



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Culture, Tourism, Europe and External Affairs Committee

**Thursday 26 November 2020**

**Session 5**



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Pàrlamaid na h-Alba

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**CULTURE, TOURISM, EUROPE AND EXTERNAL AFFAIRS COMMITTEE**  
**29<sup>th</sup> Meeting 2020, Session 5**

**CONVENER**

\*Joan McAlpine (South Scotland) (SNP)

**DEPUTY CONVENER**

\*Claire Baker (Mid Scotland and Fife) (Lab)

**COMMITTEE MEMBERS**

Annabelle Ewing (Cowdenbeath) (SNP)

Kenneth Gibson (Cunninghame North) (SNP)

\*Ross Greer (West Scotland) (Green)

\*Dean Lockhart (Mid Scotland and Fife) (Con)

\*Oliver Mundell (Dumfriesshire) (Con)

\*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

Beatrice Wishart (Shetland Islands) (LD)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Lucy Carmichael (Scottish Government)

Ninian Christie (Scottish Government)

Emma Harper (South Scotland) (SNP) (Committee Substitute)

Fiona Hyslop (Cabinet Secretary for Economy, Fair Work and Culture)

**CLERK TO THE COMMITTEE**

Stephen Herbert

**LOCATION**

Virtual Meeting



## Scottish Parliament

### Culture, Tourism, Europe and External Affairs Committee

Thursday 26 November 2020

[The Convener opened the meeting at 10:00]

### Decision on Taking Business in Private

**The Convener (Joan McAlpine):** Good morning, everyone. I welcome Emma Harper to the meeting. She is substituting for Annabelle Ewing, who is attending the COVID-19 Committee. We have received apologies from Beatrice Wishart, who is also attending that committee, and from Kenneth Gibson.

The first agenda item is a decision on taking agenda item 4, on draft correspondence, in private. Do we agree to do so?

**Members indicated agreement.**

## Subordinate Legislation

### UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 [Draft]

10:02

**The Convener:** Our next agenda item is evidence on an affirmative instrument. Before I introduce the cabinet secretary and her team, I take this opportunity, since we are talking about the European championships, to congratulate Steve Clarke and the Scotland team for qualifying for next year's tournament. I know that the whole country will be supporting them, and I hope that the recent good news about the Covid-19 vaccines means that fans can be in the stands to support the team.

I welcome Fiona Hyslop, the Cabinet Secretary for Economy, Fair Work and Culture; Lucy Carmichael, the bill team leader; and Ninian Christie, a solicitor for the Scottish Government.

I remind members to give broadcasting staff a few seconds to operate the microphones before asking questions or providing answers. Further, I would be grateful if questions and answers could be kept as succinct as possible.

I will invite the cabinet secretary to make a brief opening statement, after which we will move to questions. If any member wishes to ask a question, they can type R in the chat box and I will bring them in.

Cabinet secretary, please go ahead with your opening remarks.

**The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop):** Thank you. I share your sentiments about the achievement of Scotland's men's national team in qualifying for the UEFA European championship next summer. What an incredible performance it was in Serbia, two weeks ago today, and what a lift it has given the nation during these tough times.

The women's national team reaching the world cup in 2019 and now the men's team making a major finals for the first time since France 1998 give us all enormous pride and pleasure as we see our teams competing on the world stage. To that end, I wish the women's national team all the best in their European championship qualifier tomorrow night in Portugal.

As you might recall, on 12 March this year, the committee passed a motion to approve draft trading and advertising regulations associated with the UEFA European Championship (Scotland) Act 2020. However, following UEFA's announcement on 17 March that, as a result of the coronavirus

pandemic, the championship would be postponed until June and July 2021, those regulations ultimately did not come into force.

Although the Covid situation creates many uncertainties, UEFA has stated that it intends to hold the tournament in 2021 in the previously confirmed format, with 12 host cities across Europe, and the Scottish Government is working closely with our event partners in preparation for the matches at Hampden.

We are proceeding on the basis that regulations are still required to help ensure the successful delivery of the championship by meeting UEFA's requirements for the protection of commercial rights. If the position changes due to Covid-19, the regulations can be amended or revoked.

In respect of the trading and advertising regulations previously approved by the committee, only three minor changes have been made, including a change to the dates of the championship period and the removal of a reference to maps of the event zones being available for inspection at Victoria Quay and Glasgow city chambers, as it is doubtful whether it will be possible for the public to visit those buildings, due to Covid restrictions, although we will ensure that those maps are accessible in other ways.

The other change is merely a footnote that refers to the amendment of the UEFA Act by the Coronavirus (Scotland) (No.2) Act 2020. The regulations provide details of the trading and advertising offences and, importantly, exceptions to those offences. Maps and dates of operation of the event zones are also included in the regulations.

When considering those regulations, a proportionate approach was taken to ensure the right balance was struck between minimising any negative impacts on local businesses and allowing them to take advantage of the economic opportunities that the championship represents, while protecting the rights of UEFA and the event sponsors that have often invested significant funds for the right to be associated with the tournament. That balance has been achieved, for example, by limiting the number of event zones to three, minimising the size of those zones and creating a number of exceptions to the trading and advertising restrictions.

As you know, illustrative regulations were previously shared with our event partners—Glasgow City Council, Police Scotland, the Scottish Football Association and UEFA—as well as with a number of other key stakeholders including the Advertising Association, the Scottish Police Federation, football supporters and community groups. We are grateful to those

partners, who helped to shape the draft regulations and the periods of restriction. Suggestions from the committee to include exceptions for busking and charity collections have also been welcomed and incorporated.

I believe that the UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 strike an appropriate balance between allowing normal business activity to continue, as far as possible, while protecting the rights of UEFA and event sponsors. Subject to parliamentary approval, confirmation of the regulations will allow Glasgow City Council to proceed with the publication of guidance—another key milestone in raising awareness of restrictions among businesses and traders—ahead of the championship and ensure successful event delivery.

I look forward to answering any questions that committee members may have.

**The Convener:** I have a couple of questions for the cabinet secretary.

Before I move on to those, I should say that I missed out a couple of formalities at the start of the meeting because I was too busy waiting for my cue from broadcasting colleagues. I should have put on the record that this is the 29th meeting in 2020 of the Culture, Tourism, Europe and External Affairs Committee, in case anyone was confused. I also invite Emma Harper, who is a substitute for Annabelle Ewing, to declare any interests that are relevant to the committee's remit.

**Emma Harper (South Scotland) (SNP) (Committee Substitute):** It is not very often that I get to register my interests. However, I am a partner in a bed and breakfast business, which is related to the tourism part of the committee's portfolio.

**The Convener:** Let us return to the business at hand.

Does the cabinet secretary expect that it will still be possible to have three event zones in operation? What changes might be necessary to ensure that those zones operate in compliance with any public health restrictions? Can she say anything more about what impact the postponement of the tournament to 2021 had on the planning and arrangements for the games?

**Fiona Hyslop:** Clearly, everything is still under review. As the convener said in her opening remarks, it is welcome that we have the vaccine, which gives us—and fans—great hope. However, we still do not know where we will be at that time. Clearly, the postponement has allowed us to think through the implications.

The event zones will depend on what level of restrictions are in place and what the position is. If

we do not have event zones and places for fans to go, there is a danger that they might be displaced elsewhere, which would provide less control than having an event zone fan base. From a public health point of view, there are merits to having designated areas. Passing the regulations would enable partners to continue to work together to identify the risks and to build up to those. We will be looking at those constantly with event partners.

The member is right to raise the issue, but we are still in a difficult position. Although there is far more hope now that we will have a successful championship, the team is working together to address the challenges and plan for the event. If there is an issue in relation to numbers or anything else that affects the regulations, we will be able to revoke them and present new ones. I hope that I will not have to come back to you and that we will be able to proceed on the basis of the regulations that we are discussing today, but that approach will always be open to us if we need it.

**The Convener:** I think that that is everyone's hope.

I invite members who would like to ask the cabinet secretary a question to type R in the chat box.

**Oliver Mundell (Dumfriesshire) (Con):** My first question is similar to the convener's. Will you be looking to have more fan zones in order to space people out?

Secondly, did you consider changing the wording of the regulations in case the situation changes again? If more flexibility was allowed, it could ensure that we would not have to go through this process again. No one disagrees with it or is challenging you on the need for it, but was any thought given to rewording the regulations to allow more flexibility—for example, through ministerial discretion to change the dates?

**Fiona Hyslop:** We hope to proceed on the basis of the initial proposal. The committee should remember that the matter has already been heavily consulted on, and I am very conscious of that pre-work. It was not me but Ben Macpherson who discussed the UEFA European Championship (Scotland) Bill and the previous regulations with the committee, but I know that a great deal of consultation took place, not least with businesses and community organisations.

On your first question, I think that the matter will rest on the management of the areas. That will be the responsibility primarily of Glasgow City Council and the enforcement officers, but also the police. I would defer to the police's analysis of what would be best and whether, if we had more zones, that would cause more difficulty rather than less.

It is important that we assess the movement and risk issue in case we have to make amendments later, but I think that what we have is the optimal provision. It was consulted on previously, and that is why we want to keep it. I recognise the issue, but I hope that we will not have to return with further regulations.

I think that the committee looked at the event legislation of the other countries and their ability to amend acts and so on. I believe that Ireland is dealing with the matter through secondary legislation while we, Italy, Russia and Azerbaijan are using primary legislation. The issue may lead us to reflect on whether we need more enabling legislation, which would mean that we would have more flexibility. However, given the level of consultation, I trust that the partners are comfortable with the regulations and the way things are.

**Oliver Mundell:** That is excellent. I am sure that football fans across Scotland would be happy for the committee to spend more time looking at the subject if it meant that more people would be able to get to event zones to watch the championship.

**Claire Baker (Mid Scotland and Fife) (Lab):** This question might be better directed to UEFA, but, as I understand it, the planning for the event next summer is the only planning that is taking place for a major event here. Scotland often has a busy programme of major events, but this is the only one that is coming down the line at present.

As the cabinet secretary said, the regulations contain the optimal provision, but is the Scottish Government involved in discussions on whether we will be in a position to have that? I cannot remember whether 11 or 12 countries are involved, but, if other countries are at different stages with the virus, will the provisions apply? What will happen if nobody is able to attend matches, which has been the situation recently? It is now November and we are planning for next summer, but I do not think that anything else is being planned on such a scale. Do you foresee our having to come back to this, as you mentioned? Will you comment on some of those issues?

**Fiona Hyslop:** We will have to come back to this only if we need to change things. We do not anticipate having to do that, but that flexibility is always open to us.

The main thing that Claire Baker asked about was planning for the championship and the operations of UEFA. As she knows well, events are hugely important to Scotland. We are the perfect stage for events, and we were very disappointed that, even though we were almost at this stage, we could not allow spectators at the

golf recently, where we hoped to pilot that. We continue to consider what we can do.

There is an events industry support fund to support events to take place, because they are not necessarily financially viable but it is important that they take place. That subsidy is available.

10:15

Claire Baker is absolutely right that the scale of the European championship is much bigger than anything else that is currently being planned, although the Edinburgh festivals will take place in some shape or form. That will probably be in a hybrid manner, as the committee will be aware.

As Claire Baker touched on, the UEFA qualifying matches did not stop because of Covid, and nor did the play-offs and so on more recently. Matches can, if required, be played behind closed doors, depending on the situation in different countries. A lot of the income comes from things such as television advertising and sponsorship, so there is a model. The model may be different for different types of events, but we obviously want fans to be at the European championship. We want Scottish fans to cheer Scotland winning at the European championship.

They are some way off, but I think that people expect the Government—or even UEFA—to be able to anticipate exactly where we will be by then. I go back to the point that different countries might be at different stages—with vaccines, for example. If the committee would be interested, we might be able to facilitate contact with the football authorities. I do not want to tread on the toes of UEFA in how it is running its operation.

We can say that Scotland will be welcoming. We will show what we can do as a host nation, and it is really important that we do that. Remember that we will have COP26—the 26th United Nations Climate Change Conference of the Parties—in Glasgow later in the year. That should be helpful for us, because we will have had an event with people—spectators and fans—present to get us back into having major events.

**Claire Baker:** Thank you.

**Dean Lockhart (Mid Scotland and Fife) (Con):** It is great to be discussing Scotland qualifying for the Euros. If the matches go ahead as planned, with fans in the stadium, has the cabinet secretary—or have her officials—had the opportunity to consider how ticket allocations might work and whether tickets will be distributed through the usual channels? Perhaps that is something to look at further down the line.

**Fiona Hyslop:** Again, that is an issue for UEFA, and I encourage the committee to contact it. Obviously, there is a sense of what allocation

would be fair. My understanding is that somewhere between 40 and 60 per cent of tickets for the championships across the 12 host cities were sold prior to the pandemic. It is an important question that a lot of fans will be asking, but it will not be the Scottish Government that determines the allocation, although we might have an opinion and want to make sure that it is fair. It is for UEFA to decide how that will be dealt with, but it might be helpful to make an approach to it about the issue. There will be a general consensus across Scotland that we want some kind of fairness in the allocation, if at all possible.

**Dean Lockhart:** Thank you.

**The Convener:** Claire Baker has pressed her button. I think she wants to come back in.

**Claire Baker:** Thank you, convener. I have a question about the regulations. When we first looked at them, members wanted to be assured that there would be enough consultation with local businesses and the community. The cabinet secretary has acknowledged that the event might take place in restricted circumstances. We all hope that that will not happen and that it will be a full event, but that is a possibility.

Will there be additional resources or support for traders or businesses that need to comply with any restrictions that there might be? I know that that is an on-going issue because we are constantly asking businesses to comply with regulations at the moment, but the situation could be quite fluid. When we first passed the regulations, we expected a long run-in with a consistent message, but now the message might be changing. How do we make sure that there is enough capacity to ensure that people are compliant?

**Fiona Hyslop:** That is primarily a responsibility of Glasgow City Council, which, as the committee will know, is very enthusiastic about the European championship and all the events that are taking place in Glasgow. It has a great track record with the European championships and other major events, and it is obviously planning for COP26.

The council also has the get ready Glasgow programme, which is part of helping everybody, but particularly businesses, traders and local communities, to get ready for the European championship coming to Glasgow. Part of the regulations is about signalling what is going to happen and what the intention is so that the council can start engaging a bit more with businesses and traders. It is an opportunity for the council to speak to them again, perhaps remind them of what the situation is and hear about the implications for them.

Such close connections are necessary, but I know that Glasgow City Council has great

experience in that area. We have seen that with the council engaging on the event zones for the European championships, for example. Claire Baker is right, though, that there will potentially be more tension around all that now, given Covid and the different restrictions that businesses have had, but there will be engagement on all of it.

**The Convener:** As there are no other questions from members, we move on to agenda item 3, which is consideration of motion S5M-23061, in the name of Fiona Hyslop, on the approval of the UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020.

*Motion moved,*

That the Culture, Tourism, Europe and External Affairs Committee recommends that the UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 [draft] be approved.—[*Fiona Hyslop*]

*Motion agreed to.*

**The Convener:** The committee will shortly report to the Parliament on the regulations. Are committee members content to delegate the signing off of the final report to the deputy convener and me?

*Members indicated agreement.*

**The Convener:** I thank the cabinet secretary and her officials for their attendance at the meeting. That concludes the public part of the meeting, and the committee will now go into private session.

10:23

*Meeting continued in private until 10:39.*



This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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