

## Notice of Meeting and Agenda Regulatory Functions Board

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

KENNETH GRAHAM  
Head of Corporate Governance

### Membership

Councillor Eddie Devine: Councillor Audrey Doig: Councillor Lisa-Marie Hughes: Councillor Alistair Mackay: Councillor Cathy McEwan: Councillor Kevin Montgomery: Councillor Andy Steel: Councillor Jane Strang:

Councillor John McNaughtan (Convener): Councillor Emma Rodden (Depute Convener):

### Recording of Meeting

This meeting will be recorded for subsequent broadcast via the Council's internet site. If you have any queries regarding this please contact Committee Services on 0141 618 7111. To find the recording please follow the link which will be attached to this agenda once the meeting has concluded.

[https://youtu.be/jaJKZu\\_rHSA](https://youtu.be/jaJKZu_rHSA)

## **Items of business**

### **Apologies**

Apologies from members.

### **Declarations of Interest**

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

- 1 St Mirren FC Capacity Exemption Application** **3 - 8**  
Report by Director of Communities and Housing Services.



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**To: Regulatory Functions Board**

**On: 10 September 2021**

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**Report by: Director of Communities and Housing Services**

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**Heading: St Mirren FC – Capacity Exemption Application**

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## **1. Summary**

- 1.1 On 9 August 2021, Scotland moved 'beyond Level 0' following an announcement by the First Minister which removed most remaining Covid-19 restrictions across the country.
- 1.2 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, should an organiser wish to hold an outdoor event with more than 5000 people, the local authority must approve a capacity exemption application.
- 1.3 St Mirren Football Club play at the SMiSA Stadium, Greenhill Road, Paisley and has a current capacity of 7963. It should be noted that a set number of seats currently require to be retained to ensure the 'Red Zone' as per the Scottish Football Association's Joint Response Group (JRG).
- 1.4 Renfrewshire Council received a letter from St Mirren FC's General Manager on 23 August 2021 submitting a capacity exemption application (Appendix 1). The application was discussed at the Safety Advisory Group on 31 August 2021 and following this, further information was requested from St Mirren FC via letter on the same day (31 August 2021).
- 1.5 The relevant information has now been submitted and assessed by relevant officers within Environmental Health/Building Standards/NHS Greater Glasgow and Clyde and found to be satisfactory. Some minor adjustments require to be made to paperwork; however, this will be done in the coming weeks following discussion.

- 1.6 Under the aforementioned regulations, Renfrewshire Council must keep the approval under review and can add/vary conditions or revoke the approval of the application should they deem necessary to prevent the incidence and spread of coronavirus.
- 1.7 It should be noted that once approved, the capacity exemption application doesn't need to be approved by the Regulatory Functions Board each time, assuming St Mirren continue to comply with their appropriate risk assessments and mitigations as submitted to Renfrewshire Council. The Coronavirus (Covid-19) stadia and live events guidance states:

*Sports events which may expect to regularly go above the limits identified in the regulations (e.g. professional football and rugby matches) may be able to run regular fixtures once risk assessments have been completed and agreed without recourse to the Local Authority each time. The local authority may also approve an application with conditions attached to that approval.*

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## **2. Recommendations**

- 2.1 It is recommended that the Board:
- (i) notes the content of this report and approves the capacity exemption application for St Mirren FC subject to the condition noted in Section 3.7.
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## **3. Background**

- 3.1 The Scottish Government has determined that it is for Local Authorities to assess event applications for increased capacity based on guidance, local health advice and assessment of information provided by event organisers. This advice is to assist LA's to determine any application for increased capacity.
- 3.2 Ministers have stated the need for any event having a planned capacity above that stated within the Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 must be agreed through existing local Safety Advisory Group or Licensing processes. Those capacities are 2000 indoors and 5000 outdoors. The normal agencies included in this local process should also include the local Director of Public Health.
- 3.3 Within Renfrewshire, the Safety Advisory Group meets on a regular basis and is Chaired by the Assistant Building Standards Manager. Membership of the Group includes:
- St Mirren FC
  - Environmental Health
  - Police Scotland
  - Scottish Fire and Rescue Service
  - Civil Contingencies Service

- 3.4 The Safety Advisory Group meet to ensure the safety and integrity of matches at the SMiSA stadium. The Safety Advisory Group reviewed appropriate documentation and made comments to St Mirren FC via letter/e-mail on 31 August 2021. It should be noted that the Annual Inspection of the SMiSA stadium has been undertaken and the appropriate safety certification remaining in place.
- 3.5 St Mirren returned the documents on 7 September 2021 and following a review by Environmental Health and Building Standards, further clarification was requested from St Mirren FC. This included, but was not limited to:
- Covid Protocols
  - Operational Plan
  - Staffing and Stewarding
  - Physical Distancing
  - Food/Drink provision
  - Staggering of entry times
  - Communications
- 3.6 Officers have reviewed the final documents to ensure Covid compliance from a Public Health standpoint and noted that whilst there are some amendments required to paperwork, in general Officers are satisfied from a public health standpoint. However, following review, further clarification is required around St Mirren's policy for the wearing of face coverings in indoor areas as this will potentially be the area of highest risk of coronavirus transmission.
- 3.7 The Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 allow conditions to be imposed on the applicant. Due to on-going discussions and further clarification required, Officers would recommend a condition as detailed below:
- 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).***
- 3.8 The relevant documentation has been shared and discussed with the Consultant in Public Health Medicine at NHS Greater Glasgow and Clyde Health Board – comments and recommendations were in line with those from Environmental Health.
- 3.9 In reviewing the documentation, the following legislation and guidance was assessed and used:
- [Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Regulations 2021](#)
  - [Coronavirus \(COVID-19\) stadia and live events guidance](#)
  - [Coronavirus \(COVID-19\): supporting safer capacity in public settings and events](#)
- 3.10 Officers will continue to monitor updates and changes to legislation and guidance. One potential change that will be monitored is the “vaccination

certificate/passport” which would potentially be required for attendance at a professional football match over a certain capacity.

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## Implications of the Report

1. **Financial** - None
2. **HR & Organisational Development** - None
3. **Community/Council Planning** –
  - *Our Renfrewshire is safe* – by reviewing and ensuring appropriate controls and mitigations are in place, the transmission of Covid-19 should be minimised as far as possible.
4. **Legal** - None
5. **Property/Assets** - None
6. **Information Technology** - None
7. **Equality & Human Rights**
  - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals’ human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council’s website.
8. **Health & Safety** - None
9. **Procurement** - None
10. **Risk** - None
11. **Privacy Impact**- None
12. **COSLA Policy Position** N/A
13. **Climate Risk** N/A.

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## List of Background Papers

- (a) Background Papers - None
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ST MIRREN FOOTBALL CLUB - CAPACITY EXEMPTION APPLICATION

23<sup>rd</sup> August 2021

Dear [REDACTED]

I am writing to asking for a rolling application for full capacity at the SMISA Stadium on the fixtures in the Cinch premiership and Cup Competitions. We are required to hold back 462 seats to maintain the red zone as per latest JRG instruction (17<sup>th</sup> August 2021).

I have included documents for these events to evidence that we are meeting all criteria set by the SAG and Renfrewshire Council.

Documents:

- Operational matchday plan
- Match day Risk Assessments
- Fire Certificate
- Emergency Lighting
- Risk Assessment form
- Safety certificate- name change

All other documents held and can be viewed or scanned as and when requested.

Kind Regards



Lynsey Mclean

General Manager

**DIGBY BROWN**  
because it matters

**K** kibble

**joma**

**ST MIRREN FOOTBALL CLUB LTD**  
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