

## Minute of Special Meeting Regulatory Functions Board

| Date                      | Time  | Venue                 |
|---------------------------|-------|-----------------------|
| Friday, 10 September 2021 | 15:30 | Remotely by MS teams, |

**Present:** Councillor Eddie Devine, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Emma Rodden

### Chair

Councillor McNaughtan, Convener, presided.

### In Attendance

C Dalrymple, Communities and Regulatory Manager and A McCalman, Assistant Building Standards Manager (both Communities & Housing Services); K Graham, Head of Corporate Governance, M Conaghan, Legal & Democratic Services Manager, E Currie, Senior Committee Services Officer and P Shiach, Senior Committee Services Officer (all Finance & Resources).

### Also in Attendance

B Docherty and T Fitzpatrick (both St Mirren Football Club).

### Recording of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting of the Board would be recorded and that the recording would be available to watch on the Council's website.

### Apologies

Councillors Audrey Doig, McEwan and Steel.

## **Declarations of Interest**

Councillor Devine declared a financial interest in item 1 of the agenda as he was a St Mirren Football Club season ticket holder, shareholder and a member of SMiSA and indicated his intention to leave the meeting during consideration of this item and not to take part in any discussion or voting thereon.

## **Declaration of Interest**

Councillor Devine having declared an interest in the following item of business, left the meeting and took no part in any discussion or voting thereon.

### **1 St Mirren Football Club Capacity Exemption Application**

There was submitted a report by the Director of Communities & Housing Services relative to a capacity exemption application received from St Mirren Football Club (FC).

The report intimated that when Scotland moved 'beyond Level 0' on 9 August 2021, one of the key restrictions that remained in place was the restriction on the number of people attending events. Under the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021, the local authority must approve a capacity exemption application should an organiser wish to hold an outdoor event with more than 5,000 people.

St Mirren FC's stadium, the SMiSA Stadium, had a current capacity of 7,693 and it was noted that a set number of seats required to be retained to ensure the 'Red Zone' as required by the Scottish Football Association's Joint Response Group. St Mirren FC's General Manager had submitted a capacity exemption application to the Council on 23 August 2021 which had been discussed at the Safety Advisory Group on 31 August 2021. Following this meeting, St Mirren FC were requested to submit further information which had now been submitted and assessed and found to be satisfactory. Some minor adjustments were required, however, it was noted that this would be done in the coming weeks.

The report advised that under the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021, the Council must keep the approval under review and could add or vary conditions or revoke the approval of the application should it be deemed necessary to prevent the incidence and spread of coronavirus. Once approved, the capacity exemption application did not require approval of the Board each time, assuming St Mirren FC continued to comply with their appropriate risk assessments and mitigations as submitted to the Council.

The report recommended that, due to ongoing discussions and the further clarification required, a condition be attached to the approval that 'St Mirren Football Club should promote, monitor and remind supporters of the legal requirement that face coverings should be worn when moving around indoors (inside concourse/toilets)'.

Mr Docherty, St Mirren FC, agreed to this condition being attached, should the capacity exemption application be granted by the Board.

**DECIDED:** That the content of the report be noted and that the capacity exemption application for St Mirren FC be approved, subject to the condition detailed in section 3.7 of the report.