



Subject:	Application for the Screening of Unclassified Films
Date:	18 March 2020
Reporting Officer:	Stephen Hewitt, Building Control Manager, Ext. 2435
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Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	To consider whether to permit unclassified films to be screened as part of Belfast Film Festival running from 1 st – 9 th April 2020.
2.0	Recommendations
2.1	The Committee is requested, having heard from representatives of the Belfast Film Festival, to: a) permit the screening of unclassified films in accordance with the recommended age classification, OR b) permit the screening of unclassified films subject to Council officers viewing a sample of films and imposing an appropriate age restriction, if any, having regard to the British Board of Film Classification guidelines, OR c) refuse permission to screen unclassified films.
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 other Licencing schemes, 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. These Conditions are attached at Appendix 1.
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 2.
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. It is rare for a Licensed cinema to wish to show a film that has not been through the BBFC process.
3.6	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. To give an example, 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.
3.7	We have received a request for unclassified films to be shown in a number of cinemas throughout Belfast, such as the Queens Film Theatre, Strand Cinema, Odeon Cinema, Victoria Square and the Odyssey Cinemas as part of the Belfast Film Festival this year and in subsequent years. Usually such applications are granted.
3.8	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.
	<p>Condition 3.</p> <p><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></p>
3.9	As per custom and practice, requests such as these are brought to the Licensing Committee for determination.
3.10	The details and the recommended age classification of the unclassified films to be exhibited at the Belfast Film Festival are attached as Appendix 3.
3.11	Representatives from Belfast Film Festival will be available at Committee to answer any questions Members may have in relation to the films.
3.12	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.

<p>3.13</p> <p>3.14</p> <p>3.15</p> <p>3.16</p>	<p>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.</p> <p>The Service will reserve the right to take action for breach of licence if any of the unclassified films shown were found not to be as described.</p> <p><u>Financial & Resource Implications</u></p> <p>None.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no issues associated with this report.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 - Conditions of Management • Appendix 2 - BBFC categories and criteria guidelines • Appendix 3 – Details and locations of screenings for Belfast Film Festival