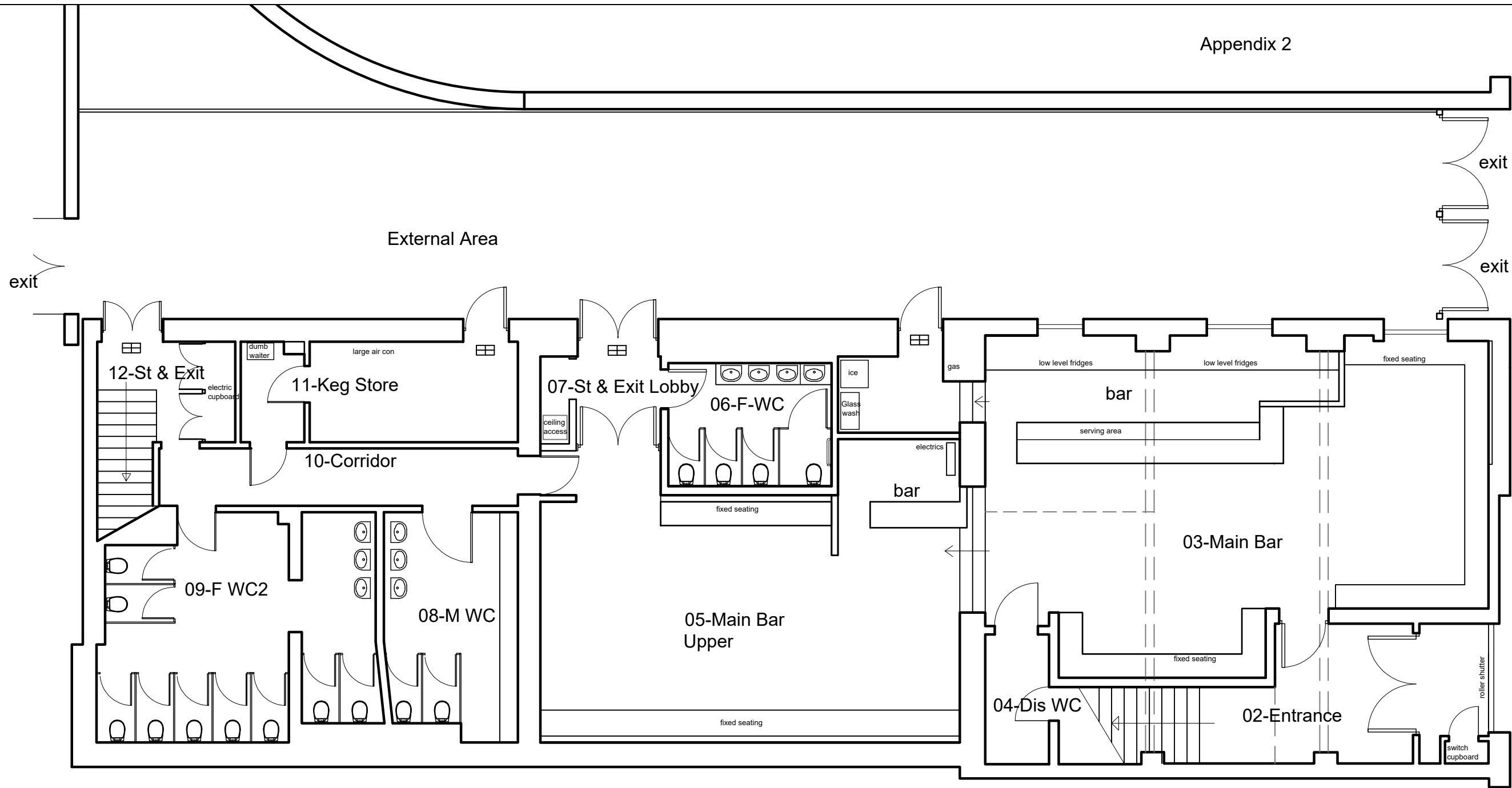
	maintained, self contained emergency exit sign with appraote
	Euro legend and 3 hour integral battery pack
	non maintained, self contained ceiling recessed LED emergency lighting with 3 hour integral battery pack
	non maintained, IP65 self contained LED emergency lighting with 3 hour integral battery pack - black finish
	ceiling mounter smoke detector with integrated sounder
	ceiling mounted heat detector with integrated sounder
	smoke detector in roof void with integrated sounder
	fire alarm call point
	fire alarm panel
	easy opening device
	free from fastenings
	fire resident glazing
	push bar to open
	self closing device
	vision panel
	cold smoke seal
	fire resisting door 30 mins minimum
	fire resisting door 60 mins minimum
	general fire notice
	"fire exit - keep clear" notice
	"fire door - keep shut" notice
	"push bar to open" notice
	"fire door - keep locked" notice

Exit signs and notices to BS 5499 pt. 1
All emergency lighting to comply with BS 5266: 2005
New fire detection system to comply with BS 5839-1:2002
Sound system to turn off on activation of fire detection system

Existing Ground Floor GA Plans

Scale 1:100 @ A1 / 1:200 @ A3

Appendix 2



Proposed Ground Floor GA Plans

Scale 1:50 @ A1 / 1:100 @ A3

GENERAL CONTRACTORS NOTE

All levels and dimensions to be checked on site and any discrepancies should be referred to O'Donnell O'Neill Design Assoc.Ltd. for their direction. Work to figured dimensions ONLY. Do not scale off these drawings. It is the responsibility of the appointed contractor to ensure that both they and their nominated sub contractors, their nominated suppliers, and the client direct nominated sub contractors and suppliers ensure that all materials and workmanship comply with the relevant Building Regulations and that all Health and Safety regulations are implemented. All to be in full compliance with The Building Regulations (Northern Ireland) 2012 Technical Booklets. Refer to engineers drawing for all structural elements details.

REV	NOTE	DATE	INITIAL
*			

new walls - for fire rating refer to Architects details and specifications
existing walls
demolitions



INTERIOR ARCHITECTS & DESIGNERS

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www.ooda.ie

STAGE INFORMATION

CLIENT: Silverpine Inns

JOB: Libertine Night Club
10-14 Tomb Street

TITLE: Proposed & Existing Ground Floor GA Plan

SCALE: 1:50@A1
1:100@A3
FILE: 21078

DATE: Aug 2021
DRAWN BY: GD

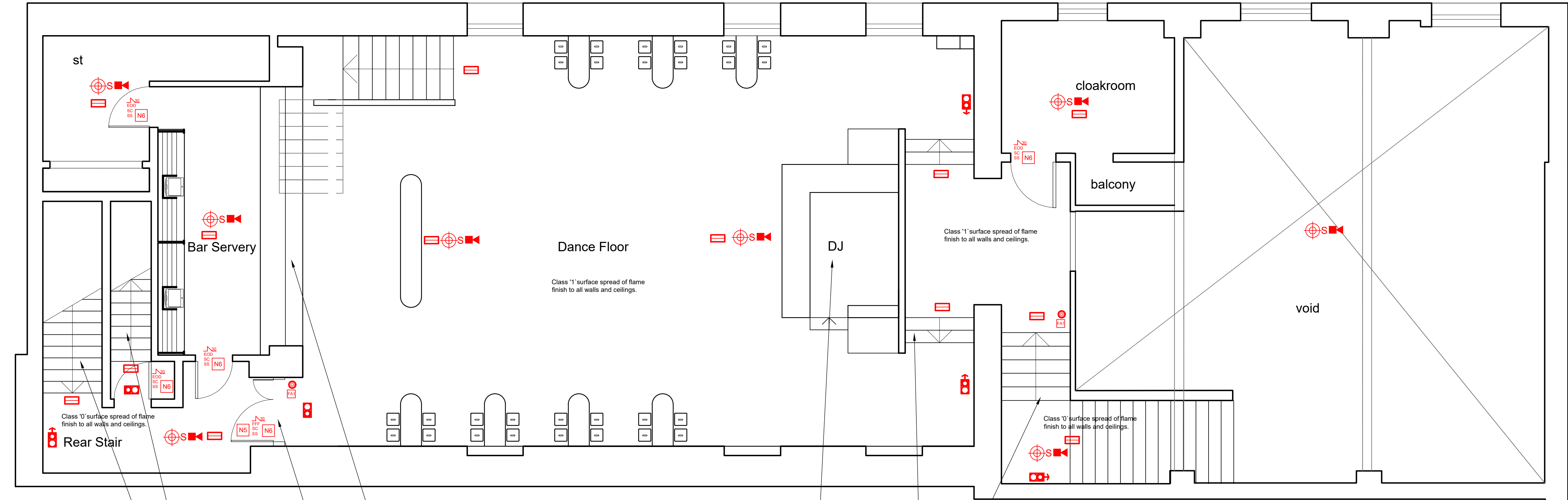
DRAWING NO: 21078 -101BC
REVISION: *

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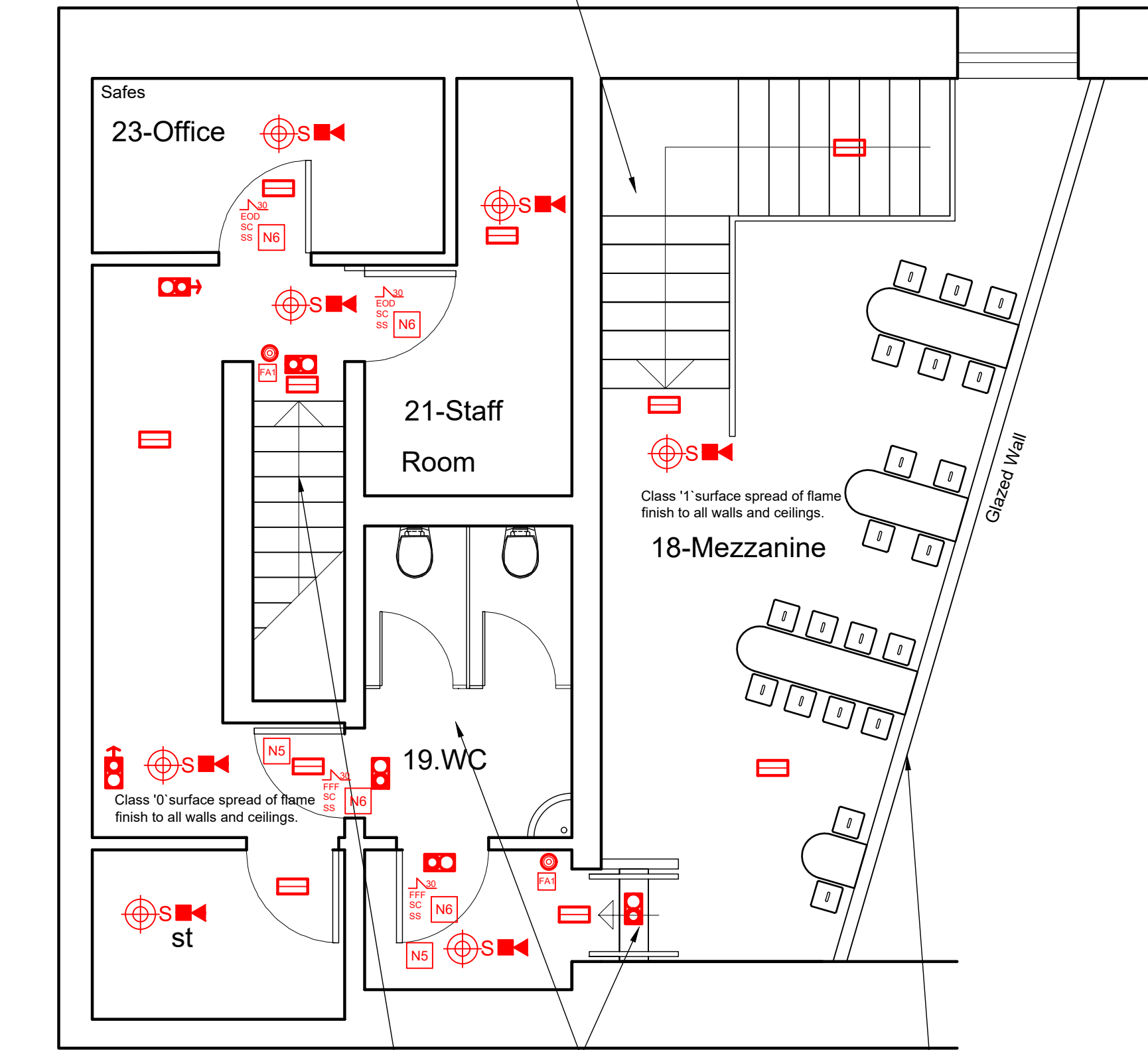
Proposed & Existing First & Second Floor GA Plans

Scale 1:50 @ A1 / 1:100 @ A3



Proposed First Floor GA Plans

Scale 1:50 @ A1 / 1:100 @ A3



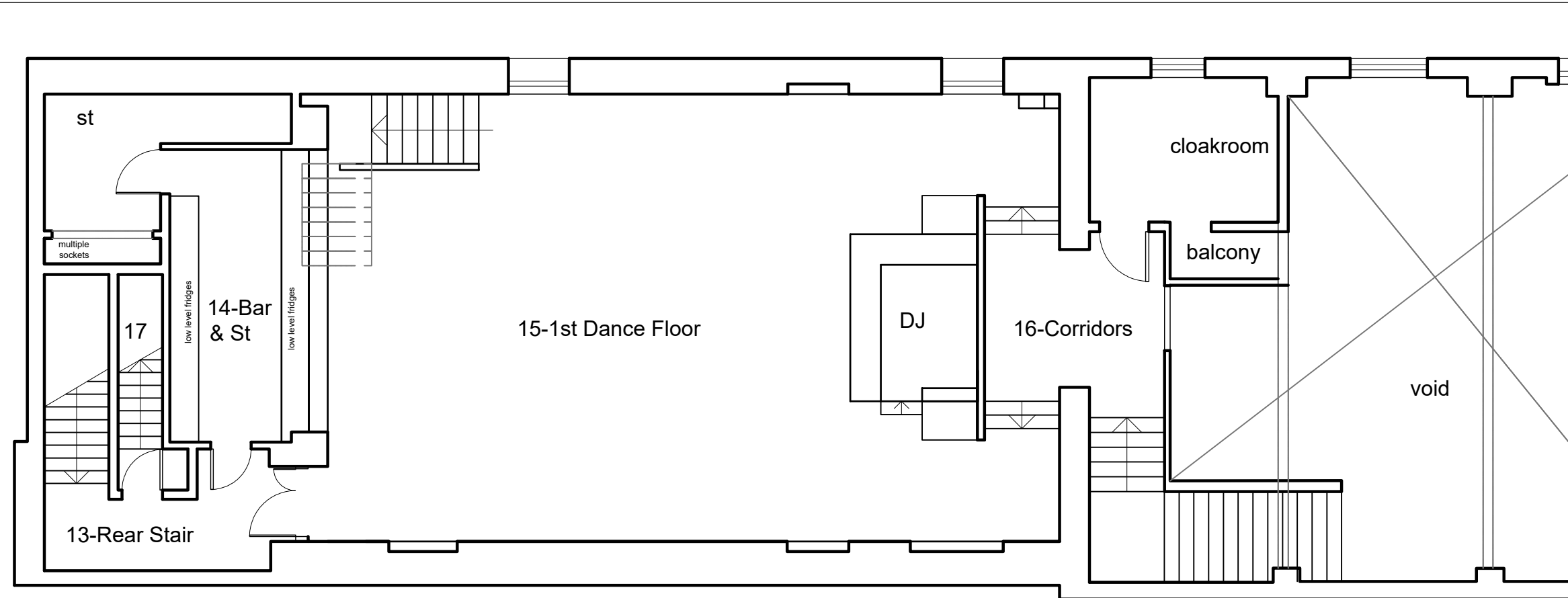
Proposed Second Floor GA Plans

Scale 1:50 @ A1 / 1:100 @ A3

key to fire symbols

	maintained, self contained emergency exit sign with approate Euro legend and 3 hour integral battery pack
	non maintained, IP65 self contained LED emergency lighting with 3 hour integral battery pack - black finish
	non maintained, self contained ceiling recessed LED emergency lighting with 3 hour integral battery pack
	ceiling mounter smoke detector with integrated sounder
	ceiling mounted heat detector with integrated sounder
	smoke detector in roof void with integrated sounder
	fire alarm call point
	fire alarm panel
	easy opening device
	free from fastenings
	fire resistant glazing
	push bar to open
	self closing device
	vision panel
	cold smoke seal
	fire resisting door 30 mins minimum
	fire resisting door 60 mins minimum
	general fire notice
	"fire exit - keep clear" notice
	"fire door - keep shut" notice
	"push bar to open" notice
	"fire door - keep locked" notice

Exit signs and notices to BS 5499 pt. 1
All emergency lighting to comply with BS 5266: 2005
Fire detection system to comply with BS 5839-1:2002
Sound system to turn off on activation of fire detection system



Existing First Floor & Second Floor GA Plans

Scale 1:100 @ A1 / 1:200 @ A3

GENERAL CONTRACTORS NOTE

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It is the responsibility of the appointed contractor to ensure that both they and their nominated sub contractors, their nominated suppliers, and the client direct nominated sub contractors and suppliers ensure that all materials and workmanship comply with the relevant Building Regulations and that all Health and Safety regulations are implemented. All to be in full compliance with The Building Regulations (Northern Ireland) 2012 Technical Booklets. Refer to engineers drawing for all structural elements details.

REV	NOTE	DATE	INITIAL
A	BACK BAR DISPLAY ADDED IN.	29.09.21	AJ

wall key:	new walls - for fire rating refer to Architects details and specifications
	existing walls
	demolitions



INTERIOR ARCHITECTS & DESIGNERS

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STAGE

INFORMATION

CLIENT:
Silverpine Inns

JOB:
Libertine Night Club
10-14 Tomb Street

TITLE:
Proposed & Existing 1st & Second Floor GA Plans

SCALE:
1:50@A1
1:100@A3

FILE:
21078

DATE:
Aug 2021

DRAWN BY:
GD

DRAWING NO:
21078 -102BC

REVISION:
*

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Belfast
City Council

LICENSING COMMITTEE

Subject:	Application for the Screening of an Unclassified Film
Date:	17th November, 2021
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Laura Hillis, Principal Building Control Surveyor, ext 2469

Restricted Reports	
Is this report restricted?	Yes ☐ No ☒
If Yes, when will the report become unrestricted?	
After Committee Decision	☐
After Council Decision	☐
Sometime in the future	☐
Never	☐

Call-in	
Is the decision eligible for Call-in?	Yes ☒ No ☐

1.0	Purpose of Report/Summary of Main Issues
1.1	To consider whether to permit the screening of the unclassified 2021 Irish horror film 'Bring out the Fear' in the Movie House Cinema City Side, Belfast or in other cinemas within the Belfast City Council area.
2.0	Recommendations
2.1	The Committee is requested, having considered the information presented, to: a) permit the screening of the unclassified film 'Bring out the Fear' under Condition 3 of the Cinema Licence, or

	b) permit the screening of the unclassified film under Condition 3 of the Cinema Licence, subject to Council officers viewing a sample of film to ensure its appropriateness and delegating to the Director of Planning and Building Control the right to refuse permission to exhibit it if not deemed suitable (when viewed against the BBFC guidelines) and/or, c) refuse the screening of the unclassified film
2.2	Whilst there is a general provision for appeals in relation to the Conditions placed on Cinema Licences, there is no right of appeal in respect of this decision.
3.0	Main Report
	<u>Key Issues</u>
3.1	The Council licences cinemas and other venues under the Cinemas (Northern Ireland) Order 1991 for the exhibition of films. The main functions of the legislation relate to technical matters such as structural stability and fire safety and, as such, the powers to issue licences are delegated to the Director of Planning and Building Control.
3.2	Unlike Entertainments Licences, Pavement Café Licences and Amusement Permits, there is no public notification and representation process for Cinema Licence applications, hence there is normally no involvement of the Committee with Cinema Licensing.
3.3	When issuing Licences, the Council establishes Conditions of Management on each Licence regarding the general running and administration of the premises. One such Condition is that only films which have been classified with a certificate issued by the British Board of Film Classification (BBFC) may be shown.
3.4	The BBFC is an independent body which classifies all films on behalf of local authorities, and they have strict guidelines and criteria in awarding films a classification. The BBFC categories and criteria guidelines are attached at Appendix 1.
3.5	This system is used by all authorities within the United Kingdom and all commercial films will have been classified through this process. Independent films, shorts and features that have not been classified through the BBFC tend to be shown in private clubs and societies and are not exhibited in commercial cinemas licensed by the Council.
3.6	It has been rare for a licensed cinema to seek permission to show a film that has not been through the BBFC process. However, with the development in the local creative industries and filmmaking sector here it is apparent that more films, in particular low budget short films, are being produced locally. Many are unclassified but the demand for them to be screened in local cinemas is growing.
3.7	There are various reasons for companies not to submit their films for classification, the main reason is the cost, especially if they are not being shown in commercial cinemas.
3.8	Additionally, films shown for training events or to promote the products of private companies would be unclassified. It should not be inferred therefore that because a film is unclassified it would not, if submitted, receive an appropriate classification.
3.9	We have received a request for an unclassified film 'Bring out the Fear' to be shown in the Movie House Cinema City Side, and possibly other cinemas throughout Belfast, during

	BanterFlix/The Dark Hedges film festivals and at other events this year and in future years - dates and venues proposed not yet confirmed.
3.10	Banterflix is a Northern Irish film review website, established in 2011, by film critic Jim McLean, and has been running regular film screening and events since 2015. The Dark Hedges film festival was established by Banterflix and is dedicated to screening horror, fantasy and Sci-Fi films. Originally conceived in 2018 as a short film festival for Irish film makers, it now has an international outlook.
3.11	There is a proviso in the Licence Conditions which allows the Council to give permission to show an unclassified film if it is satisfied with that film. The Council can also append any Conditions thereto, including an age restriction.
3.12	Condition 3. <i>Notwithstanding the conditions hereinbefore contained, a film may be exhibited, or children, or any class of children, may be admitted thereto, or admitted unaccompanied, if permission of the Council is first obtained and any conditions of such permission are complied with.</i>
3.13	Whilst it is unclear if this power is delegated, it was thought prudent to bring the matter for consideration to the Licensing Committee.
3.14	'Bring out the fear' is an 87-minute long 2021 Irish horror film. It explores a doomed relationship on the final day, as a couple take a walk in a wood. The film festival organisers have confirmed that there is nothing overly violent or gory in the film, and officers have confirmed that this does appear the case from reviews and from the trailer which is publicly available.
3.15	The film festival organisers have offered to provide a screening link so officers or Members can review the film if required. See Appendix 2 for film plot synopsis/film review.
3.16	The film has previously screened at 'Fright Fest' in August 2021 at Cineworld Leicester Square London. Westminster City Council, as the film classification body for premises licensed for the exhibition of films under the Licensing Act 2003 classified the film as 18 – no one younger than 18 may see an 18 film in a cinema, and adults should be free to choose their own entertainment. See Appendix 3.
3.17	The film has also been shown at 'Scream Fest' in Los Angeles and recently the Irish Film Institute (IFI) in Dublin.
3.18	Jim McClean (BanterFlix Editor in Chief) has confirmed that they are content to advertise the unclassified film as being rated 18.
3.19	A representative of Banterflix/Dark Hedges Film Festival, Jim McClean (BanterFlix Editor in Chief), will be available at Committee to answer any questions Members may have in relation to the film.
3.20	The Council can, if satisfied, allow films not classified by BBFC to be shown within Licensed Cinemas and append Conditions in relation to that exhibition. Such a decision does not attempt to 'classify' the film, only BBFC have that power, but merely permits its exhibition in that individual situation.
3.21	The Service has previously received requests to screen unclassified films. In August 2012 Committee agreed to accede to a request from Cinemagic (a film festival for children) to

	screen unclassified films for 2012 and subsequent years. Officers viewed and analysed a sample of the films against the BBFC guidelines and ensured that the films were as described in the synopsis provided.
3.21	The Service will reserve the right to take action for breach of Licence if the unclassified film shown were found not to be as described.
	<u>Financial & Resource Implications</u>
3.22	None.
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.23	There are no issues associated with this report.
4.0	Documents Attached
	• Appendix 1 – BBFC categories and criteria guidelines • Appendix 2 – Film Plot Synopsis/film review • Appendix 3 – City of Westminster classification document



Classification Guidelines

Contents

4	Introduction	24	15
7	Guiding principles	26	18
8	General classification considerations	28	R18
10	Specific classification considerations	31	Intervention
14	Other matters	32	Engagement with the public
16	The classification categories	34	Appeals, advice viewings and feedback
18	U	36	Annexe – legal considerations
20	PG		
22	12A/12		

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

In addition to our classification functions, we are designated as the age-verification regulator under Part 3 of the Digital Economy Act 2017. The BBFC's responsibilities under this Act include:

- making sure that online commercial pornography services carry age-verification controls
- providing guidance on what kind of age-verification arrangements will ensure that these services comply with the law
- taking enforcement action against online pornographic services that do not carry effective age-verification and/or those that contain extreme pornographic material (as defined under UK law) which is illegal to possess

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.

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.





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.

Page 21

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).



Specific classification considerations continued

Sex

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.

Sex works (works whose primary purpose is sexual arousal or stimulation) will only be passed at 18 or R18.

We will apply these Guidelines in relation to sex to the same standard regardless of sexual orientation of the activity portrayed.

Sexual violence and sexual threat

Depictions of the stronger forms of sexual violence, including rape, are not permitted at the junior categories.

When considering scenes of sexual violence, aggravating factors include:

- 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

- a strong emphasis on the distress and fear of the victim

- a credible ‘real world’ setting

- a protracted build-up of sexual threat

Mitigating factors include:

- brevity and lack of detail

- a clear educational message aimed at young people

- a strong narrative justification

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.

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.

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.

Threat and horror

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.

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.

Violence

Classification decisions will take account of the degree and nature of violence in a work.

Works which feature the following are likely to receive a more restrictive classification:

- 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)

Works which feature the following are likely to be treated less restrictively:

- 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

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.

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.

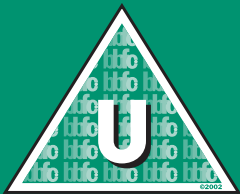
The classification categories

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.



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.

The Digital Economy Act 2017

Under Part 3 of the Act it is unlawful to make pornographic material available on the internet to persons in the United Kingdom, on a commercial basis, other than in a way that secures that, at any given time, the material is not normally accessible by persons under the age of 18. The BBFC is the designated age-verification regulator under Part 3 of the Act. The BBFC may take enforcement action against non-compliant pornographic services and/or where a service makes extreme pornographic material, as defined by the Criminal Justice and Immigration Act 2008, available on the internet to persons in the United Kingdom.

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

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Film Plot Information Synopsis/ Film Review



Bring Out the Fear

2021 · 1h 27min

IMDb RATING **7.5/10** 11 YOUR RATING [Rate](#)

[Cast & crew](#) · [IMDbPro](#) [All topics](#) [Share](#)

Horror

Explores a doomed relationship on its final day

Director [Richard Waters](#)

Writer [Richard Waters](#)

Stars [Ciara Bailey](#) · [James Devlin](#) · [Tad Morari](#)

[IMDbPro](#) See production, box office & company info

[+ Add to Watchlist](#)

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'Bring Out the Fear' review: Dir. Richard Waters [FrightFest]

Aug 29, 2021 by Kat Hughes



Each year Arrow Video FrightFest screens a series of movies from filmmakers early in their careers as part of their First Blood strand. The selection of titles showcase some of the more interesting creators currently working, and offers them a platform to get their work out to a wider audience. Being picked to play amongst the line-up is a great honor, but for some, it's an extra special achievement.



Writer and director Richard Waters is one such filmmaker. Not only was he a participant in the festival's New Blood programme – where new writers get guidance from industry professionals as they try to sniff out the next big thing – he has also been an avid attendee of the festival himself for years. His love for FrightFest is clear, the director even going so far as to include the voices of some of his FrightFest brethren in his First Blood offering, *Bring Out the Fear*.

Bring Out the Fear joins couple Sophie (Ciara Bailey) and Dan (Tad Morai) at a crossroads. Sophie is a recovering alcoholic who wants time to focus on herself, Dan is besotted with Sophie and thinks it's time to settle down together. A walk in the woods becomes an unexpected marriage proposal, but after Sophie says no, the trees around them take a sinister turn and the pair find themselves lost. Can they mend their broken relationship or will they be lost in the woods forever?

At just under eighty minutes long, Waters doesn't waste any time in getting to horror aspect of his story. In fact, by fifteen minutes we're already in the weird woodlands with Sophie and Dan. This forest is creepy, misty, and always changing, disorientating the distressed pair further. It also has the peculiar trait of keeping the environment in perpetual daylight. One might not think that the daytime can be scary, but when it's meant to be nighttime and the sun is still there, it's actually rather unsettling. Then there are the strange sightings and ominous whispering (provided by FrightFesters themselves) which layer the levels of fear and atmosphere. The fact that the woods used here are nowhere near the scale of the one used in something like *The Blair Witch Project*, shows great creativity from Waters, as these trees genuinely seem to go on forever.

Everything appears to have been meticulously planned to both look good and also entertain the audience it is being presented too. Feeding into the woodland setting, the colour palette is kept autumnal and cold. The costuming is in neutral shades that help Sophie and Dan blend and merge in with their surroundings, occasionally providing a challenge for the audience to differentiate between them. The mustard yellow of Sophie's coat is especially effective at this. With just two characters on screen for the bulk of the story, a lot of weight rests on the shoulders of both Bailey and Morai. Luckily both are capable of the challenge and quickly set Dan and Sophie up as a viable pair of characters. Of the two, Sophie is the more accessible, her lines feel lifted from the words of an audience member. This character isn't afraid to cast light on the strangeness of their situation, something often ignored by films. When such observation is included, it is often used as a way to work in some humour and light relief. That's not how it works here. Sophie is stating facts, and when delivered, they add a chill to the air. Morai has some complex emotions and attitudes to convey in very little time, but he manages to nail the role.

A couple getting lost in the woods isn't a new story to the world of horror, and yet somehow writer and director Richard Waters has managed to create a film that feels unlike its peers. *Bring Out the Fear* has a great aesthetic, generates a genuine foreboding atmosphere, and has two excellent central performances. An accomplished piece of work, Waters has done his FrightFest family proud.

The Kim Newman Web Site

WRITER. CRITIC. BROADCASTER. JOURNALIST.

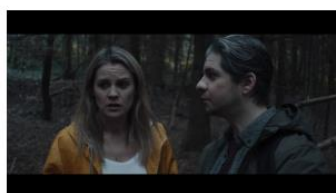
BIOGRAPHY EVENTS FICTION NON-FICTION FAQ LINKS AWARDS GALLERY



CINEMA/TV, FILM NOTES

FrightFest review – Bring Out the Fear

POSTED BY KIMNEWMAN · AUGUST 28, 2021 · [LEAVE A COMMENT](#)



My notes on Bring Out the Fear



One of the creepiest underused effects in horror is daylight when there should be darkness – there's a great pull-back-the-curtains moment in *Dead of Night* (1945) that gets a jump shock out of this reversal. Director-writer Richard Waters makes sustained use of this scare tactic in his debut feature, which is also a walk-in-the-inescapable-woods movie.



Rosie (Ciara Bailey) and Dan (Tad Morari) are a couple with obvious problems – he's an American with a tendency to overcompensate, and plots to save the relationship by springing a last-ditch marriage proposal on her ... she's Irish, and an alcoholic in fragile recovery who has recently had a casual affair with an off-license clerk (James Devlin). When they set out for a country walk, Dan is determined to bind Rosie to him ... and she's made up her mind that it's all over. What isn't all over, and might never be, is their ramble, which extends well beyond getting lost and coming back to the same curious bit of folk art (a sort-of face in a broken tree) again and again since night never comes but the day isn't exactly warm and comforting. After they run out of snacks and water, the only sustenance they can find is the worst thing for Rosie – very suspiciously-placed bottles of wine. Presences which might be woodland spirits, ghosts, or the couple's doppelgangers are repeatedly glimpsed.



Bring Out the Fear works because the two central performances are spot-on – neither of these people is exactly bad, but they are bad for each other, and this being a horror movie they've trespassed in a pre-twilight zone where they'll be eternally punished for the mismatch by being stuck with each other. It's an exercise in disturbing frustration that depends for effect on us being as trapped with Dan and Rosie as they are with each other, and once the penny's dropped that they're stuck in the woods with precious little motivation to wear themselves out further by trudging on with bleeding feet or raging thirsts a certain mid-film monotony sets in as we wonder precisely what kind of doom is in store. In the end, this is more about the horror the normals bring into the woods than the horrors they find there – which makes for a thought-provoking, quietly nerve-wracking picture.



City of Westminster

Westminster City Council, as the film classification body for premises licensed for the exhibition of films under the Licensing Act 2003 within the City of Westminster has classified the following films for FrightFest 2021:

Knocking	The Changed	Broadcast Signal Intrusion	Claw
Gaia	No Man Of God	The Show	Slapface
Antidote	Are We Monsters	As In Heaven, So On Earth	Bad Candy
Beyond The Infinite Two Minutes	Blood Thirsty	Boy #5	Brain Freeze
Bring out The Fear	Captive	Coming Home In The Dark	Crabs!
Dawn Breaks Behind The Eyes	Followers	Forgiveness	Greywood's Plot
Hotel Poseidon	Isolation	Killer Concept	King Knight
Laguna Ave	Mask Of The Evil Apparition	Motherly	Mystery Spot
Night Drive	Nocturna: Side A – The Great Old Man's Night	Offseason	Post Mortem
Pretty Boy	Red Snow	Shadow Of The Cat	Shadowprowler
She Watches From The Woods	Sound of Violence	Stuffed	Sweetie You Won't Believe
The Advent Calendar	The Brilliant Terror	The Exorcism of Carmen Farias	The Found Footage Phenomenon
The Kindred	The Last Rite	The Last Thing Mary Saw	The Little Broomstick Rider
The Maid	The Parker Sessions	The Retaliators	The Sadness
The Unburied	Touch	Ultrasound	When The Screaming Starts
Woodlands Dark And Days Bewitched	Evie	Brittania	

18 – Suitable for 18 years and over

No-one younger than 18 may see a 18 film in a cinema. No sales/entry to anyone under the age of 18.

Daisy Gadd
On behalf of the Executive Director of City Management & Communities

Classified: 11 August 2021



City of Westminster

Westminster City Council, as the film classification body for premises licensed for the exhibition of films under the Licensing Act 2003 within the City of Westminster has classified the following film:

The Nicky Nack	Standing Woman	Hysteria	The Departure
Voodoo In My Heart	Better The Devil You Know It	Self-actualisation Of The Werewolf Woman	The Dead Collectors
Terrible Things	Puff	Dana	Room 217
They Call me David	Arm	Night Bus	Itch
Otherwise	Aria	Weirdo	On Air
Stuck	Trouble	The Lovers	Where The Tar Leaks Red
Carl The Exorcist	Posies	Familiar	Behind You
Wee Shadows	Four	A Puff Before Dying	Hiya Janice

18 – Suitable for 18 years and over

No-one younger than 18 may see a 18 film in a cinema. No sales/entry to anyone under the age of 18.

Daisy Gadd
On behalf of the Executive Director of City Management & Communities

Classified: 11 August 2021

Licensing Service, Westminster City Council, Westminster City Hall, 64 Victoria Street, London SW1E 6QP
Tel: 020 7641 6500 Email: licensing@westminster.gov.uk

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Subject:	HMO Licences Issued Under Delegated Authority
Date:	17th November, 2021
Reporting Officer:	Kevin Bloomfield, NIHMO Manager
Contact Officer:	Vivienne Donnelly, City Protection Manager Kevin Bloomfield, NIHMO Manager

Restricted Reports	
Is this report restricted?	Yes ☐ No ☒
If Yes, when will the report become unrestricted?	
After Committee Decision	☐
After Council Decision	☐
Sometime in the future	☐
Never	☐

Call-in	
Is the decision eligible for Call-in?	Yes ☐ No ☒

1.0	Purpose of Report/Summary of Main Issues
1.1	Under the Scheme of Delegation, the Director of City Services is responsible for exercising all powers in relation to the issue and variation, but not refusal, of HMO Licences, excluding provisions relating to the issue of HMO Licences where adverse representations have been made. Those applications which were dealt with under the Scheme are listed below.
2.0	Recommendation
2.1	The Committee is requested to note the applications which have been issued under the Scheme of Delegation.

3.0Main Report

3.1

Key Issues

Under the terms of the Houses in Multiple Occupation Act (Northern Ireland) 2016, the following HMO Licences were issued during October 2021:

Premise Name	Licensee	Ward	HMO Policy Area or Development Node
70 Palestine Street	Mr. Gabriel McCaffrey	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
14 Sandhurst Drive	Mr. Mark Jamison	STRANMILLIS	HMO 2/19 Stranmillis
13 Ashley Avenue	Mr. Kieran Heenan	WINDSOR	HMO 2/21 Ulsterville
30 Tates Avenue	Mr. Paul Drumm	WINDSOR	HMO 2/08 Edinburgh Street
86 Edinburgh Street	Mrs. Ikhlas Elkarim	WINDSOR	HMO 2/08 Edinburgh Street
84 Palestine Street	Mr. Austin Campbell	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
8 Sandymount Street	Mr. Leo Joseph Martin	STRANMILLIS	HMO 2/17 Stranmillis
7 Carmel Street	Mr. Jeremy Barnes	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
Flat 2, 29 Wellesley Avenue	McNally's Pharmacy 365 Limited	WINDSOR	HMO 2/09 Eglantine
90 Wellesley Avenue	Trimac Enterprise Ltd	WINDSOR	HMO 2/09 Eglantine
8 Stranmillis Gardens	Mr. Damian O'Hanlon	CENTRAL	HMO 2/19 Stranmillis
26 Elaine Street	Mrs. Florence Campbell	CENTRAL	HMO 2/19 Stranmillis
2a Stranmillis Park	Mr. Jonathan Samuel George Reaney	CENTRAL	HMO 2/19 Stranmillis
69 Farnham Street	Mr. Brendan Rafferty	CENTRAL	HMO 2/13 Lower Ormeau
9 Fitzroy Avenue	Mr. Terence (Turlough) Christopher Kennedy	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
7 Fitzroy Avenue	Mr. Terence (Turlough) Christopher Kennedy	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
33 Stranmillis Gardens	Mr. Richard Hogg	CENTRAL	HMO 2/19 Stranmillis
Flat 2, 47 Magdala Street	Mr. Richard Megaw	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
86 Friendly Street	Mr. Viktor Gomes	CENTRAL	None
23 Elgin Street	Mr. Kevin Timoney	ORMEAU	HMO 2/22 Botanic, Holylands, Rugby
64 Carmel Street	Mr. Colin Ennis	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
27 Sandymount Street	L&E Properties Limited	STRANMILLIS	HMO 2/17 Stranmillis
42 Stranmillis Park	Mr. Ryan Douglas	CENTRAL	HMO 2/19 Stranmillis
52 Melrose Street	Mr. Paul Murphy	WINDSOR	HMO 2/08 Edinburgh Street
23 Cameron Street	Mr. Dominic Gallagher	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
46 Dunluce Avenue	Lottie Bear Limited	WINDSOR	HMO 2/21 Ulsterville

	45 Melrose Street	Ms. Katie Steele	WINDSOR	HMO 2/08 Edinburgh Street
	39 Colenso Parade	Mr. Neil Stewart	CENTRAL	HMO 2/19 Stranmillis
	5 Cadogan Street	Mr. Conaill McGrady	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	135 University Avenue	Mr. Declan Leonard	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	Apt 3, 94 Malone Avenue	Mrs. Diana McElnay	WINDSOR	HMO 2/09 Eglantine
	Flat 2, 36 Fitzroy Avenue	Mr. Joseph McCann	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	70 Stranmillis Gardens	Ms. Maura O'Rawe	CENTRAL	HMO 2/19 Stranmillis
	Flat 3, 12 Wolseley Street	Mr. Michael Wright	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	Flat 1, 12 Wolseley Street	M.r Michael Wright	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	18 Strandview Street	Mr. Daniel Brennan	STRANMILLIS	HMO 2/19 Stranmillis
	58 Pretoria Street	Mr. Neil Stewart	CENTRAL	HMO 2/19 Stranmillis
	Apartment 2, 33 Ridgeway Street	Mr. Samuel Hardy	STRANMILLIS	HMO 2/19 Stranmillis
	26 Camden Street	Mr. Thomas Braniff	WINDSOR	HMO 2/10 Fitzwilliam
	3 Riverview Street	Mr. Declan Boyle	STRANMILLIS	HMO 2/19 Stranmillis
	28 Camden Street	Mr. Thomas O'Hare	WINDSOR	HMO 2/10 Fitzwilliam
	28 Lisburn Road	Mr. Darren Stronge	WINDSOR	HMO 2/10 Fitzwilliam
	Apartment 3, 27 Lawrence Street	Botanic Avenue Properties Ltd	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	Apartment 1, 27 Lawrence Street	Botanic Avenue Properties Ltd	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	Apartment 2, 27 Lawrence Street	Mount Charles Investments Ltd	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	30 St Ives Gardens	Mr. James Harkness	STRANMILLIS	HMO 2/17 Stranmillis
	4 St Ives Gardens	Mr. James Harkness	STRANMILLIS	HMO 2/17 Stranmillis
	59 Jerusalem Street	Mr. Declan Boyle	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	23 Agincourt Avenue	Mr. Declan Boyle	CENTRAL	HMO 2/22 Botanic, Holylands, Rugby
	51 Tates Avenue	Mrs. Sarah Mullin	WINDSOR	HMO 2/08 Edinburgh Street
	35 Stranmillis Gardens	Mrs. Angela Curran	CENTRAL	HMO 2/19 Stranmillis
	150 Malone Avenue	Mr. Colm Donaghy	WINDSOR	HMO 2/09 Eglantine
<u>Financial and Resource Implications</u>				
3.2	None			
<u>Equality or Good Relations Implications/Rural Needs Assessment</u>				
3.3	There are no issues associated with this report.			

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Subject:	Application for the Renewal of a Licence to Operate a House of Multiple Occupation - 12 Curzon Street
Date:	17th November, 2021
Reporting Officer:	Kevin Bloomfield, HMO Unit Manager, ext. 5910
Contact Officer:	Kevin Bloomfield, HMO Unit Manager, ext. 5910 Nora Largey, Divisional Solicitor, ext. 6049

Is this report restricted?	Yes ☐	No ☒
Is the decision eligible for Call-in?	Yes ☒	No ☐

1.0	Purpose of Report/Summary of Main Issues			
1.1	The Committee, at its meeting on 20th October, was asked to consider whether it would grant or refuse an application for the renewal of an HMO licence at 12 Curzon Street, Belfast, BT7 1QU			
	Premises	Application No.	Applicant(s)	Managing Agents
	12 Curzon Street Belfast BT7 1QU	8392	Dirnan Properties Ltd	None
1.2	Having heard from the objectors and the applicant, the Committee agreed to defer the application until this meeting to enable officers to obtain up-to-date information on any complaints of noise and/or anti-social behaviour associated with the property. It agreed also that the objectors and the applicant be permitted to submit any relevant information.			
1.3	This report should be read in conjunction with the report/appendices presented to the Committee on 20th October (See Appendix 1).			
2.0	Recommendations			
2.1	Taking into account the information presented, the Committee is asked to decide whether to hear again from the applicant and the objectors and make a decision to either: (i) Grant the application, with or without any special conditions; or (ii) Refuse the application.			

2.2	If the application is refused, the applicant has a right of appeal to the County Court. Such an appeal must be lodged within 28 days of formal notification of the decision. The licence will remain in place pending the appeal.
3.0	Main Report
	<u>Key Issues</u>
3.1	The NIHMO Unit undertook a further consultation exercise with the following Units within the Council's City and Neighbourhood Services Department which, on 10th November confirmed: a) Environmental Protection Unit ("EPU") – it has confirmed that, in relation to night-time noise, it last took action in 2017; b) Environmental Protection Unit ("EPU") – it has confirmed that, in relation to day-time noise, there has been no relevant enforcement action required in respect of the HMO in the last 5 years; c) Public Health and Housing Unit ("PHHU") – it has confirmed that, in relation to rubbish accumulation/filthy premises, there has been no relevant enforcement action required in respect of the HMO in the last 5 years; and d) Enforcement Unit ("EU") – it has confirmed that, in relation to litter and waste, there has been no relevant enforcement action required in respect of the HMO in the last 5 years,
3.2	The NIHMO Unit emailed each of the four objectors and asked them to submit any additional relevant information for consideration by the Committee by 12 noon on 10th November 2021. The NIHMO Unit received further correspondence from one of the objectors relating to 30th September, which is attached at Appendix 2.
3.3	The NIHMO Unit emailed the owner of the accommodation giving him an opportunity to submit any additional information. At the time of writing, no additional information has been received. <u>Attendance</u>
3.4	The applicant and/or their representatives and the objectors will be available to discuss any matters relating to the licence application which might arise during the meeting. <u>Financial and Resource Implications</u>
3.5	None. The cost of assessing the application and officer inspections are provided for within existing budgets. <u>Equality and Good Relations Implications</u>
3.6	There are no equality or good relations issues associated with this report.
4.0	Documents Attached
	Appendix 1 – Report/Appendices from 20th October Appendix 2 - Additional information from one of the objectors

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Subject:	Licence Fees for Sex Establishments
Date:	17th November, 2021
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	James Cunningham, Senior Licensing Officer, ext. 3375

Restricted Reports	
Is this report restricted?	Yes ☐ No ☒
If Yes, when will the report become unrestricted?	
After Committee Decision	☐
After Council Decision	☐
Sometime in the future	☐
Never	☐

Call-in	
Is the decision eligible for Call-in?	Yes ☒ No ☐

1.0	Purpose of Report/Summary of Main Issues
1.1	Under Article 4 and Schedule 2 of The Local Government (Miscellaneous Provisions) (NI) Order 1985 (the Order), the Council has powers relating to the Licensing of Sex Establishments. Paragraph 19, Schedule 2 provides that an applicant for the grant, renewal or transfer of a licence shall pay a reasonable fee determined by the council.
1.2	Unlike the Street Trading Act (NI) 2001 and the Licensing of Pavement Cafés Act (NI) 2014, there is no procedure prescribed in the Order that the Council must follow in determining the Licence fee.
1.3	The current Sex Establishment Licence fees were set at by the Committee in June 2016 and it was agreed that a review of the fees be conducted each year.

2.0	Recommendations														
2.1	The Committee is requested to agree that the current fees, as reviewed in December 2020, should remain unchanged.														
2.2	Members are advised that the Licensing Committee does not have delegated powers in relation to policy decisions concerning licensing matters and as such the recommendation on the appropriate fees for sex establishments licences will be subject to ratification by Council.														
3.0	Main Report														
	<u>Key Issues</u>														
3.1	After reviewing the current fees, as agreed by the Committee in December 2020, these were deemed to be proportionate to the cost of the processes associated with administering a Sex Establishment Licence.														
3.2	It is, therefore, proposed that the fees set previously remain as shown below: <table border="1" data-bbox="555 860 1185 1151"> <tr> <td>Application Fee</td><td>£3,200</td></tr> <tr> <td></td><td></td></tr> <tr> <td>Renewal Fee</td><td>£1,430</td></tr> <tr> <td></td><td></td></tr> <tr> <td>Transfer Fee</td><td>£1,125</td></tr> <tr> <td></td><td></td></tr> <tr> <td>Licence Fee</td><td>£500</td></tr> </table>	Application Fee	£3,200			Renewal Fee	£1,430			Transfer Fee	£1,125			Licence Fee	£500
Application Fee	£3,200														
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Transfer Fee	£1,125														
Licence Fee	£500														
	<u>Financial and Resource Implications</u>														
3.3	The Sex Establishment Licence fees will ensure the cost of the operational and administration processes are proportionate to the licensing scheme.														
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>														
3.4	There are no issues associated with this report.														
4.0	Documents Attached														
	None														



Belfast
City Council

LICENSING COMMITTEE

Subject:	Schedule of Meetings 2022
Date:	17th November, 2021
Reporting Officer:	Mr. H. Downey, Democratic Services Officer
Contact Officer:	Mr. H. Downey, Democratic Services Officer

Restricted Reports	
Is this report restricted?	Yes ☐ No ☒
If Yes, when will the report become unrestricted?	
After Committee Decision	☐
After Council Decision	☐
Sometime in the future	☐
Never	☐

Call-in	
Is the decision eligible for Call-in?	Yes ☒ No ☐

1.0	Purpose of Report/Summary of Main Issues
	To advise the Committee of the dates and times of the meetings of the Licensing Committee between January and December, 2022.
2.0	Recommendation
	The Committee is requested to approve the schedule of meetings for the Licensing Committee, as set out below.
3.0	Main Report
	<u>Key Issues</u>
3.1	The monthly meeting of the Licensing Committee is normally held at 5.00 p.m. on the 3rd Wednesday of each month.

3.2	On that basis, the following dates have been identified for the period from January to December, 2022. • Wednesday, 19th January • Wednesday, 16th February • Wednesday, 16th March • Wednesday, 13th April • Wednesday, 18th May • Wednesday, 15th June • Wednesday, 17th August • Wednesday, 21st September • Wednesday, 19th October • Wednesday, 16th November • Wednesday, 15th December (All meetings will commence at 5.00 p.m., unless agreed otherwise) <u>Financial and Resource Implications</u>
3.3	None associated with this report. <u>Equality or Good Relations Implications</u>
3.4	None associated with this report.
4.0	Documents Attached None