



CULTURE, TOURISM, EUROPE AND EXTERNAL AFFAIRS COMMITTEE

AGENDA

9th Meeting, 2020 (Session 5)

Thursday 12 March 2020

The Committee will meet at 9.30 am in the Robert Burns Room (CR1).

1. **Subordinate legislation:** The Committee will take evidence on the UEFA European Championship (Scotland) Act 2020 Remedial Order 2020 (SG 2020/19) from—

Ben Macpherson, Minister for Public Finance and Migration, Lucy Carmichael, Bill Team Leader, Ninian Christie, Solicitor, and Keith White, Lawyer, Scottish Government.

2. **Subordinate legislation:** The Committee will take evidence on the UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 [draft] from—

Ben Macpherson, Minister for Public Finance and Migration, Lucy Carmichael, Bill Team Leader, Ninian Christie, Solicitor, and Keith White, Lawyer, Scottish Government.

3. **Subordinate legislation:** Ben Macpherson (Minister for Public Finance and Migration) to move—

S5M-21118—That the Culture, Tourism, Europe and External Affairs Committee recommends that the UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 [draft] be approved.

4. **Screen Scotland:** The Committee will take evidence from—

Isabel Davis, Executive Director, and David Smith, Director, Screen Scotland.

5. **Consideration of evidence (in private):** The Committee will consider the evidence heard earlier in the meeting.

6. **Work programme (in private):** The Committee will consider its work programme.

Stephen Herbert
Clerk to the Culture, Tourism, Europe and External Affairs Committee
Room T3.40
The Scottish Parliament
Edinburgh
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The papers for this meeting are as follows—

Agenda item 1

Note by the Clerk

CTEEA/S5/20/9/1

PRIVATE PAPER

CTEEA/S5/20/9/2
(P)

Agenda item 2

Note by the Clerk

CTEEA/S5/20/9/3

PRIVATE PAPER

CTEEA/S5/20/9/4
(P)

Agenda item 4

Note by the Clerk

CTEEA/S5/20/9/5

PRIVATE PAPER

CTEEA/S5/20/9/6
(P)

Agenda item 6

PRIVATE PAPER

CTEEA/S5/20/9/7
(P)

Culture, Tourism, Europe and External Affairs Committee

9th Meeting, 2020 (Session 5) Thursday 12 March 2020

UEFA European Championship (Scotland) Act 2020 Remedial Order 2020

Note by the Clerk

Background

1. The UEFA European Championship (Scotland) Bill was passed by Parliament on 17 December 2019 and received Royal Assent on 23 January 2020. The Bill provides Scottish Ministers with the power to enact secondary legislation concerning the Advertising, Trading and Ticket touting offences introduced by the Bill.
2. At today's meeting the Committee will consider the following instruments—
 - The UEFA European Championship (Scotland) Act 2020 Remedial Order 2020; and

The UEFA European Championship (Scotland) Act 2020 Remedial Order 2020

3. On 4 February 2020 Scottish Ministers published a draft remedial order relating to the Act. The remedial order proposes to change the exception to the ticket touting offence contained within the UEFA European Championship (Scotland) Act. The proposed Draft Order is made under a power in section 12 of the Convention Rights (Compliance) (Scotland) Act 2001. This power allows Scottish Ministers to make changes to legislation in order to remedy an incompatibility with rights protected by the ECHR. An order making such changes is known as a 'remedial order'.
4. Where Scottish Ministers propose to make a remedial order under section 12, they must lay a proposed draft of the order before the Scottish Parliament for 60 days, together with a statement of their reasons for proposing to make a remedial order (as distinct from taking any other action). Scottish Ministers must also consult on the draft order. Ministers must have regard to comments made within the 60 day period. Scottish Ministers must then lay the finalised draft remedial order before the Parliament subject to the usual affirmative procedure (a further 40 day period). This must be accompanied by a statement summarising all the comments received and specifying any changes made to the draft order as it was originally laid.
5. The Delegated Powers and Law Reform Committee considered this instrument at its meeting on [25 February 2020](#) and determined that it did not need to draw the attention of the Parliament to the instrument on any ground within its remit.
6. Today's meeting provides an opportunity for Members of the Committee to ask the Minister for Public Finance and Migration about the remedial order.

Supporting Information

7. The Remedial Order, Explanatory Note, Statement of Reasons and correspondence from the Minister for Europe, Migration and International Development to the Presiding Officer is provided in Annexe A of this cover note.

Mark Johnson
Assistant Clerk
Culture, Tourism Europe and External Affairs Committee
9 March 2020

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

SPORTING EVENTS

**The UEFA European Championship (Scotland) Act 2020
Remedial Order 2020**

Made - - - - 2020

Coming into force in accordance with article 1

The Scottish Ministers make the following remedial Order in exercise of the powers conferred by section 12(1) and (3) of the Convention Rights (Compliance) (Scotland) Act 2001^(a) (“the 2001 Act”) and all other powers enabling them to do so.

The Scottish Ministers consider the provision made by this Order to be necessary or expedient in consequence of section 3 of the UEFA European Championship (Scotland) Act 2020^(b) being incompatible with a Convention right^(c).

In accordance with section 12(2) of the 2001 Act the Scottish Ministers are of the opinion that there are compelling reasons for making a remedial order as distinct from taking any other action.

In accordance with section 13(3) of the 2001 Act the Scottish Ministers laid before the Scottish Parliament a copy of the proposed draft Order, together with a statement of their reasons for proposing to make the Order, gave such public notice of the contents of the proposed draft Order as they considered appropriate, invited observations on it and had regard to written observations submitted.

In accordance with section 13(2) of the 2001 Act a draft of this Order has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the UEFA European Championship (Scotland) Act 2020 Remedial Order 2020 and comes into force on the day after the day on which it is made.

^(a) 2001 asp 7.

^(b) 2020 asp 1.

^(c) The term “Convention rights” has the meaning given by section 1 of the Human Rights Act 1998 (c.42).

Definition of “charity” for purposes of charity auction exception to ticket touting offence

2.—(1) Section 3 of the UEFA European Championship (Scotland) Act 2020 is amended as follows.

(2) In subsection (2)(b)(i), for “England and Wales, of Northern Ireland, or of a member State of the European Union,” substitute “any territory outwith Scotland,”.

(3) In subsection (2)(b)(iii)—

- (a) for “at least one” substitute “either”,
- (b) after “in” insert “paragraphs (a) and (b) of”.

(4) In subsection (3)—

- (a) after paragraph (a) insert “or”,
- (b) for paragraph (b) substitute—
 - “(b) if there is no such register in the territory where the body is established—
 - (i) the body’s purposes consist only of one or more of the charitable purposes set out in section 7(2) of the Charities and Trustee Investments (Scotland) Act 2005, and
 - (ii) the body provides public benefit within the meaning given by section 8 of that Act.”.

Name

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to section 3 of the UEFA European Championship (Scotland) Act 2020 (“the 2020 Act”) to remove any incompatibility with the European Convention on Human Rights arising from the exception for charity auctions from the ban on ticket touting. Under section 3 of the 2020 Act the definition of a charity for the purposes of the exception means bodies registered in the Scottish Charity Register, and bodies established under the law of England and Wales, Northern Ireland or a member State of the European Union.

Article 2 amends the definition of a charity for the purposes of the exception. Article 2(1) provides that a charity for these purposes, in addition to a body registered in the Scottish Charity Register, may be a body which is established under the law of any territory outwith Scotland. Articles 2(3) and (4) provide that the exception may apply to a charity established under the law of a territory outwith Scotland where it meets either of two conditions. The first condition is that the body is registered in a register corresponding to the Scottish Charity Register. The alternative condition is that the body’s purposes consist only of one or more of the charitable purposes set out in section 7(2) of the Charities and Trustee Investments (Scotland) Act 2005 (asp 10) and the body provides public benefit within the meaning of section 8 of that Act.

THE UEFA EUROPEAN CHAMPIONSHIP (SCOTLAND) ACT 2020 REMEDIAL ORDER 2020

CONVENTION RIGHTS (COMPLIANCE) (SCOTLAND) ACT 2001

Statement of Reasons

This Statement of Reasons is provided by the Scottish Ministers in accordance with section 13(3)(a) of the Convention Rights (Compliance) (Scotland) Act 2001 (“the 2001 Act”).

The Scottish Ministers have laid a proposed draft of the UEFA European Championship (Scotland) Act 2020 Remedial Order 2020 for the following reasons:–

Glasgow is one of twelve host cities for the UEFA European Football Championship (the Championship) which begins in June 2020. The UEFA European Championship (Scotland) Act 2020 (“the 2020 Act”) was necessary in order to deliver certain requirements to host the event. Section 3 of the 2020 Act provides an exception from the ticket touting offence in the 2020 Act where an auction of a match ticket is conducted by a charity, or a person other than a charity and the proceeds are donated to a charity based in the UK or EU. The Scottish Ministers now believe that there is insufficient justification to limit the charities that the exception applies to in this way, and section 3 does not comply with Article 14 of the European Convention on Human Rights (the prohibition of discrimination) read with Article 1 of the First Protocol to the Convention (protection of property).

Section 3 provides that for a body outwith Scotland to be considered a charity, it must be registered in a register corresponding to the Scottish Charity Register or the body’s purposes consist only of one or more of the charitable purposes set out in section 7(2) of the Charities and Trustee Investments (Scotland) Act 2005 (“the 2005 Act”).

Legislative change is required to ensure that there are equivalent criteria for Scottish and non-Scottish charities alike, removing any scope for discrimination based on the ground of the national origin or other status of the charity.

A significant proportion of tickets for UEFA Euro 2020 matches have already been sold and on 31 March 2020 the full draw for the Championship will be known. Match tickets are due to be distributed in May. These developments are likely to lead to increased interest in the event and increased likelihood of ticket touting taking place. It is therefore important to ensure that the ticket touting offence, including the exception for charity auctions passed by Parliament as part of the consideration of creating that offence, is in place as soon as is practicable. Bringing the ticket touting offence into force will deliver this requirement of UEFA in order to host the event and will support fair access to tickets for the public. This will help to ensure successful delivery of the event, with the resulting economic, social and cultural benefits for Glasgow and Scotland more broadly.

Therefore, the Scottish Ministers consider that there are compelling reasons for making an Order under section 12 of the 2001 Act as distinct from taking any other action.

The remedial Order will amend section 3 with regard to the territories outwith Scotland to include charities based in all territories, rather than the rest of the UK and EU only. It will

also amend the definition of a charity to require a body outwith Scotland to be registered in a register corresponding to the Scottish Charity Register. Where there is no such register, then the body's purposes must consist of one or more of the charitable purposes set out in section 7(2) of the 2005 Act and the body must provide a public benefit within the meaning of section 8 of that Act, requiring these bodies to have charitable purposes and provide for the public benefit in ways that mirror those standards as provided for in Scots law. This will ensure that there are equivalent criteria for Scottish and non-Scottish charities alike.

The Scottish Ministers will have regard to any written observations submitted to them in relation to the Order, during the 60 day period ending on 28 April 2020, and will then lay before the Scottish Parliament a statement that summarises the observations they receive.



T: 0300 244 4000
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Ken Macintosh MSP
Presiding Officer
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Edinburgh
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4 February 2020

Dear Ken,

The UEFA European Championship (Scotland) Act 2020 Remedial Order 2020

I write concerning the UEFA European Championship (Scotland) Act 2020 (the 2020 Act) which was passed by Parliament on 17 December 2019.

During consideration of the Act as passed, the Scottish Government has concluded that it will be necessary to make a remedial Order under the Convention Rights (Compliance) (Scotland) Act 2001 in relation to section 3 of the 2020 Act, in order to ensure its provisions comply with Article 14 of the European Convention on Human Rights (prohibition of discrimination) read with Article 1 of the First Protocol to the Convention (protection of property).

Section 3 provides an exception to the ticket touting offence where an auction of a match ticket is conducted by a charity, or by a person other than a charity, and the proceeds are donated to a charity based in the UK or EU. The Scottish Government now believes that there is insufficient justification for a difference in treatment between the charities to whom the exception applies and charities outside of the UK and the EU to whom the exception does not apply. This difference in treatment should now be removed through the Order.

In addition, section 3 provides that for a body outwith Scotland to be considered a charity, it must be registered in a register corresponding to the Scottish Charity Register or the body's purposes must consist only of one or more of the charitable purposes set out in section 7(2) of the Charities and Trustee Investments (Scotland) Act 2005 (the 2005 Act). The Scottish Government has concluded that this should also be amended so that where there is a register corresponding to the Scottish Charity Register in the country where the body is based then it should be registered in that. Where no such register exists then the body's purposes must consist only of one or more of the charitable purposes set out in the 2005 Act and the body must provide public benefit within the meaning given by section 8 of the 2005 Act. This second

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change would be consequential on the first amendment, and would ensure that the charities which enjoy the benefit of the exception to the touting offence, and can be established anywhere in the world, will, if not registered in a charity register similar to the Scottish Charity Register under the 2005 Act, require to have charitable purposes and provide for public benefit in a way that mirrors the standards provided for in Scots law. This will ensure that there are equivalent criteria for Scottish and non-Scottish charities alike to benefit from the exception to the ticket touting offence.

Unless the Order is made to secure these changes to the 2020 Act, the Scottish Ministers consider that the ticket touting offence provisions in the Act are incompatible with the European Convention on Human Rights and outside the legislative competence of the Parliament.

Having identified this issue with the 2020 Act, I would like to assure you that the Scottish Government is taking swift action to correct it, in accordance with our human rights obligations. Please find enclosed a copy of the Order and Statement of Reasons that was laid before the Parliament at the same time as the Order. That Statement sets out the necessity for legislative change in order to deal with the incompatibility. The 60 day period for written comments on the Order ends on 28 April 2020. Comments should be sent to UEFAEuro2020@gov.scot or Major Events Policy, Scottish Government, Area 2G South, Victoria Quay, Edinburgh, EH6 6QQ.

The creation of an exception for charity auctions to the ticket touting offence was raised by the Culture, Tourism Europe and External Affairs Committee during its stage 1 consideration of the Bill, and in its stage 1 report the Committee welcomed the Scottish Government's commitment to create such an exception. Section 3 was added as a government amendment at stage 2 and was supported by the Committee. Taking the action I have set out in this letter will allow the ticket touting offence to be brought into force both with an exception for charity auctions – as was the clear will of Parliament – and in compliance with human rights law.

I have copied this letter to the Convener of the Culture, Tourism, Europe and External Affairs Committee; the Convener of the Delegated Powers and Law Reform Committee; and the Convener of the Equalities and Human Rights Committee. I would be happy to meet individual MSPs to discuss this matter.

Ben Macpherson MSP
Minister for Europe, Migration and International Development

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Culture, Tourism, Europe and External Affairs Committee

9th Meeting, 2020 (Session 5), Thursday 12 March 2020

Subordinate Legislation

Overview of instrument

1. The following instrument, subject to affirmative procedure, is being considered at today's meeting:
 - The UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 (SSI 2020/draft)

Background

2. The purpose of these regulations is to help ensure successful delivery of the Union of European Football Associations (UEFA) European Football Championship which will be hosted, in part, in Glasgow in summer 2020. The regulations do this by enabling the commitments required by UEFA in relation to protection of commercial rights for event sponsors during the period of the event to be met.
3. The UEFA European Championship (Scotland) Act 2020 provides the overarching framework governing the Championship and lays the foundations for the control of advertising and trading during the Championship period. The regulations set out what trading consists of and prescribe the circumstances for which exceptions to the trading and advertising offences will apply. They also include maps of the three event zones where the restrictions will apply and when each event zone will be in operation. The instrument is attached at **Annexe A** and the policy note for the instrument is attached at **Annexe B**.
4. The Minister for Public Finance and Migration wrote to the Committee on 17 February 2020 in relation to the Regulations and this correspondence is attached at **Annexe C**.
5. The Committee needs to report on this instrument by 29 March 2020.

Delegated Powers and Law Reform Committee consideration

6. The Delegated Powers and Law Reform Committee considered this instrument at its meeting on [3 March 2020](#) and determined that it did not need to draw the attention of the Parliament to the instrument on any ground within its remit.

Procedure

7. Under Rule 10.6.1 (a), this instrument is subject to affirmative resolution before it can be made. It is for the Culture, Tourism, Europe and External Affairs Committee to recommend to the Parliament whether the draft instrument should be approved.

8. The Minister for Public Finance and Migration has, by motion S5M-21118 (set out in the agenda) proposed that the Committee should recommend the approval of this statutory instrument. The Minister will attend in order to speak to and move the motion. Ahead of the formal debate (as part of an earlier agenda item), there will be an opportunity for members to ask questions of the Minister and his officials on the background to and purpose of this instrument.
9. At the end of the debate, the Committee must decide whether or not to agree the motion, and then report to Parliament accordingly. Such a report need only be a short statement of the Committee's recommendations.

ANNEXE A

Draft Regulations laid before the Scottish Parliament under section 32(2) of the UEFA European Championship (Scotland) Act 2020 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

SPORTS GROUNDS AND SPORTING EVENTS

**The UEFA European Championship (Trading and Advertising)
(Scotland) Regulations 2020**

Made - - - - 2020

Coming into force - - 2020

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 1(1), 6(3), 7(3), 12(2) and 13(3) of the UEFA European Championship (Scotland) Act 2020⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 33(1) of that Act, they have consulted the Local Organising Committee and other persons they consider appropriate.

In accordance with section 33(2) of that Act, they have had regard to any requests or guidance from UEFA and, where relevant, the impact of these Regulations on the effective operation of the Championship.

In accordance with section 32(2) of that Act, a draft of this instrument has been laid before, and approved by resolution of, the Scottish Parliament.

The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010⁽²⁾. The Regulations are subject to affirmative procedure by virtue of section 33(3) of that Act.

PART 1

Introductory

Citation, commencement and cessation

1.—(1) These Regulations may be cited as the UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 and come into force on the day after the day on which they are made.

(2) These Regulations cease to have effect on the day on which the Act ceases to have effect.

(1) 2020 asp 1.
(2) 2010 asp 10.

General interpretation

2. In these Regulations—

“the Act” means the UEFA European Championship (Scotland) Act 2020,

“article” includes a living thing,

“building” excludes a telephone kiosk,

“event zone” is defined in schedule 1, and the event zones defined in schedule 1 are shown delineated on the maps in schedule 3,

“Glasgow Life” means Culture and Sport Glasgow, a company limited by guarantee, registered in Scotland (number SC313851) and having its registered office at 38 Albion Street, Glasgow G1 1LH,

“the Host City Contract” means the Host City Agreement, Host City Guidelines and Fan Zone Guidelines, made between UEFA and Glasgow City Council,

“newspaper” excludes a newspaper whose sole or principal effect is to advertise one or more of the following in an event zone at a prohibited time—

- (a) a good or service,
- (b) a person who provides a good or service, and

“UEFA” means the Union of European Football Associations,

“UEFA Partner” means a person or body who is party to a sponsorship or licence agreement with the Union of European Football Associations in relation to a good or service in respect of the Championship.

PART 2

Trading Regulations

Interpretation of Part 2

3.—(1) In this Part—

- (a) any reference (however phrased) to selling an article includes a reference to offering or exposing an article for sale,
- (b) any reference (however phrased) to supplying a service includes a reference to offering to supply a service,
- (c) “busking” means a performance of live music in a street, during which members of the public are invited to give money to the performers,
- (d) “motor vehicle” has the same meaning as in section 185 of the Road Traffic Act 1988⁽³⁾,
- (e) “open public place” means—
 - (i) a road, or
 - (ii) another place—
 - (aa) to which the public have access (whether generally or only for the purpose of the trading), and
 - (bb) which is not in a building (except one designed or generally used for the parking of cars),
- (f) “performance of a play” means performance of any dramatic piece, whether improvisational or not—
 - (i) given wholly or in part by one or more persons actually present and performing, and
 - (ii) in which the whole or a major proportion of what is done by the person performing, whether by way of speech, singing or action, involves the playing of a role,

(3) 1988 c.52.

- (g) “public entertainment” means entertainment of one of the following descriptions provided for members of the public—
 - (i) a performance of live music,
 - (ii) any playing of recorded music,
 - (iii) a performance of dance,
 - (iv) a performance of a play,
 - (v) any entertainment of a similar description to that in heads (i) to (iv),
- (h) “selling an article” includes trading by a person acting as a pedlar whether or not under the authority of a pedlar’s certificate granted under the Pedlars Act 1871⁽⁴⁾, and
- (i) “trading activity” means activity which, in terms of regulation 4, is to be treated as trading for the purposes of the trading offence.

Trading activity

4.—(1) The activities set out in paragraph (2) are to be treated as trading for the purposes of the trading offence if carried out in an open public place.

(2) Those activities are—

- (a) selling an article,
- (b) supplying a service,
- (c) making an appeal to members of the public to give money or other property (or both) for charitable or other purposes,
- (d) providing public entertainment for gain or reward.

(3) In determining whether an activity is to be treated as trading for the purposes of the trading offence, the following matters are to be disregarded—

- (a) that any gain or reward arising from the activity does not accrue to the person actually carrying out the activity,
- (b) that either party to a transaction is not in an open public place when one of the following activities occurs—
 - (i) an offer or exposure of an article for sale,
 - (ii) an offer to supply a service,
 - (iii) the completion of a transaction,
- (c) that a transaction was not completed in an open public place, if one of the following activities occurs in such a place—
 - (i) an offer or exposure of an article for sale,
 - (ii) an offer to supply a service,
- (d) that an article actually sold or service actually supplied was different from that originally offered or exposed for sale.

Prohibited times

5. The times set out in schedule 2 are the prohibited times for the purposes of the trading offence.

Types of trading exempt from trading offence

6.—(1) The following trading activities are exempt from the trading offence—

- (a) selling current newspapers,

⁽⁴⁾ 1871 c.96.

- (b) activity undertaken by Glasgow City Council, or undertaken, controlled or restricted by Glasgow Life,
 - (c) activity undertaken by a UEFA Partner,
 - (d) selling or delivering an article, or supplying a service, to a person in premises adjoining a road,
 - (e) selling a motor vehicle on private land generally used for the sale of motor vehicles,
 - (f) supplying motor vehicle cleaning services on private land generally used for the supply of those services,
 - (g) supplying motor vehicle parking services in a building designed or on other land designed or generally used for the parking of motor vehicles,
 - (h) supplying motor vehicle breakdown and recovery services,
 - (i) providing a public sanitary convenience,
 - (j) providing a telephone kiosk,
 - (k) providing an automated teller machine in or from a building for cash withdrawals and other banking services,
 - (l) trading as a walking tour operator,
 - (m) busking,
 - (n) supplying public transport services, including tourist services but not including supplying pedicabs,
 - (o) activity on land adjacent to exempt retail premises provided that the activity—
 - (i) forms part of the usual business of the owner of the premises or a person assessed for rating in respect of the premises, and
 - (ii) takes place during the period for which the premises are open to the public for business,
 - (p) activity carried out by a person who has been granted permission in respect of the activity by Glasgow City Council under section 119 of the Civic Government (Scotland) Act 1982⁽⁵⁾.
- (2) Paragraph (1)(a) does not apply to—
- (a) selling current newspapers in a street if the selling is done in a manner that causes undue interference or inconvenience to persons using the street, or
 - (b) selling a newspaper if the purchaser is provided with an item or advertising supplement accompanying the newspaper, and forming part of an ambush marketing campaign.
- (3) In this regulation—
- “exempt retail premises” means a building normally used as—
- (a) a shop,
 - (b) a restaurant or bar or otherwise used for the supply of meals, refreshments or alcohol to the public, or
 - (c) a petrol filling station, car showroom or car garage,
- “sanitary convenience” means closet or urinal,
- “supplying pedicabs” means supplying transport services using pedal operated tricycles,
- “tourist services” means public transport services primarily for the benefit of tourists, and
- “walking tour operator” means a person who supplies services to the public comprising tours of an area on foot.

(5) 1982 c.45. Section 119 was last amended by the Local Government etc. (Scotland) Act 1994 (c.39). It is prospectively amended by the Charities Act 1992 (c.41) and prospectively repealed by the Charities and Trustee Investment (Scotland) Act 2005 (asp 10).

PART 3

Advertising Regulations

Interpretation of Part 3

7.—(1) In this Part—

“advertisement” means any word, letter, image, mark, sound, light, model, sign, placard, board, notice, screen, awning, blind, flag, device, costume or representation—

- (a) whether illuminated or not, and
- (b) in the nature of, and employed wholly or partly for the purpose of, advertisement, promotion, announcement or direction,

“advertiser” means a person who engages in advertising activity,

“advertising activity” means an activity which is to be treated as advertising under section 13(1) of the Act,

“advertising attire” means—

- (a) a costume that is an advertisement, or
- (b) clothing on which an advertisement is displayed,

“Euro 2020 Product Categories” means those categories of goods or services set out in schedule 4,

“promotional material” means a document or article distributed or provided wholly or partly for the purposes of promotion, advertisement, announcement or direction,

“railway station” includes a subway station, and

“the Town and Country Planning Regulations” means the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984⁽⁶⁾.

(2) In this Part, “displaying an advertisement” includes—

- (a) projecting, emitting, screening or exhibiting an advertisement,
- (b) carrying or holding an advertisement or an apparatus by which an advertisement is displayed,
- (c) providing for an advertisement to be displayed—
 - (i) on an animal, or
 - (ii) on apparatus which is carried or held by an animal.

(3) Advertising activity that consists of the display of an advertisement on a hand-held device is not to be treated as advertising for the purposes of section 13(1) of the Act unless the advertiser intends the advertisement to be displayed, by means of the device, to the public at large (rather than only to the individual using the device).

(4) In paragraph (3), “hand-held device” means a hand-held mobile telephone or other personal interactive communication device.

Prohibited times

8. The times set out in schedule 2 are the prohibited times for the purposes of the advertising offence.

Exception for demonstrations, etc.

9.—(1) Advertising activity is exempt from the advertising offence where it is intended to—

- (a) demonstrate support for or opposition to the views or actions of any person,
- (b) publicise a belief, cause or campaign, or
- (c) mark or commemorate an event.

⁽⁶⁾ S.I. 1984/467 as amended by S.I. 1992/1763.

(2) But this exception does not apply to advertising activity that promotes or advertises—

- (a) a good or service, or
- (b) a person or body that provides a good or service.

Exception for individuals wearing advertising attire, displaying advertisements on their bodies or carrying personal property

10.—(1) Advertising activity is exempt from the advertising offence where it is engaged in by an individual doing one or more of the following:—

- (a) wearing advertising attire,
- (b) displaying an advertisement on the individual's body,
- (c) carrying or holding personal property on which an advertisement is displayed,

unless the individual knows or had reasonable cause to believe that he or she is participating in an ambush marketing campaign.

(2) The application of this exception to an individual does not affect the application of section 12(1) of the Act to any other person (whether in respect of the same advertising activity or otherwise).

Exceptions modelled on the Town and Country Planning Regulations

11.—(1) Advertising activity is exempt from the advertising offence where it consists of the display of an advertisement—

- (a) to which the Town and Country Planning Regulations do not apply, by virtue of regulation 3(1) and (3) (application) of those Regulations, or
- (b) for which consent is granted by regulation 10(1) (deemed consent for display of advertisement) of those Regulations, as long as the display or advertisement complies with the conditions set out in schedules 1 and 4 of those Regulations.

(2) But the exception in paragraph (1) does not apply to the display of the following:—

- (a) an advertisement described in regulation 3(1)(c) (advertisements incorporated in the fabric of a building) of those Regulations if the advertisement was not in existence at the date these Regulations came into force,
- (b) an advertisement described in regulation 3(1)(d) (advertisements displayed on enclosed land) of those Regulations, if the enclosed land on which the advertisement is displayed is—
 - (i) a railway station (and its yards),
 - (ii) a bus station (together with its forecourt whether enclosed or not), or
 - (iii) enclosed land (including a sports stadium or other building),
- (c) an advertisement mentioned in regulation 3(1)(e) or (3) (display on or consisting of a balloon) of those Regulations,
- (d) an advertisement mentioned in regulation 13(1) and (3) (advertisements on sites used for the display of advertisements on 16th August 1948) of those Regulations,
- (e) an advertisement under regulation 19 (display of advertisements after expiry of express consent) of those Regulations,
- (f) an advertisement within Class I(2) if the advertisement—
 - (i) is not displayed wholly for the purpose of announcement or direction in relation to the functions of the planning authority by which it is displayed, and
 - (ii) is not reasonably required to be displayed for the safe or efficient performance of those functions,
- (g) an advertisement within Class III(4) (certain advertisements of a temporary nature) if the advertisement promotes or advertises—
 - (i) a good or service,

- (ii) a person or body that provides a good or service,
- (h) an advertisement within Class III(6) (certain advertisements of a temporary nature- hoardings),
- (i) an advertisement within Class V (advertisements within buildings) other than an exempt business advertisement, if the building where the advertisement is displayed—
 - (i) is or forms part of a railway station or bus station, or
 - (ii) is a sports stadium.
- (3) In this regulation—
 - (a) “exempt business advertisement” means an advertisement (whether illuminated or not) displayed on business premises within a building (or a forecourt associated with such premises) that refers wholly to any or all of the following: the business carried on, the goods or services provided, or the name or qualifications of the person carrying out the business or supplying the goods or services on those premises,
 - (b) “forecourt” includes any fence, wall or similar screen or structure enclosing a forecourt and not forming part of the fabric of a building constituting business premises,
 - (c) a reference to a “Class” of advertisement is a reference to the corresponding Class of advertisement in schedule 4 of the Town and Country Planning Regulations.

Other exceptions

12.—(1) Advertising activity is exempt from the advertising offence if it constitutes—

- (a) displaying an advertisement employed wholly as—
 - (i) a memorial, or
 - (ii) a railway signal,
- (b) distributing or providing current newspapers,
- (c) activity undertaken by Glasgow City Council, or undertaken, controlled or restricted by Glasgow Life,
- (d) activity undertaken by a UEFA Partner,
- (e) an advertisement in existence before the coming into force of these Regulations that remains in existence, and is displayed by or on behalf of an advertiser in relation to a good or service other than a good or service falling within one or more of the Euro 2020 Product Categories specified in schedule 4,
- (f) any advertisement in respect of which advertisement a contract has been made before the coming into force of these Regulations under the terms of which contract that advertisement may not be cancelled or altered without a financial penalty being payable,
- (g) displaying an advertisement on an aircraft for one or more of the following purposes—
 - (i) complying with the law of Scotland or any other country, being law in force in relation to the aircraft,
 - (ii) securing the safety of the aircraft or any person or property,
 - (iii) the furtherance, by or on behalf of the Scottish Ministers or a government department, by a person acting under any public duty or by a person providing ambulance or rescue services by air, of measures in connection with circumstances existing or imminent at the time the aircraft is used which may cause danger to persons or property,
 - (iv) civil defence, military or police purposes,
- (h) displaying a mark or inscription (other than an illuminated sign) on the body of an aeroplane or helicopter, or
- (i) displaying an advertisement on street furniture provided that the advertisement—
 - (i) is not illuminated,
 - (ii) bears only the name, contact details and device (or any one or more of those things) of the manufacturer, owner or operator of the street furniture, and

(iii) is not displayed as part of an ambush marketing campaign.

(2) Paragraph (1)(b) does not apply to—

- (a) distribution or provision of current newspapers in a street if the distribution or provision is done in a manner that causes undue interference or inconvenience to persons using the street, or
- (b) distribution of a newspaper if the purchaser is provided with an item or advertising supplement accompanying the newspaper, and forming part of an ambush marketing campaign.

Name

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
Date

SCHEDULE 1

Regulation 2

Meaning of “event zone”

- 1.** “Event zone” means any place within the shaded area on a relevant map together with any pavement on each side of any road within that area, including the airspace above or below any place within the event zone.
- 2.** All parts of a railway station (whether on, above or under the ground) are to be treated as being within the event zone if any part of the station is on or above the ground in the event zone.
- 3.** Where a relevant map shows any part of an event zone to be bounded by a river, the boundary is to be the mean low water spring of that river.
- 4.** In paragraphs 1 and 3, “relevant map” means a map set out in schedule 3.

SCHEDULE 2

Regulations 5 and 8

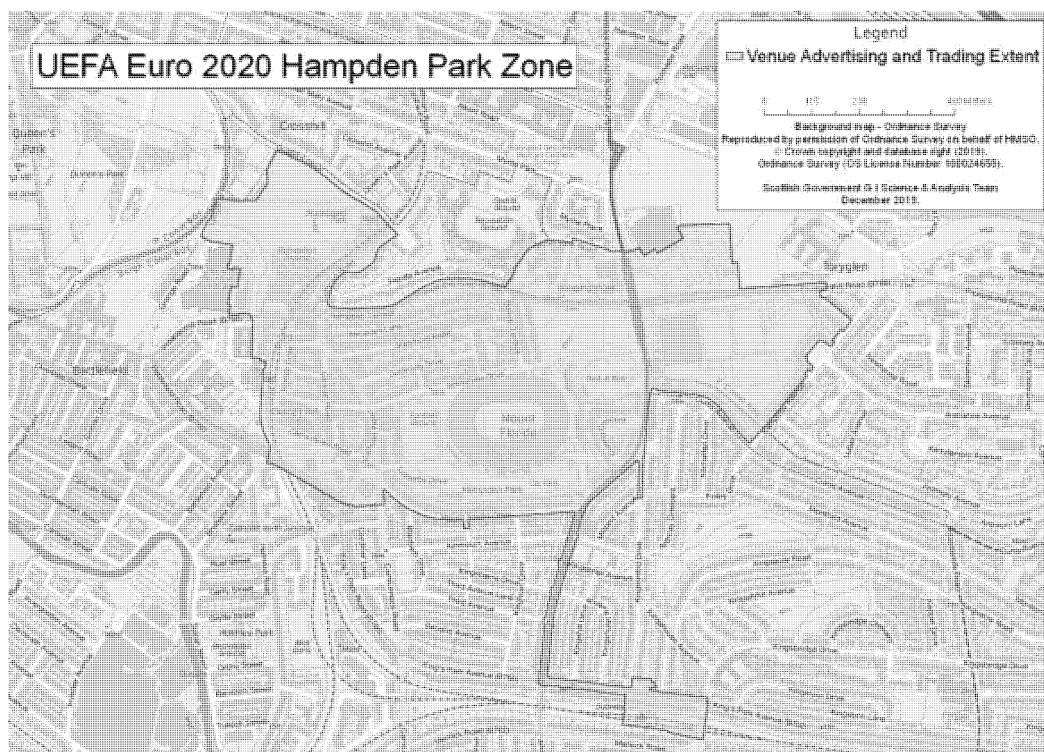
Prohibited times

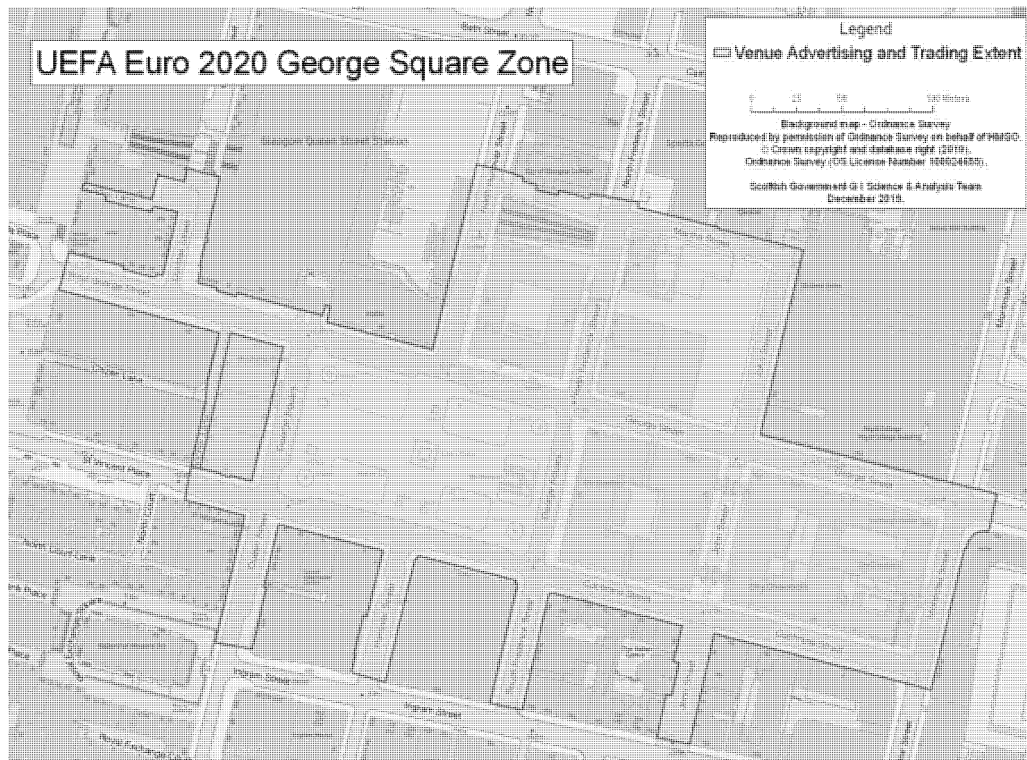
- 1.** Hampden Park zone – 1 June 2020 to 30 June 2020.
- 2.** George Square zone – 10 June 2020 to 12 July 2020.
- 3.** Merchant City zone – 14, 15, 18, 19, 22, 23, 29 and 30 June 2020.

SCHEDULE 3

Maps of Event Zones

Regulation 2







SCHEDULE 4

Regulations 7 and 12

Euro 2020 Product Categories

- 1.** Athletic footwear, sports apparel, sports hardware, footballs, sports accessories.
- 2.** All alcoholic beverages (spirits, beers, ciders, ales etc.).
- 3.** All non-alcoholic beverages (water, soft drinks, sport drinks, juices, tea, coffee etc.).
- 4.** Tyres.
- 5.** Payment systems and payment technology.
- 6.** Consumer electronics (TV, mobile phones, tablets etc.) and white goods (fridges, freezers etc.).
- 7.** Automotive vehicles (including associated parts, services and accessories).
- 8.** Mobility systems and services (including vehicle leasing, hiring and rental together with car sharing/pooling and ride hailing/taxi services).
- 9.** Food ordering and delivery services.
- 10.** Telecommunications and internet provider services.
- 11.** Fuel, oil and lubricants.
- 12.** Airline services.
- 13.** Banking services.
- 14.** Draw based games, instant play games, betting and gaming.
- 15.** Accommodation and attraction booking and reservation services.
- 16.** Postal, parcel, cargo, freight, logistics and delivery services.
- 17.** Insurance services.

EXPLANATORY NOTE*(This note is not part of the Regulations)*

The UEFA European Championship (Scotland) Act 2020 makes it an offence to trade (other than in a building) in an event zone at a prohibited time (“the trading offence”). It also makes it an offence to advertise in an event zone at a prohibited time (“the advertising offence”). An event zone means any one of (a) the Hampden Park zone, (b) the George Square zone, (c) the Merchant City Zone, as defined in these Regulations. Further details are included in schedule 1.

These Regulations make further provision as follows—

Part 1 provides as to introductory matters.

Part 2 prescribes activities which will be treated as trading, and exempts certain types of trading from the trading offence. In particular—

- regulation 4 specifies what is to be “trading”,
- regulation 5 provides as to prohibited times,
- regulation 6 provides exceptions.

Part 3 makes provision in relation to advertising within event zones. It exempts certain types of advertising from the advertising offence. In particular—

- regulation 8 provides as to prohibited times,
- regulations 9 to 12 provide exceptions including for demonstrations and campaigns etc., for adverts displayed on personal belongings etc., for adverts not falling within the Euro 2020 Product Categories, and for certain adverts in relation to which planning controls apply, and

Schedule 1 defines each event zone by reference to a map. These maps are available on request for inspection during normal office opening hours at the Scottish Government’s offices at Victoria Quay, Edinburgh and Glasgow City Council’s offices at City Chambers, Glasgow. The maps are set out in schedule 3.

Schedule 2 states what are the prohibited times in respect of each event zone.

Schedule 4 sets out the list of Euro 2020 Product Categories of goods or services.

POLICY NOTE

**THE UEFA EUROPEAN CHAMPIONSHIP (TRADING AND ADVERTISING)
(SCOTLAND) REGULATIONS 2020**

SSI 2020/XXX

The above instrument was made in exercise of the powers conferred by sections 1(1), 6(3), 7(3), 12(2) and 13(3) of the UEFA European Championship (Scotland) Act 2020 and all other powers enabling them to do so. The instrument is subject to affirmative procedure.

Purpose of the instrument

The purpose of these regulations is to help ensure successful delivery of the Union of European Football Associations (UEFA) European Football Championship (the Championship) which will be hosted, in part, in Glasgow in summer 2020. The regulations do this by enabling the commitments required by UEFA in relation to protection of commercial rights for event sponsors during the period of the event to be met.

The UEFA European Championship (Scotland) Act 2020 (2020 Act)⁷ provides the overarching framework governing the Championship and lays the foundations for the control of advertising and trading during the Championship period. The regulations set out what trading consists of and prescribe the circumstances for which exceptions to the trading and advertising offences will apply. They also include maps of the three event zones where the restrictions will apply and when each event zone will be in operation.

Policy Objectives

To commemorate the 60th Anniversary of the Championship in 2020, UEFA is providing a “EURO for Europe.” Twelve cities will host matches, including Glasgow.

The main policy objective of the regulations is to help ensure successful delivery of the Championship by meeting the commercial rights protection required by UEFA. In doing so, the Scottish Ministers are seeking to strike an appropriate balance between allowing normal business activity to continue as far as possible while protecting the rights of UEFA and event sponsors. It is important that organisations that have paid for association rights retain the exclusive right to associate their brands with the Championship. The sale of sponsorship rights provides a significant revenue stream for events which might otherwise have to rely more heavily on public subsidy. The

⁷ <https://www.legislation.gov.uk/asp/2020/1/contents/enacted>

regulations will also help to ensure the safety and free flow of spectators by controlling street trading and preventing ambush marketing.

Successful delivery of the event will result in economic, cultural and social benefits for Glasgow and Scotland more generally.

Consultation

Section 33(1) of the 2020 Act requires that before making the first trading regulations or the first advertising regulations, the Scottish Ministers must consult the Local Organising Committee (LOC)⁸ and any other persons whom the Scottish Ministers consider appropriate. Section 33(2) of the 2020 Act requires that when making the trading regulations or the advertising regulations, the Scottish Ministers must have regard to any request or guidance from UEFA, and, where relevant, the impact of the regulations on the effective operation of the Championship.

As the requirement for legislation arose reasonably recently there has not been sufficient time for a formal public consultation. The Scottish Government has used the Glasgow Commonwealth Games (Trading and Advertising) (Scotland) Regulations 2013 (2013 Regulations) as a basis for these regulations. The 2013 Regulations were subject to a 12 week public consultation.

In order to seek views on the policy in these regulations, illustrative trading and advertising regulations were shared with Parliament⁹ on 17 October 2019. The illustrative regulations were also shared with LOC partners, UEFA and a number of other key stakeholders including Glasgow Life, the Advertising Association, the Scottish Police Federation, football supporter's organisations, and Mount Florida Community Council.

The Scottish Government and Glasgow City Council also arranged two informal drop in sessions in August 2019. Local businesses, street traders and media owners that could potentially be affected by the introduction of the 2020 Act and associated regulations were invited. Other organisations such as the Federation of Small Businesses, Glasgow Chamber of Commerce, the Scottish Retail Consortium, and Greater Glasgow Hoteliers Association were also invited.

The meetings were intended to provide the businesses with details about the proposed legislation and hear the views of those who could be affected so that this could help to inform the development of the legislation. Telephone calls took place with street traders and other businesses that wanted to understand the proposals but who could not attend in person.

⁸ Section 33(4) of the 2020 Act provides that members of the LOC are: Glasgow City Council, Hampden Park Limited, the Police Service of Scotland, the Scottish Football Association, the Scottish Ministers, VisitScotland, and where an organisation, company or body is no longer able to participate in the committee, such replacement organisation, company or body as the remaining members of the committee consider appropriate.

⁹ https://www.parliament.scot/S5_European/Inquiries/CTEEA_2019.10.17_MinEuropetoConvenerUEFA.pdf

Further detail on certain policy in regulations

The regulations set out the details of what constitutes trading at regulation 4. The regulations also provide for a number of exceptions to the advertising and trading offences.

The impact of the restrictions on businesses is considered proportionate given the expected wider economic benefits of the event and steps that have been taken to minimise the impact on local businesses, for example through limiting the number of event zones to three, minimising the size of the zones, and creating exceptions to the advertising and trading restrictions. A new exception to the advertising offence which was not included in the illustrative regulations is at 12(1)(e), an advertisement in existence before the coming into force of these regulations that remains in existence, and is displayed by or on behalf of an advertiser in relation to a good or service other than a good or service falling within one or more of the Euro 2020 Product Categories (included as Schedule 4), may remain in place. This exception is expected to reduce the potential impact of the restrictions by allowing more existing advertising to remain in place during the Championship.

During the Parliamentary process for the 2020 Act, the Scottish Government indicated that busking would be permitted in the event zones. This was in response to feedback from Culture, Tourism, Europe and External Affairs Committee on this matter. Busking, which the regulations define as a performance of live music in a street where the public are invited to give money to the performers, will be permitted. This is included at regulation 6(1)(m).

The Policy Memorandum¹⁰ for the 2020 Act sets out that although charity collection is a trading activity which is to be restricted, it is expected that certain charity collectors will be permitted to collect in the events zones in a controlled way to manage numbers. The regulations include provision for this at 6(1)(p). This makes use of the existing process used by Glasgow City Council under section 119 of the Civic Government (Scotland) Act 1982 (the 1982 Act)¹¹ to regulate charity collections. A charity collection in an event zone will be permitted where a permission has been granted by Glasgow City Council under section 119 of the 1982 Act for an area in an event zone.

The advertising and trading offences are likely to be of a commercial nature. The regulations contain exceptions to the advertising offence to reduce the impact on members of the public, specifically regulation 9, which provides an exception from demonstrations, and regulation 10, which provides an exception for individuals wearing advertising attire, displaying advertisements on their body or carrying personal property.

Maps and dates of operation of event zones

The maps and dates of operation of the Hampden Park event zone and the George Square event zone are consistent with the illustrative regulations. The dates of operation of the Merchant City event zone were not included in the illustrative

¹⁰ https://www.parliament.scot/S5_Bills/UEFA%20European%20Championship%20Bill/SPBill54PMS052019.pdf

¹¹ <http://www.legislation.gov.uk/ukpga/1982/45/section/119>

regulations. In light of discussions with Glasgow City Council, Glasgow Life and UEFA, and taking into account the potential impact on local businesses, the regulations provide that this zone will be in operation for eight days during the Championship period (14, 15, 18, 19, 22, 23, 29 and 30 June 2020). This includes the four Glasgow match days and the day before each of these. This is considered to be proportionate as the Merchant City event zone is designed to provide extra capacity for football fans in addition to the George Square event zone on busier match days during the Championship. Some minor changes have also been made to the extent of the Merchant City event zone, compared to the illustrative regulations.

Impact Assessments

An Equality Impact Assessment (EQIA) has been completed for the 2020 Act and regulations and was published by the Scottish Government in September 2019¹². No changes to this are considered to be required in light of these regulations.

A Pre-Screening Strategic Environmental Assessment (SEA) was carried out for the 2020 Act and regulations. There are no complex, widespread, long lasting or serious environmental effects expected as a result of the introduction of the legislation. A separate Sustainability Strategy has been developed for the wider event and will be implemented by Glasgow Life and partners.

A Children's Rights and Wellbeing Impact Assessment Screening was carried out for the 2020 Act and regulations. There are considered to be no direct impacts on children and young people and any indirect impacts are considered to be positive overall but minor in their impact. No issues regarding children and young people have been raised by partners or those we have engaged with during the development process for the regulations.

The Scottish Government is satisfied that the Bill will have no differential effect on island communities. The Scottish Government is also satisfied that a Fairer Scotland duty assessment is not required for this policy. These regulations will not result in the collection of personal data.

Financial Effects

A final Business and Regulatory Impact Assessment (BRIA) has been completed and this takes into account the detailed policy included in these regulations. The regulations aim to ensure the right balance between minimising any negative impacts on local businesses and allowing them to take advantage of the economic opportunity the Championship represents, while protecting rights of event sponsors and UEFA.

The financial impact of the regulations is considered to be minor, especially in relation to the economic opportunity provided by co-hosting the Championship. The regulations seek to secure a significant positive economic opportunity for Scotland, and Glasgow in particular, by meeting the requirements to allow the UEFA European Championship to be co-hosted in Glasgow.

¹² <https://www.gov.scot/publications/uefa-european-championship-scotland-bill-results-egia/>

The regulations will be enforced by enforcement officers and Police Scotland. As a result there will be some costs to Glasgow City Council and Police Scotland. Guidance on the street trading and advertising restrictions, including the exceptions to these as set out in the regulations, will be provided by Glasgow City Council. There are expected to be some minor costs in development, publication, distribution and awareness raising related to this guidance.

Further details on the expected financial effects of implementing the 2020 Act are set out in the Financial Memorandum¹³ for the 2020 Act.

Scottish Government
Directorate for Culture, Tourism and Major Events
February 2020

¹³ https://www.parliament.scot/S5_Bills/UEFA%20European%20Championship%20Bill/SPBill54FMS052019.pdf

ANNEXE C

Dear Ms McAlpine,

The UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020

I am pleased to inform you that draft UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 have been laid today. This is another milestone on the way to ensuring successful delivery of UEFA EURO 2020. Co-hosting the Championship will reinforce Scotland's international reputation as 'The Perfect Stage' for major events, as well as bringing economic, social and cultural benefits to Glasgow and Scotland more generally.

Subject to Parliamentary approval, these regulations set out further details the dates of operation of the three event zones, maps of those zones and, importantly, exceptions to the trading and advertising offences.

Much of the regulations are consistent with the illustrative regulations that I shared with you in October 2019, which were, in turn, based on the equivalent Glasgow Commonwealth Games regulations. Some changes have been made compared to the Commonwealth Games regulations to meet the particular requirements of UEFA EURO 2020 – for example to permit busking and to allow UEFA commercial partners to trade and advertise in the event zones.

The illustrative regulations were shared with a number of organisations with an interest in the event in order to understand their views. Some changes have been made to the regulations based on feedback from this process. For example, the Scottish Government has amended the provisions on when an advertising supplement is or is not permitted as part of the selling or distribution of a newspaper in an event zone, to tie this more clearly to preventing ambush marketing. A new exception is included at 12(1)(e) which will permit existing advertising to remain in place where it does not relate to a good or service falling within one or more of the EURO 2020 Product Categories, so long as the advertising is in place before the coming into force of the regulations and remains in place until the Championship period begins. The product categories are set out at Schedule 4 of the regulations. This exception is expected to further reduce the potential impact of the restrictions by allowing more existing advertising to remain in place during the event. The authorisation process provided for in the illustrative regulations has been removed and a new exception for charity collections, which were previously going to be subject to this authorisation process, has been included at regulation 6(1)(p). This makes use of the existing process used by Glasgow City Council under the Civic Government (Scotland) Act 1982 to grant permissions for charity collections.

The maps and dates of operation of the Hampden Park zone and the George Square zone are as included in the illustrative regulations. The proposed dates of operation of the Merchant City zone were not included in the illustrative regulations. In light of discussions with Glasgow City Council, Glasgow Life and UEFA, and taking into account the potential impact on local businesses, the regulations provide that this zone will be in operation for eight days during the Championship period (14, 15, 18, 19, 22, 23, 29 and 30 June). This includes the four Glasgow match days and the day before each of these. I believe that this is proportionate as the Merchant City event zone is designed to provide extra capacity for football fans in addition to the George Square zone on busier match days. Some minor changes have also been made to the boundaries of the Merchant City event zone, compared to the illustrative regulations.

It is, of course, vital that businesses understand the extent of the zones, when a zone is in operation, and what is and is not permitted in terms of advertising and trading during those times a zone is operational. To achieve this, work is underway to produce guidance on the trading and advertising offences and exceptions to the offences so that this can be published by Glasgow City Council in April, subject to Parliamentary approval of the regulations.

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. I look forward to answering any questions Committee members may have about the regulations in due course.

I have copied this letter to the Convener of the Delegated Powers and Law Reform Committee.

Ben Macpherson MSP
Minister for Public Finance and Migration

Culture, Tourism, Europe and External Affairs Committee

9th Meeting, 2020 (Session 5), Thursday 12 March 2020

Screen Scotland

Note by the Clerk

Introduction

Following last weeks evidence session with stakeholders, todays meeting with Screen Scotland will provide an opportunity to discuss the organisations performance in the context of the recommendations made in the Committee’s report on screen, published in June 2018.

Screen Scotland

Launched in August 2018, Scotland’s dedicated screen unit (Screen Scotland) provides support to all aspects of the screen industry. Sitting within Creative Scotland, Screen Scotland is a partnership between Creative Scotland, Scottish Enterprise, Highlands and Islands Enterprise, Skills Development Scotland, and the Scottish Funding Council. The agency is supported with funding from both the Scottish Government and the National Lottery.

Screen Scotland was established in response to recommendations made by the Economy, Energy and Tourism Committee (EETC) in Session 4. The EETC found that the separate and distinct remits of Scottish Enterprise and Creative Scotland were acting as a barrier to working cohesively to support the industry effectively.

The EETC recommended that the Scottish Government provide direction to Scottish Enterprise and Creative Scotland to work in partnership in order to support the economic and cultural needs of the film industry. In response, the 2016 SNP manifesto, committed to the creation of a new dedicated unit for film and television, based within Creative Scotland, to streamline public sector support for the screen sector. Initial proposals for the Screen Unit were published by Creative Scotland in December 2017. According to the proposal document:

“The new Screen Unit combines expertise from creative, skills and enterprise partners to deliver our ambitious vision for cultural, social and economic development of the sector. Our shared strategy will increase production and inward investment, and boost audience, company and skills development.”

To coincide with the proposed establishment of the Screen Unit at the end of the 2017/18 financial year, this Committee undertook a wide-ranging inquiry to examine the Screen sector in Scotland. Broadly, the Committee’s inquiry sought to ascertain if the Screen Unit could deliver on the promise of a ‘step up’ in support for the industry. A link to the Committee’s final report can be accessed at—

https://www.parliament.scot/S5_European/Reports/20180628MakingScotlandaScreenLeader.pdf

The Committee last took evidence from Screen Scotland on 2 May 2019. The Official Report from that meeting can be accessed at—

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12077>

Following the meeting, the Committee wrote to Creative Scotland asking for additional information on a number of matters. The Committee's letter and Creative Scotland's response can be viewed below:

Committee letter to Screen Scotland, 15 May 2019—

https://www.parliament.scot/S5_European/General%20Documents/CTEEA_2019.05.15_ConvToCreativeScotland.pdf

Creative Scotland's response, 14 June 2019—

https://www.parliament.scot/S5_European/General%20Documents/CTEEA_2019.06.14_CreativeScotland_FollowUp.pdf

The Official Report of last week's evidence session with Screen Stakeholders can be accessed at—

<http://parliament.scot/parliamentarybusiness/report.aspx?r=12560>

Evidence Session

The Committee will take evidence from—

- Isabel Davis, Executive Director, Screen Scotland
- David Smith, Director, Screen Scotland

Supporting Information

Creative Scotland provided a written submission to the Committee which is provided at **Annexe A** to this paper. A SPICe paper providing context to last week's evidence session with screen stakeholders and also on the role of Screen Scotland can be accessed at—

https://www.parliament.scot/S5_European/Meeting%20Papers/20200305_MeetingPapers.pdf

Mark Johnson
Assistant Clerk
Culture, Tourism, Europe and External Affairs Committee
9 March 2020

Written Submission from Creative Scotland

Dear Convener

Screen Scotland Update

Ahead of our evidence session on 12 March please find below an overview of the progress that is currently being made by Screen Scotland.

Introduction

Screen Scotland continues to deliver on its remit to be the dedicated partner for screen in Scotland, working with Creative Scotland's partner agencies - Scottish Enterprise, Highlands and Islands Enterprise, Skills Development Scotland and the Scottish Funding Council to deliver enhanced support to companies and practitioners across all elements of film and TV and to foster sustainable growth within the Scottish screen sector.

Key recent milestones include:

- Screen Scotland has implemented an organisational capacity-building and restructuring process to strengthen expertise and increase the resources that are offered to the sector. A new Director of Screen, David Smith, was appointed on 4th November, 2019, and four further roles have been appointed in February, 2020 - the team's Executive Officer, an EDI Officer and both the Head of Audience Development and the Head of Business and Market Development. Throughout 2020 further roles to be recruited include Heads of Scripted and Unscripted, Head of Production and a Skills Officer.
- Content delivery and skills development have commenced through Screen Scotland's strategic partnership with the BBC, with a trio of new comedies from BBC Scotland showcasing new and established comic talent aired on BBC One Scotland in 2020. A further strategic partnership with Channel 4 is being developed with the active engagement of C4's senior management.
- We are in the final stages of negotiations with a preferred operator to run the Studio in Leith. We anticipate making a public announcement of the operator in March 2020.
- The Cinema Equipment Fund was launched in March 2019 as an intervention into Scotland's exhibition sector to increase access and enhance audience experience. The fund has supported twenty-two local cinemas and theatres across Scotland to increase access to cinema for audiences and support resilience for independent film exhibitors.

Progress to date:**Strengthening our expertise**

Isabel Davis (previously Head of International for the BFI) joined Screen Scotland as its first Executive Director in 2018. Since joining Ms. Davis has initiated an ambitious plan to restructure the team within Screen Scotland to promote expertise, foster specialisation and to meet the clear expectations of industry in the delivery of our strategic aims under Screen Scotland's Business Plan.

A new Director of Screen, David Smith, was recruited by Ms. Davis and took up his role in November 2019. Mr. Smith joined Screen Scotland after eleven years managing a respected independent production company in Glasgow. He had also spent almost four years as Scotland's representative on the board of the UK-wide producer's trade association, PACT where he led much of the debate that informed Ofcom's revision of its rules for Nations and Regions production and initiated the campaign which ultimately led to Channel 4 locating a "Hub" in Glasgow. Mr. Smith has brought television industry experience into Screen Scotland's endeavours and support structures.

A new Head of Audience Development, Sambrooke Scott has been appointed and will join the Screen Scotland team in April from Film Hub Scotland (part of the BFI's Film Audience Network set up to increase and broaden audiences and to enhance opportunities for audiences across the UK). A specialist in Equalities, Diversity and Inclusion, Alison Smith, has also been appointed and will join the team in February 2020. Interviews for the Head of Business and Market Development took place in late February and the position is currently under offer. Subject to contract, the successful applicant is expected 'to take up this role in April.

Across 2020, we will be restructuring the role of Screen Officers to be more specifically focused on either "scripted" and "unscripted" genres and this will develop capacity in both. Heads of Scripted and Unscripted will be recruited to lead this work in response to stakeholder needs. A Head of Production will then join the Screen Scotland executive, alongside the existing Head of Screen Commission and Head of Film Education. Support roles will be recruited under both the Heads of Business and Market Development and the Head of Audience Development and a new Skills Development Officer will join the Screen Scotland team in 2020.

Overall headcount within Screen Scotland will increase to 32 across 2020, growing to become a well-resourced, expert-led, specialist screen development body, augmented by the expertise and specialist advice available through its partner agencies and fully supported by the corporate resources and expertise at Creative Scotland.

Partnership & Governance

The partners in Screen Scotland regularly come together operationally and via the governance structures established on Screen Scotland's formation. The Screen Committee has brought together representatives of Skills Development Scotland, Scottish Funding Council, Screen Scotland and the enterprise agencies - Scottish

Enterprise and Highlands and Islands Enterprise - alongside members of the Creative Scotland board with direct screen sector experience.

Initially the Screen Committee met monthly, then bimonthly, and now, as procedures and the executive team within Scottish Team are in place, quarterly. The committee enables the sharing of experience in supporting company growth and reconciling industry demand with the supply of skills development, training and education opportunities.

The Screen Committee is supported by the Partnership Delivery Group, chaired by the Director of Screen which, in turn, has established working groups focused on Business Development and Skills Development. South of Scotland Enterprise and Scottish Development International attended the February Partnership Delivery Group.

Screen Scotland Business Plan:

Development and Production

As part of Screen Scotland's strategic aim to foster sustainable growth across the sector we have supported a number of film and high-end television productions that were either filmed in Scotland or were delivered by Scottish companies to the global market in 2019/20.

These ambitious projects have delivered positive economic impacts across Scotland and provided opportunities for Scotland's talented crew base in their home nation. Total production spend in 2018/19 is estimated at £67m, which is a decline on the 2017/18 estimate of £95m¹. Production spend by Scotland-based production companies increased across the same period from an estimated £16.8m in 2017/18 to £23.5m in 2018/19.

Notable productions that filmed in Scotland in 2018/19 and 2019/20 include 1917, Fast and Furious 9, Deadwater Fell, Bond 25 (aka No Time to Die), The Crown (Season 4) and HBO's acclaimed drama Succession along with Netflix commissioned projects including Eurovision and The Princess Switch 2. Others currently in production will be announced in due course while Our Ladies, adapted from Alan Warner's cult novel The Sopranos, will open in cinemas across the UK on 24th April.

Screen Scotland has awarded £5,069,014 to 73 projects from 2018-2020 through the Film Development and Production Fund (development and production funding for screen projects by filmmakers based in Scotland). In addition to the projects referred to above this included drama projects originating from within Scotland's creative community with awards to Red Dust Road, a first-time feature written by Scots Makar Jackie Kay produced by Young Films and The Man on the Beach, a fiction feature produced by Marie Schmidt Olesen and written by David Griffith as well as a strong slate of television dramas from a range of production companies - Guilt, The Cry, The Victim, Susan Hill's The Small Hand and Elizabeth is Missing. These have all attracted audiences and acclaim in Scotland and abroad.

¹ 2017/18 was an exceptional year, with high budget features such as T2 (Trainspotting 2), Outlaw King and The Avengers: Infinity War all shooting within that period.

Business Support

Screen Scotland has also made significant interventions to support unscripted/factual producers based in Scotland. As a result, Scotland-based producers and production companies such as Synchronicity, Hungry Bear North and STV Productions are behind many of the dramas listed above. Each of these production companies have secured support for their creative and business vision through Screen Scotland's funds targeted towards growing the scale and sustainability of the Scottish production sector.

Since its launch in 2018 the Broadcast Content Fund (which offers development and production funding for broadcast projects by eligible Scottish production companies) has awarded £5,953,761 to 52 projects that supported the growth and development of screen sector companies across Scotland. As a television focused intervention, uniquely targeted towards developing television projects and production companies from Scotland, the Broadcast Content Fund has been made possible by the financial support of the Scottish Government.

The Broadcast Content Fund requires applicants to either comply with Ofcom 's updated criteria for classification as "Scottish" or to be in a "meaningful" co-production with a Scottish company on the project in question. As a business development tool, the Broadcast Content Fund enables Screen Scotland to work with qualifying production companies based in Scotland to develop their capacity to deliver a slate of new ideas designed to meet the expressed needs of commissioning broadcasters.

Individual projects developed with the support of the Broadcast Content Fund include: acclaimed BBC prime time drama series, Guilt from Happy Tramp North, Mara Media's blue-chip natural history series Stormborn for the Smithsonian Channel and BBC Scotland, and Firecrest Film's Night at the Museum, soon to debut on the BBC and filmed partially within Edinburgh's National Museum.

Slate funding via the Broadcast Content Fund has contributed to the strategic development of thirteen screen companies across Scotland including Glasgow's Blazing Griffin, Gaelic specialists Caledonian TV, Red Sky Productions and Two Rivers Media, among others. This support enables production companies based in Scotland to expand their focus beyond existing genres and commissioning relationships and target growth in new markets within the UK and beyond.

The pilot business development programme FOCUS has been extended to run until October 2020 pending the arrival of Screen Scotland's Head of Business Development (anticipated April 2020). FOCUS was launched by Scottish Enterprise and Creative Scotland prior to the establishment of Screen Scotland as a pilot project, establishing a highly specialist support service for film and television businesses. An initial cohort of 20 companies received support, four companies subsequently secured Screen Scotland Broadcast Content Funding.

Scottish Enterprise continues to work directly with screen sector companies to develop capacity, with information and opportunities discussed with the Screen Scotland partners via the Partnership Delivery Group. Examples of recent support include Axis Studios, head-quartered in Glasgow, who were recently supported by Scottish

Enterprise to develop a new platform that drastically reduces the amount of time taken to create Virtual Reality content. The proof of concept was a new Virtual Reality short film, The Bond, which Axis launched last year. Scottish Enterprise has also recently supported Serious Facilities, a key post-production facility in Glasgow to expand with the support from Royal Scottish Academy. Serious are also now creating the first Netflix approved post-production Facility in Scotland.

Scottish Enterprise and Screen Scotland, together with Glasgow City Council have worked together to support the establishment of Two Rivers Media, a start-up television production company created by industry veteran Alan Clements. Having, three times, built and led the biggest production companies in Scotland - Wark Clements, IWC Media and STV Productions - Mr. Clements had the desire to create a new company of scale, headquartered in Scotland, to serve the UK networks and international markets. Two Rivers aim is to grow revenue to beyond Screen Scotland's strategic goal of £10m pa. In the first 12 months on they have grown to a company of 14 permanent staff (as well as over 20 freelancers) with a projected £1.6m turnover to December 2019.

Financial Readiness support from Scottish Enterprise was key in securing a £3m private investment deal for Two Rivers from Canadian media company Kew Media, Noble Grossart and the Channel 4 Growth Fund. Scottish Enterprise and Glasgow City Council then worked together to support Two Rivers location within the city's new innovation district, alongside the location for the new CH4 Hub. Screen Scotland then worked with Two Rivers to provide slate development support for its editorial ambitions via the Broadcast Content Fund, as well as production funding for the nascent independent's first drama, The Small Hand.

In tandem Highlands and Islands Enterprise and Screen Scotland support both the Celtic Media Festival and XpoNorth events and working with the Canada Media Fund both bodies have devised and delivered a Canada-Scotland co-development incentive fund for innovation in television and digital. This £200,000 fund - £100k from Canada Media Fund and £50k each from Highlands and Islands Enterprise and Scottish Screen was launched at XpoNorth 2019 and will see the four successful applicants, one of whom is based in the Highlands, secure funding for the further development of their ambitious trans-Atlantic projects.

In addition, Creative Scotland, Scottish Enterprise, Highlands & Islands Enterprise, other partners and Business Gateway are collaborating to 'onboard' the business support products and services provided by Screen Scotland partners for the screen industry on [FindBusinessSupport.gov.scot](https://findbusinesssupport.gov.scot). The new service which is currently in beta phase aims to help Scottish businesses find the right public sector information, advice and support at the right time.

Strategic Partnerships - Broadcaster MOUs

Screen sector company development runs in parallel with Screen Scotland's work with the BBC under our joint MOU. This strategic partnership has been initiated to foster the market for Scottish content and to grow and develop the key skills necessary to ensure the delivery of network television content from Scotland.

Skills

Under the BBC/Screen Scotland MOU Scottish producers have secured additional places on industry training body Screen Skills' prestigious Series Producer Course, designed to develop the next generation of creative leaders in television from across the UK. New initiatives are currently under development with the BBC to grow and further develop talent in a range of genres and practical skills, focused on sector-identified gaps in provision - with programmes designed to foster script writing and script editing skills as well as high-end factual editors all currently in development.

Content Delivery

Content delivered through the BBC/Screen Scotland MOU includes a trio of new comedies from BBC Scotland, showcasing new and established comic talent which aired on BBC One Scotland early in 2020. These 30-minute comedies offered development opportunities for both writing and acting talent based in Scotland. Four new short form drama pilots - Joytown, Float, Pancake and Dash - have also been commissioned by BBC Scotland in partnership with Screen Scotland to develop and deliver formats for digital platforms, bringing more drama to audiences and working with new talent.

Via our Memorandum of Understanding partnership with the BBC we will continue to strengthen the range of content being commissioned from Scotland and to increase representation opportunities for Scottish talent in front of and behind the camera.

Discussions with C4 to secure a MOU are advancing positively with key areas of strategic alignment identified and a road map to signature agreed.

Talent

In late 2019, as part of its overall review of talent development, Screen Scotland is seeking a new partner for the delivery of a film talent development programme for new and emerging talent from across Scotland, as a successor to the Scottish Film Talent Network. The call for a new delivery partner closed on 24th February, with a range of potential providers putting forward proposals on how this vital work might be advanced over the next two years.

The new film talent development partner will provide an accessible and purpose-built programme of support for new and emerging film producers, writers and directors from across the whole of Scotland. There will be an emphasis on elevating the quality and diversity of participants' work, their commercial acuity and creative ambition. The development and production of scripted short-form filmmaking will be supported by this programme as will the development of live action and animated first features. A key part of this will be the development of the next wave of Scottish producers, preparing them for financing, managing and delivering scripted feature films of high quality. The programme partner will work with Screen Scotland and other partners on this activity and will be expected to actively look for and encourage new talent from currently under-represented groups across Scotland.

Skills and Equalities, Diversity & Inclusion (EDI)

In support of Screen Scotland's commitments to widen access and promote diversity, inclusion and equalities across the Scottish screen sector we continue to support a range of interventions and programmes aligned with sector requirements.

Across 2018-20 Screen Scotland has provided aggregate support for skills and talent development programmes of £4,017,933. Funded projects are delivered by a wide range of partners at various levels of practice with "first step" and "next step" opportunities across genres.

Two complementary broadcast/production focused interventions designed to improve access and targeted towards new entrants to the sector from diverse backgrounds are PACT's Indie Diversity Training Scheme and (broadcast and digital training provider) TRC's RAD initiative. PACT's Indie Diversity Training Scheme provides each participant with a six-month, full-time, paid (Scottish Living Wage) entry-level work placement with one of ten independent TV production companies in Scotland. Additional training and mentoring takes place alongside the work-based activity for eight new entrants, all of whom come from diverse backgrounds (BAME, disability-related, and socio-economic).

Overlapping with the PACT project and adding additional opportunities, the RAD initiative, was developed by Glasgow based training and development body TRC to similarly address the lack of diversity in broadcasting and independent television in Scotland. In 2019 the RAD programme employed eight trainee TV researchers from diverse backgrounds, within eight independent Scottish production companies, for ten months each. The trainees were employed full time, paid the living wage and their salaries were equally funded by their host companies and the RAD programme. The trainees were supported by monthly training sessions delivered by TRC. Seven of the eight trainees have gone on to secure subsequent employment within the Scottish screen sector (often with their placement provider).

The PACT and TRC projects share a common purpose but at this stage in the sector's development - and in response to clear demand from the sector for help in the delivery of diversity aims and obligations - both are necessary and both share resources with TRC providing elements of the PACT project. Screen Scotland is currently working with TRC to expand the RAD programme in 2020 and with PACT to deliver its complementary opportunity for diverse new entrants.

The Outlander Training Programme, Screen NETS, BECTU Vision' Drama Training programmes and TRC's main programme provide opportunities both for new entrants and professional development for the existing workforce, while Film Access Scotland and its member organisations across Scotland (including GMAC in Glasgow) support creative learning provision targeted at disadvantaged groups, helping to broaden the pool of potential new entrants.

Last year's iteration of the Screen Scotland supported Outlander Training Programme which saw nineteen trainees working across Season 5 of the Sony/Starz drama series while a further forty-six individuals secured work experience; twenty-two participants went on to secure "daily" work with the project while nine were offered contracted

positions. Recruitment for the 2020 Outlander Training Programme will conclude in March ahead of the commencement on production of Season 6 of Outlander in Cumbernauld. Traineeships are initially being offered in costuming, plastering, painting, production design and locations.

Support under Screen Scotland's funding programmes (the Production Growth Fund, the Film Development & Production Fund and the Broadcast Content Fund) is now connected directly to the delivery of training and development opportunities. Entry-level traineeships have, as a result, been provided across high-end TV dramas and feature film productions funded by Screen Scotland including: Guilt (BBC), Elizabeth is Missing (BBC), Succession (HBO) and Outlander (Starz). 1917, directed and produced by Academy Award-winner Sam Mendes (Skyfa/1, American Beauty) and co-written by Scottish writer Krysty Wilson-Cairns (Penny Dreadful) and Mendes, shot on location at Govan Docks in Glasgow with support from Screen Scotland. A training/access requirement was part of our funding agreement and the production employed three trainees during their Scottish shoot in both the Set Decoration and Sound departments.

Skills Development Scotland supports take-up of Foundation and Modern Apprenticeships by screen employers and supports the introduction of Graduate apprentices by some broadcasters.

Skills Development Scotland (SOS) launched the screen skills industry research it co-commissioned with Screen Scotland at the Edinburgh Film Festival in 2019. SOS then engaged directly with industry on Foundation Apprenticeship delivery with twenty businesses attending a seminar at BBC Scotland, promoting awareness of industry in-demand skills and refreshing the screen content on the national careers portal - My World of Work.

Film Education

Through the Film Education Partnership Fund (increases access to film education provision in communities across Scotland) Screen Scotland has made 30 awards totalling £1,483,214 from 2018 - 2020, across half the local authorities in Scotland, from the Western Isles and Argyll & Bute to Clackmannanshire and Midlothian. These specifically support strategic partnerships to develop film education expertise sustainably in a variety of settings and contexts, especially schools and media access organisations which target diverse and disadvantaged young people. This is achieved primarily through teacher professional development, with local authorities and schools working in partnership with cinemas, film access organisations, experienced film education practitioners and other sources of expertise.

In Glasgow, for example, Glasgow Film Theatre is working with Glasgow's Improvement Challenge, while in East Lothian, Queen Margaret University is supporting five probationer teachers to trial and evaluate moving image education in their practice. Film School Forres in Moray involves the wider community in creative film learning.

Screen Scotland continues to partner with The British Film Institute with annual support for the BFI Film Academy for 16-19 year olds, which takes place in several

areas across Scotland; and continues to support Film Access Scotland's Youth Film Festival, which provides a platform for youth-made work and is curated, led and managed by young people from across Scotland.

Audiences

Cinema Equipment Fund (increases access to cinema and encouraging resilience for film exhibitors based in Scotland) launched on 6 March 2019 and Screen Scotland is currently considering applications for its third and final round of support. To date, twenty-two cinemas and theatres across Scotland have been supported.

Through this fund Macrobert Arts Centre in Stirling will have an additional screen, the new Cumbernauld Theatre will include a cinema, touring operators INDY and Driftwood will take cinema to remote rural communities, and Inverkip and Menzieshill will be home to new community cinemas. In addition, we have supported key cultural cinemas and independent cinemas to replace and upgrade their equipment, improving the customer experience and strengthening the resilience of these venues for the future.

At the final deadline on 28 January 2020, we received 42 further applications, more than the previous two rounds combined, and (subject to assessments) we will have supported the development of Scotland's exhibition sector with a total of £1.6m by 31 March 2020.

Filming in Scotland

Ten successful awards totaling £2,895,500 were made through the Production Growth Fund (offers support to large scale productions to film in Scotland) that has helped to grow the Scottish screen sector through use of crew, locations and facilities. The availability of awards has helped secure of high-end TV and feature film productions for Scotland as well as providing excellent career development opportunities for Scottish based crew. Through the Partnership Growth Fund, Screen Scotland has developed strong relationships with US studios, platforms and production companies that are expected to draw further future productions to film in Scotland too. Projects supported included HBO's award-winning Succession, 1917 and as yet unannounced feature film for Netflix.

A Screen Scotland Locations website has been set up to provide a platform to promote locations and properties across Scotland to locations managers attached to potential film and TV productions. This is now live as a beta site and is being promoted to targeted production companies. The committee can view the site here:

<https://www.screen.scot/locations>.

We will continue to develop and refine the site in the coming months using feedback from target organisations.

Inward production spend by film and television productions in 2017/18 totalled £78.2m (332 productions) while in 2018/19 the spend was £45m (328 productions).

Studio and Build Space

Screen Scotland has been progressing the establishment of a studio in Leith, a development of critical importance for the screen sector in order to deliver an enhanced film studio infrastructure for Scotland.

Having published a tender seeking an operator to run the studio we are anticipating making the public announcement of the operator on in March 2020. This is a major step forward in Scotland's ability to take advantage of the global boom in high-end TV and film production. The operator will work with Screen Scotland to bring the studio facility to life and create an internationally competitive production facility. In the meantime, we have been continuing to familiarise large scale production clients with the building.

In addition, we are working with the sector and with Scottish Enterprise to identify further sites around Scotland that have the potential for studio or infrastructural development, providing specialist advice and consultancy support as appropriate.

Advocacy and Influence

In 2020 Ofcom will conduct its review of public service television in the United Kingdom as well as the current DCMS consultation on Licence Fee decriminalisation. With the UK's PSB system providing a strong foundation for the screen sector across the UK we will be working with the Scottish producers to develop a response to these initiatives.

Screen Scotland's website - www.screen.scot - was launched on 21 August 2018. It provides a dedicated portal for anyone looking to work in screen in Scotland with information on how to film in Scotland, film and television funding opportunities, education and screen sector jobs regularly updated. Since launch, the website has hosted over 176,000 users, and received over 370,920 page views. As part of our stakeholder engagement we also have a very active digital communications presence and programme which is engaging on Instagram (1640 followers) and Twitter (4287 followers).

Digital Transformation, Data Sharing & Data Hub

As part of Creative Scotland's digital transformation programme online applications will be become possible within 2020/21 while work to deliver a Data Hub for the screen sector is well underway. We are currently at the scoping and development stage for a screen Data Hub, working with a team at University of Edinburgh (EPCC) to collate and map existing data in response to our consultation findings. We held a successful consultation workshop with twenty-five representatives in the sector at the CCA in Glasgow in December, and further public workshops are scheduled for late February and early March. The outputs of these workshops will inform the development of the project and the sector's data priorities. The Hub itself is scheduled for delivery in 2020/21.

Collaborative working and screen business support provision by Screen Scotland partners is being enhanced through a new Data Sharing Scheme led by Scottish

Enterprise with the Director of Screen and Creative Scotland's Digital Transformation team. The Scheme is due to be in place by Summer 2020.

I hope this provides the Committee with an overview of the significant progress being made by Screen Scotland however please do let me know if you need more information and of course we will be happy to further discuss progress at the evidence session on the 12 March.

David Smith
Director of Screen
Screen Scotland