



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 <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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

2.2	<p>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,</p> <p>c) refuse the screening of the unclassified film</p> <p>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.</p>
3.0	Main Report
	<p><u>Key Issues</u></p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>

	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	<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>
3.13	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

<p>3.21</p> <p>3.22</p> <p>3.23</p>	<p>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 the unclassified film 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>Documents Attached</p>
	<ul style="list-style-type: none"> • Appendix 1 – BBFC categories and criteria guidelines • Appendix 2 – Film Plot Synopsis/film review • Appendix 3 – City of Westminster classification document