

# **Consultation on UEFA EURO 2028 Commercial Rights Protection**

## **Analysis of Responses**

### **Final Report**

**October 2024**

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# Executive Summary

## Introduction

The UEFA European Championship, the men's international football tournament held every four years, will be hosted by the UK and Ireland in 2028, with matches to be played at Hampden Park in Glasgow. An event zone will be established for EURO 2028 in the area around Hampden Park and potential fan zones at other locations in Glasgow, known as 'event zones' during the event.

Large events require specific legislation to protect commercial rights, the integrity, character and quality of the event and to protect spectators against unauthorised resale of tickets, known as 'ticket touting'. The Scottish Government has proposed commercial rights protection measures for EURO 2028, based on experiences from EURO 2020 and other requirements.

## Consultation Overview

The Scottish Government ran a [public consultation](#) on the proposed commercial rights protection measures ran from 2 May to 26 July 2024, targeting a wide range of stakeholders including street traders, media owners, businesses operating within event zones, local residents, and representative groups. A total of 26 responses were received, with 23 submitted via an online platform and three via email. Additionally, four consultation events were held to engage with key stakeholders.

It should be noted that this relatively small sample size means the views of respondents do not necessarily represent the views of the entire population. In addition, the specialist nature of some of the proposals means not all respondents answered every question.

## Street Trading

It is proposed that measures and penalties similar to those used for EURO 2020 should apply for street trading for EURO 2028. Just over half (52%) of respondents who answered were aware of the street trading laws in place for EURO 2020. The most prevalent theme raised by just under two thirds of those who commented was that the measures in place for EURO 2020 had no impact on them. Three of the four respondents who identified as street traders, advertisers or advertising space owners also left comments to this effect. A small number of respondents highlighted negative impacts on business, while two organisations expressed a view that unauthorised trading had been minimised for EURO 2020.

The most prevalent theme in open comments about the proposed street trading measures for EURO 2028 was that they would have no or minimal impact on the respondent. Most of the remaining themes described potential wider impacts of EURO 2028, rather than the impact of the proposed street trading measures. For example, the second most prevalent theme was that littering or noise could be an issue.

Views on managing adverse impacts were relatively evenly split, with 38% of those who answered expressing the view that exemptions or measures could be applied, 38% felt there could not, and one quarter (24%) unsure, potentially highlighting the specialist nature

of the consultation. However, among the small number who elaborated in open comments, a range of specific points were raised with no common themes emerging.

## **Advertising**

To meet UEFA's requirements, unauthorised advertising was prohibited in and around events zones when these were in operation for EURO 2020. The consultation paper sought views on introducing similar arrangements for EURO 2028. Among those answering, 39% were aware of advertising laws in event zones for Euro 2020; lower than the 52% who were aware of street trading laws. Again, the most prevalent view in open comments, mentioned by some respondents, was that there had been no or minimal impact on them.

When considering applying those measures to EURO 2028, the most prevalent theme was that there would be no or minimal impact. The second most prevalent theme, raised by a few respondents, was the potential impact on businesses of the proposed advertising measures. The main concern expressed was that the measures could impact the ability of businesses to advertise in the event zones or their local area.

One in five (19%) of those who answered indicated there could be ways to manage adverse impacts from the proposed measures; this was lower than the 38% who felt this was the case in relation to street trading laws. A few organisations called for certain types of businesses to be exempt from the advertising measures, including charities. A range of other views were expressed on unauthorizing advertising more generally, including that the proposals could have a positive impact on consumers or that trading standards may require additional funding to enforce the legislation.

## **Ticketing**

The proposed ticket touting measures for EURO 2028 aim to strengthen those for EURO 2020. Awareness of ticket touting laws that were in place for EURO 2020 was evenly split among those who answered, with 52% aware and 48% not aware. The most common theme in open responses to this question was that there had been no impact on respondents as a result of the ticket touting laws in place for EURO 2020.

While most respondents felt they would not be impacted by the proposed ticket touting measures for EURO 2028, some highlighted positive impacts for visitors, such as reduced contact with illegal ticket touts and enhanced security.

One quarter (24%) of those who answered indicated that there are exemptions or other measures that could help manage any impacts from the suggested ticket touting measures; 43% felt there were not and one third (33%) were unsure. The few comments which elaborated on this suggested exemptions e.g. for charity auctions, while a few others left comments that aligned to the proposals. For instance, two suggested avoiding the use of intermediaries for ticket sales and two suggested preventing ticket sales on the streets and in event zones

Respondents were asked what level of penalty for ticket touting offences would be most appropriate for EURO 2028. Among those who answered, the largest proportion (39%) were unsure what level of penalty would be most appropriate. Among those who selected any of the proposed penalty levels presented as answer options, there was more support

for larger value penalties. Overall, 22% favoured a penalty of £20,000 and 17% favoured £50,000, compared to 9% supporting a £5,000 penalty and 13% a £10,000 penalty. The most prevalent theme in open comments was that the penalty should be proportionate to the amount ticket touts made, with the second most common theme being that the amount should be increased so it acts as a better deterrent.

### **Regulatory context**

Mixed views were expressed in a small number of comments about the [UEFA EURO 2028 Partial Business and Regulatory Impact Assessment](#) (BRIA) that has been published by the Scottish Government. While a small number felt it helped to contextualise the proposals, others felt more clarity was needed.

When considering how the proposed legislation might affect different groups, the most prevalent theme was that EURO 2028 may impact vulnerable groups, as concerns were expressed that these groups could be more likely to be the target of scams. Although not directly related to the proposals, some respondents commented on the cost of the event, calling for ticket prices to be kept as low as possible or affordable for local people.

Regarding the wider regulatory context for events in Scotland, there were calls for more detailed preparatory work, greater engagement and advance provision of information to small businesses, and engagement with other parts of the community who might be affected e.g. considering the safety and security of people near the vicinity of event zones. A review of relevant policy, such as the Civic Government (Scotland) Act 1982, was also suggested as part of the process of developing legislation in this area.

### **Conclusion**

The consultation highlighted general support for the proposed measures to protect commercial rights for EURO 2028. The most prevalent view was that the proposals would not have a noticeable impact on respondents and the benefits to consumers were often noted. Adequate advance planning and communication to help people prepare for, and mitigate adverse impacts, arising from the proposals for EURO 2028, and for other large events hosted in Scotland, were encouraged.

# 1. Introduction

## Background

The UEFA European Championship, the men's international football tournament held every four years, will be hosted by the UK and Ireland in 2028. The Scottish Government is discussing detailed requirements for EURO 2028 with UEFA. EURO 2028 matches would be played at Hampden Park. Hampden Park and potential fan zones at locations in Glasgow would be 'event zones' during the event. Glasgow hosted four matches at EURO 2020 with Hampden and a fan zone at Glasgow Green designated as event zones.

Large sporting events such as UEFA EUROs, Commonwealth Games and FIFA World Cup require specific legislation to protect the organisers' and sponsors' commercial rights, the event's character, integrity and high quality, and to protect spectators against unauthorised resale of tickets, also known as 'ticket touting'. To date, the Scottish Government has developed proposed commercial rights protection measures for EURO 2028 based on experience from EURO 2020 and government guarantees made to UEFA during the bidding process.

Police Scotland and officers appointed by Glasgow City Council enforced offences occurring for EURO 2020 and similar events. The proposed enforcement powers would take into account relevant previous legislation<sup>1</sup>. Penalties for committing the advertising offence for EURO 2020 were, on summary conviction, a fine up to £20,000 and on conviction on indictment, to a fine. A person convicted of ticket touting for EURO 2020, could be fined up to £5,000.

The proposed measures in the consultation focus on three main themes:

- **Unauthorised outdoor trading:** The Scottish Government proposes to take a similar approach as in EURO 2020 when unauthorised outdoor trading was prohibited in event zones when these were in operation. In addition to protecting the event's character, integrity, and high standards, this measure aims to aid the flow of people into and out of event zones by keeping walkways clear. Certain exemptions, such as in EURO 2020, could include permissions for selling newspapers, busking, and public transport services.
- **Unauthorised advertising:** Again, the Scottish Government proposes similar measures to those in EURO 2020, when unauthorised advertising, including 'ambush marketing'<sup>2</sup>, is used in the event zones at prohibited times. There were some exemptions, such as advertising to commemorate events or to publicise political or religious beliefs, causes or campaigns.
- **Unauthorised resale of tickets:** In EURO 2020, resale of tickets was prohibited both in person and online, with an exemption for charity auctions and certain

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<sup>1</sup> This includes the Glasgow Commonwealth Games Act 2008, the UEFA European Championship (Scotland) Act 2020, and the Birmingham Commonwealth Game Act 2020.

<sup>2</sup> Ambush marketing is when companies or advertisers try to capture the benefits associated with an event without the event organiser's permission.

electronic communications or the storage of data, to protect UEFA's rights and enable fair access to tickets. UEFA has indicated that Scotland did not go far enough and should be strengthened for 2028, because resale was only prohibited above face value or at a profit. UEFA has called for a complete ban on ticket resale with no exemptions at EURO 2028.

A [public consultation](#) on the proposals ran from 2 May to 26 July 2024. The consultation sought views on impacts of measures for EURO 2020, how businesses would be impacted by measures likely required for EURO 2028 and what kinds of measures and exemptions would be most appropriate. It also asked for comments about the regulatory context for events in Scotland more widely.

## **Promoting the public consultation**

The Scottish Parliament was informed of the public consultation launch via a Parliamentary Question, initiated by the Scottish Government, and answered on 2 May.

The Scottish Government also supported the launch of the consultation with a news release and social media post.

At launch, a wide range of stakeholders (including all Local Authorities, Police Scotland, other public bodies with an interest, Scottish FA and organisations representing people with protected characteristics) were contacted by the Scottish Government to invite them to contribute to the consultation and to share the opportunity with their networks. Supporting activity included a feature in EventScotland's e-Newsletter and social media channels. A reminder to participate was also issued by the Scottish Government before the consultation closed.

Supported by Glasgow Life, a communication was sent by post to registered street traders and local communities potentially affected by the proposed legislation. This included an offer to community councils for Scottish Government and Glasgow Life officials to come to one of their meetings to discuss the consultation.

Two in-person drop-in sessions were held in Glasgow. Two webinar sessions were hosted on Microsoft Teams. These sessions were also supported by Glasgow Life. Scottish Government officials also engaged with street traders in person to highlight the proposed legislation and to invite them to participate in the public consultation.

## **Respondent profile**

The consultation was aimed at street traders, media owners and other businesses who may be based in event zones and have external advertising, and people living in places where measures are likely to apply and groups who represent them. In total, 26 consultation responses were received. Most – 23 – were submitted via the online consultation platform, Citizen Space<sup>3</sup>. Three other responses were sent to the Scottish Government via email and were reviewed by the analysis team. Table 1 shows the number of each type of respondent.

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<sup>3</sup> Of those who responded via Citizen Space, four were aged 25-34, four aged 35-44, nine aged 45-59, three aged 60-74, and three did not provide age information.

**Table 1: Respondent profile**

	<b>Number of respondents</b>	<b>% of total sample</b>
Individuals	15	58%
Organisations	8	31%
Email responses	3	12%

The analysis also included notes collated from four consultation events. Two in-person events were attended by a total of 6 people, and two online events were attended by 12 people. All attendees were organisational representatives or attending in a professional capacity. In addition, a member of the Scottish Government team attended a meeting of a community council close to one of the event zones. These events were an open forum for attendees to discuss the proposals.

### **Analysis approach**

The Lines Between was commissioned to provide a robust, independent analysis of the responses to the public consultation. The main purpose of consultation analysis is to understand the full range of views expressed, and where possible using closed questions, to quantify how many respondents hold particular views. This report provides a thematic analysis of responses based on the analysis approach outlined below.

The technical nature of some of the proposals outlined in the consultation means it is impractical to fully repeat or explain these within this report. Further information on the proposals can be found in the [consultation paper](#). Similarly, full responses to the consultation, where permission for publication was granted, can be found on the [Scottish Government's consultation website](#).

### **Quantitative analysis**

The consultation included seven closed questions. Not all of the 23 respondents who responded via Citizen Space answered every question, and the responses received via email did not align with the consultation question. To compare across sub-groups, this report therefore presents the results of the closed questions **based on those who responded via Citizen Space and who answered each question**.

For clarity, each results table shows:

- The percentage response **among those who answered each question**, broken down by individual and organisation responses (white rows including and under "All answering").
- The number percentage of respondents **from the total sample** of 23 Citizen Space respondents who selected each response (grey row).

Please note that the row percentages may not add to 100% due to rounding.

### **Qualitative analysis**

Qualitative analysis identifies the key themes across responses to each question. The research team developed a draft coding framework based on a review of the consultation



questions and a sample of responses. During the coding process, new codes were created if additional themes emerged. Where a response received via email did not align with specific questions, analysts exercised judgment about the most relevant place to include this material for analysis purposes.

Notes from the consultation events were reviewed to identify any differences in opinion compared to the main sample and to identify any new themes. The themes evident in the events typically aligned with those evident in the main sample, but any additional or unique perspectives are noted in this report.

Where appropriate, quotes are included to illustrate key points and provide useful examples, insights and contextual information.

### **Limitations of the analysis**

When reviewing the analysis in this report, we would ask the reader to consider:

- Public consultations invite everyone to express their views; individuals and organisations interested in the topic are more likely to respond than those without a direct or known interest. **This self-selection means the views of respondents do not necessarily represent the views of the entire population.** This is particularly important to note given the relatively small number of responses to this consultation.
- Of the 15 individual respondents, four identified as sole traders. Four individuals also indicated they were a street trader or advertised or owned advertising space in Glasgow, including two of the sole traders. Other individual respondents may also be sole traders, but chose not to identify as such.
- Where differences between the views of individuals and organisations, or by type of organisation, were evident in qualitative responses, these have been noted. If no specific differences are highlighted then a theme was raised by a mix of respondents.
- Some respondents have possibly not fully read or engaged with the consultation paper, leading to answers which do not directly address the questions. For example, respondents often reflected on the organisation of EURO 2028 or other potential impacts which did not relate directly to the proposed measures. While all comments have been included in the analysis and all themes presented in this report, we focus on those directly answering each question.
- A few respondents repeatedly raised the same issues or suggestions at multiple questions, regardless of the specific focus of the question. These views are all included in this report, but analysts exercised judgment about the most relevant place to include each theme to avoid repetition.

### **Weight of opinion**

This report presents the themes identified in responses from most to least commonly mentioned. All themes, including views shared by small numbers of respondents, are covered; a view expressed by a very small number of participants is not given less weight than more general comments shared by a majority.

Similarly, all responses have an equal weighting. We recognise this means a response from an individual has the same weight as the response from an organisation which may represent many members, but this approach ensures all views are presented.

Qualitative analysis of open-ended questions does not permit the quantification of results. However, to assist the reader in interpreting the findings, a framework is used to convey the most to least commonly identified themes in responses to each question:

- The most/second most common/prevalent theme; most frequently identified.
- Many respondents, a prevalent theme mentioned by at least nine respondents.
- Some respondents, a recurring theme mentioned by four to eight respondents
- A few/a small number, three respondents, a less commonly mentioned theme.
- Two/one respondents; a singular comment or a view identified in two responses.

## 2. Street trading

### Introduction

The consultation paper clarifies that a ban on unauthorised outdoor street trading<sup>4</sup> was required for EURO 2020 to meet UEFA's requirements. The paper explains that these requirements intended to prevent inappropriate marketing and over-commercialisation, as well as protect the high standards associated with the event. In addition it was felt the requirements could help manage the flow of people in and out of event zones and minimise market clutter. It is proposed that measures and penalties similar to those used for EURO 2020 should apply for street trading, including for pedlars<sup>5</sup>, for EURO 2028.

The Scottish Government wished to hear views on the awareness and impact of street trading laws for EURO 2020 and on the anticipated impact of proposed measures on street trading in EURO 2028. Suggestions were also sought for any exemptions or other measures that could help manage adverse impacts from the proposed street trading measures.

### Street trading for EURO 2020

Unauthorised trading, including street trading by a non-UEFA partner, was banned in EURO 2020 event zones. Exemptions included permission for selling newspapers, busking and public transport services. The police and enforcement officers appointed by Glasgow City Council were responsible for enforcing the trading rules.

Were you aware of street trading laws put in place in event zones for EURO 2020?

**Table 2: Awareness of street trading laws in event zones for EURO 2020**

Respondent type	n= <sup>6</sup>	Yes	No	Don't know	No answer
<b>All answering (%)</b>	<b>23</b>	<b>52%</b>	<b>43%</b>	<b>4%</b>	<b>N/A</b>
Individuals	15	27%	67%	7%	N/A
Organisations	8	100%	0%	0%	N/A
- Commercial / Trade org	2	100%	0%	0%	N/A
- Other org	6	100%	0%	0%	N/A
All respondents (n=)	23	12	10	1	0
All respondents (%)	23	52%	43%	4%	0

<sup>4</sup> The consultation document notes trading was defined as the sale or offer for sale, in an open public place, of an article or service for EURO 2020.

<sup>5</sup> A pedlar is someone who trades as they travel.

<sup>6</sup> All figures in this column are numbers not percentages.

Just over half (52%) of those answering were aware of the street trading laws in place for EURO 2020; 43% were unaware and 4% were unsure. All organisations who answered were aware, compared to only one quarter (27%) of individuals.

What impact, if any, did those street trading laws have on you (as a resident, business or visitor)?

In total, 15 respondents provided answers to this question. The most common response was that there was no impact on respondents. A small number of other comments were received across various topics, with the second most prevalent theme being the impact on businesses.

### **No impact**

The most prevalent theme raised by just under two thirds of those who commented at this question was that the measures in place for EURO 2020 had no impact on the respondent. Three of the four respondents who identified as street traders, advertisers or advertising space owners also left comments to this effect. Reasons why there was no impact were rarely given by respondents, though one noted this was because EURO 2020 was not held in their authority, one commercial/trade organisation commented they had not run any events at that time, and an individual reported it was because they had not encountered any impact at the place they traded.

“The street trading laws of Euro 2020 had no impact on our local authority as the games were held our neighbouring authority.” - South Lanarkshire Council Consumer and Trading Standards

### **Impact on business**

A small number of respondents highlighted impacts on business. One organisation described actions a local authority had taken for EURO 2020 such as publishing information for street traders on their website and working with street traders impacted by the laws such as identifying alternative trading sites. It was noted that a few street traders had made enquiries for alternative trading sites.

One individual who identified as a sole trader highlighted that they had been affected, as their business could not trade at its usual designated position, with another perceiving:

“Small businesses in general find such restrictions frustrating.” - Individual

### **Unauthorised trading was felt to be minimised**

Two organisations expressed a view that unauthorised trading had been minimised for EURO 2020. British Transport Police Justice Solutions noted that other than some minor issues on ground that adjoined the London Underground, ‘rogue traders’, ‘street merchandise sellers’ or ‘ticket touts’ on the railway network were rarely encountered. They felt that they had sufficient enforcement powers through Railway Byelaws to address unauthorised trading should it occur. Advice Direct Scotland felt that limiting the number of traders in the event zone had been useful:

“Limiting the number of traders in prescribed zones and ensuring that the ones that were allowed were regulated increased accountability and minimised bad actors.” – Advice Direct Scotland’

### **Other issues**

A few other issues were raised, each by one respondent. Advice Direct Scotland felt the measures had a positive effect on consumer rights and confidence, and the Federation of Small Businesses called for proactive engagement and communication with small businesses about restrictions to ensure awareness. This latter point was endorsed by two Glasgow City Councillors who attended one of the consultation engagement events, who highlighted the opportunity for a robust communications strategy to ensure businesses and residents are well-informed about proposed legislation coming into force.

DF Concerts and Events, an organisation that regularly runs large scale greenfield and stadium events with audiences of between 30,000 – 50,000, called for the laws to be extended to all large events and the surrounding areas, a point they reiterated throughout their consultation response:

“The principals of the legislation should apply to all mass gatherings including music events.” - DF Concerts and Events

This view was also shared by an individual that felt existing, as well as new and one-off events, should be supported given the wide-ranging positive impacts on Scotland of events. They felt the government should send a “clear message” that whatever commercial and non-commercial requirements and legislative changes were required for successful event staging would be in place.

### **Proposals for EURO 2028 street trading**

The Scottish Government is discussing detailed requirements for EURO 2028 with UEFA. Measures would be expected to restrict street trading activity in the event zones. There would be an event zone around Hampden Park (using the event zone for EURO 2020 as a basis), and an event zone in part of Glasgow City centre. It is proposed that guidance would be issued for street traders and other business to help them understand and comply with the street trading measures.

What impact do you think the proposed measures on street trading in EURO 2028 event zones might have on you (as a resident, business or visitor)?

Eighteen respondents left an open comment in response to this question, with the most prevalent theme again being that they anticipated no or minimal impact from the proposed street trading measures. Most of the remaining themes described potential wider impacts of EURO 2028, rather than the impact of the proposed street trading measures. For example, the second most prevalent theme was that littering or noise could be an issue; thereafter two respondents each raised a range of issues.

## **No or minimal impact**

Half of those answering this question felt there would be no or little impact on them should the proposed street trading measures be introduced. Half of those who identified as sole traders or commercial / trade organisations commented that it would have no impact. Among these respondents, comments were generally brief, but where more detail was given there were comments that it would not affect them as a resident, that it would have no significant effect and that it would not affect them as a trader as they were about to cease trading.

## **Concerns regarding consumer rights**

Two respondents raised issues of consumer confidence and choice. Advice Direct Scotland noted the detrimental impact poor quality goods could have on the consumer experience and called for strengthened consumer rights. In addition, during one engagement event, a local authority representative anticipated an increase in efforts to counter counterfeit activities, such as fake merchandise, within their area, and felt this would be the case in other neighbouring authorities.

“Our aim is to ensure that issues with goods and services are prevented, if possible, and that they are swiftly resolved where they occur. An event such as EURO 2028 is an opportunity to strengthen trust in Scotland’s consumer landscape to residents and abroad ... Street Trading, to any extent that it occurs, must provide goods that are in good condition, as described and of suitable quality. Any deviation from this lowers trust and causes consumer detriment.” – Advice Direct Scotland

However, one individual felt the proposals would mean less choice for the consumer, though did not expand on why they perceived this.

## **Other issues**

Other comments by singular respondents included one call for the regulations to include mention of pedlar certificates due to a rise of issues associated with these. One individual felt the proposals affected them financially as a small business owner but did not explain further and one stated they would boycott the official traders as they would be overpriced.

## **Wider points about EURO 2028**

The second most prevalent theme, mentioned by a few was that the proposals might not prevent littering or noise from traders, with one individual calling for traders to be made responsible for litter caused by their sales. One individual expressed concern about people urinating in public places and at one engagement event, a community representative called for restroom facilities in Mount Florida as well as Hampden Park.

Two individuals raised concerns about the potential for overcrowding. One commented they were a regular visitor to the area near a stadium that holds major events and were aware of significant inconveniences caused to residents by the large crowds, e.g. longer commuting times to and from work.

Another perceived challenge for residents was reduced availability of parking, a view expressed by two individuals. One elaborated that residents, or their carers, would need to

find alternatives to their usual routine of parking locally and “shopping for necessities” due to parking restrictions.

At one engagement event, discussion took place regarding potential benefits of large events to businesses around George Square, including increased footfall and higher overall profits. For instance, one representative from a hotel chain highlighted a substantial increase in footfall as a result of large events. It was suggested that advance planning and providing regular updates to businesses were ways such benefits could be maximised.

## Managing adverse impacts

Do you think there are any exemptions or other measures that could be applied to help manage any adverse impacts from the proposed street trading measures?

Can you explain your answer to the above question?

**Table 3: Exemptions or other measures could be applied to manage adverse impacts**

Respondent type	n=	Yes	No	Don't know	No answer
<b>All answering (%)</b>	<b>21</b>	<b>38%</b>	<b>38%</b>	<b>24%</b>	<b>N/A</b>
Individuals	14	29%	43%	29%	N/A
Organisations	7	57%	29%	14%	N/A
- Commercial / Trade org	2	50%	50%	0%	N/A
- Other org	5	60%	20%	20%	N/A
All respondents (n=)	23	8	8	5	2
All respondents (%)	23	35%	36%	22%	9%

Views on managing adverse impacts were relatively evenly split, with 38% of those who answered expressing the view that exemptions or measures could be applied, 38% felt there could not, and one quarter (24%) unsure. While three in ten individuals who answered felt there were exemptions or measures which could be applied, organisations were more likely to believe this was the case with over half (57%) suggesting alternative approaches.

Nine respondents left a comment to explain whether any exemptions or other measures could be applied to manage adverse impacts from the proposals. Views were given across a wide range of topics; as no specific themes emerged, comments are grouped together below restrictions, measures and exemptions suggested by respondents.

### Suggested restrictions

Some respondents suggested restrictions to help manage adverse impacts from proposed street trading measures. While the proposals cover measures targeted at reducing unauthorised street trading, restrictions for such traders attracted the most comment. A few respondents called for street trading, including the unauthorised sale of tickets, to be reduced or stopped more widely, with one calling for further action in this area:

“Additional measures should be put in place to prevent Peddlers trading in zones using existing legislation across all mass events. DF Concerts would lobby for this at all outdoor events as they pose a significant crowd management risk from their presence at critical access and egress locations.” – DF Concerts & Events

One organisation highlighted that the boundary line for the event zone ran through the middle of a road and at crossroads, allowing trade to continue on the other side of the road, causing resentment among traders no longer able to trade. They suggested that consideration of the EURO 2028 boundary line should include both sides of a street. An individual also commented on the zone areas, calling for these to be away from populated residential areas. Another called for restrictions on street traders to limit inflated pricing.

### **Suggested measures**

Calls for additional measures were made by a few respondents. Advice Direct Scotland called for increased awareness raising of potential scams as well as more counter-scam initiatives and investigations into repeat offenders to minimise risk within designated zones and other areas affected by the event. The Federation of Small Businesses recommended the Scottish Government undertake further preparatory work including learning from previous events to identify potential improvements, engagement with those expected to be impacted and undertaking a comprehensive Business and Regulatory Impact Assessment (BRIA) focused on small businesses. An individual felt local businesses should be supported to retail official merchandise “at commensurate prices and with reasonable commercial return.” Another called for increased levels of public transport but did not explain why.

### **Suggested exemptions**

One individual suggested a potential exemption as they felt street trading of football regalia should be permitted as this “adds to the atmosphere”. Another individual that also identified as a trader, advertiser or owner of advertising space in Glasgow felt street traders should be left to “do their job” but did not expand as to what this meant.

### **Other issues**

At one engagement event it was felt businesses would find it useful to be informed of arrangements for EURO 2028 approximately a year in advance for adequate planning, with detailed information provided a few months before the event. This is because some business plans, for example scheduling musicians, happen well in advance and early information about EURO 2028 arrangements would help businesses make any necessary adjustments as part of their own planning. Sufficient notice and good planning were also needed to ensure access to business premises for customers and for deliveries. An example was given of significant challenges caused to one business during the Cycling World Championships event, where business disruptions caused by roadblocks forced customers to find alternative entry points, leading to a loss in footfall and deliveries had to be rescheduled for early mornings (6am) to ensure access.



### 3. Advertising

#### Introduction

To meet UEFA’s requirements, unauthorised advertising was prohibited in and around events zones when these were in operation for EURO 2020. The consultation paper sought views on introducing similar arrangements for EURO 2028. This chapter presents respondents’ views on the impact of advertising measures for EURO 2020 and potential impacts from introducing similar measures for EURO 2028.

#### Advertising measures for EURO 2020

For EURO 2020, advertising that did not have agreement from UEFA as an official sponsor was banned in and around event zones when these were in operation. Reasons for managing advertising space are the same as those for street trading restrictions. Exemptions included demonstrating support or opposition to the views or actions of any person and publicising political or religious beliefs, causes or campaigns. Certain advertising that was already in place in the event zones when the legislation came into force was also allowed to remain, to minimise the impact on business. The fine for committing the advertising offence could be up to, but not exceeding, £20,000 with police and enforcement officers enforcing the measures.

Were you aware of advertising laws put in place in event zones for EURO 2020?

What impact, if any, did those advertising laws have on you (as a resident, business or visitor)?

**Table 4: Awareness of advertising laws in event zones for EURO 2020**

Respondent type	n=	Yes	No	Don't know	No answer
<b>All answering (%)</b>	<b>23</b>	<b>39%</b>	<b>57%</b>	<b>4%</b>	<b>N/A</b>
Individuals	15	13%	80%	7%	N/A
Organisations	8	88%	13%	0%	N/A
- Commercial / Trade org	2	50%	50%	0%	N/A
- Other org	6	100%	0%	0%	N/A
All respondents (n=)	23	9	13	1	0
All respondents (%)	23	39%	57%	4%	0

Among those answering, 39% were aware of advertising laws in event zones for EURO 2020; lower than the 52% who were aware of street trading laws. Over half (57%) were unaware and 4% unsure. Awareness was higher among organisations who answered, with 88% of organisations aware compared to just over one in ten (13%) individuals.

A comment was left by 17 respondents on the impact of advertising measures. Again, the most prevalent view, mentioned by some respondents, was that there had been no or minimal impact. Views expressed in other comments did not directly answer the question;

instead potential impacts from measures to be introduced for EURO 2028 were put forward. These views are incorporated in the analysis of the next question.

### **Proposed advertising measures for EURO 2028**

For EURO 2028 the Scottish Government proposes to apply advertising measures and penalties similar to those used for EURO 2020. Views were sought on what impact this might have.

What impact do you think the proposed measures on advertising in EURO 2028 event zones might have on you (as a resident, business or visitor)?

Seventeen respondents answered this question. Again, the most prevalent theme was some respondents perceiving no or minimal impact, with no explanations given.

### **Impact on businesses**

The second most prevalent theme, raised by a few respondents, was the potential impact on businesses of the proposed advertising measures. The main concern expressed was that the measures could impact the ability of businesses to advertise. For instance, DF Concerts & Events highlighted a restriction on advertising could impact their ability to run events effectively.

“We have headline sponsors i.e. Rockstar Energy presents TRNSMT and many other sponsors such as Three, Bacardi, McDonalds, who are vital to the successful running of our events held across Glasgow Green and Bellahouston Park in June and July each year. If we were to be restricted on the event signage and branding we have up across the city via digital screens in stations, roadsides, posters, or at our event spaces, it will have a detrimental impact on the ability for our events to run.” - DF Concerts & Events

One individual, however, felt the impact on small businesses would be minimal.

Another organisation highlighted that more resources could potentially be required for trading standards to ensure the measures are enforced. A participant at an engagement event with experience as a local authority enforcement officer suggested that practical examples in guidance could be provided for businesses to help them understand what they can and cannot do.

During one of the engagement events, other events coinciding with EURO 2028 were mentioned, such as TRNSMT, and the activation strategy for these was queried. It was noted in the event that discussions aimed at supporting annual events in Glasgow alongside EURO 2028 are ongoing.

## Other issues

Advice Direct Scotland felt the proposals are likely to have a positive impact on consumers:

“We anticipate that the proposed measures will have a significant positive effect on consumer experiences. The removal of advertisements that lead to consumer issues will boost consumer confidence and minimise detriment. The targeting of ambush advertising will also reduce the risk of scams and poor goods and services. The regulation of advertising will ensure that whatever organisations can advertise are accountable to consumers.” – Advice Direct Scotland

Other comments were given by a few. Two respondents, including a community representative attending an engagement event, were concerned about the potential loss of business for traders away from the event zones as they would be unable to advertise in the zones to those attending the EUROS or be prevented from advertising in their usual advertising locations. Another expressed a view that the event was “all about money and nothing to do with local businesses”. However, one respondent – also an individual – expressed their satisfaction with the proposals.

## Managing adverse impacts

Do you think there are any exemptions or other measures that could be applied to help manage any adverse impacts from the proposed advertising measures?

Can you explain your answer to the above question?

**Table 5: Exemptions or other measures could be applied to manage adverse impacts**

Respondent type	n=	Yes	No	Don't know	No answer
<b>All answering (%)</b>	<b>21</b>	<b>19%</b>	<b>52%</b>	<b>29%</b>	<b>N/A</b>
Individuals	15	7%	60%	33%	N/A
Organisations	6	50%	33%	17%	N/A
- Commercial / Trade org	2	50%	50%	0%	N/A
- Other org	4	50%	25%	25%	N/A
All respondents (n=)	23	4	11	6	2
All respondents (%)	23	17%	48%	26%	9%

One in five (19%) of those who answered this question indicated there could be ways to manage adverse impacts from the proposed measures; this was lower than the 38% who felt this was the case in relation to street trading laws. Just over half (52%) did not believe there are appropriate exemptions or other measures and 29% were unsure. While half of organisations indicated there could be mitigating approaches, only 7% of individuals felt the same with one third of individuals who answered being unsure.

Nine respondents left wide-ranging comments to explain their answer as to whether exemptions or other measures could be applied to manage adverse impacts from the proposed advertising measures.

### **Exemptions should be possible for certain businesses**

A few organisations called for certain types of businesses to be exempt from the advertising measures. One organisation felt charities should be exempt as this would “allow charitable acts to be performed without compromising the curtailment of scams and ambush advertising”. Another felt allowing advertising in the communities near to events zones, such as in shop windows, would help strike a balance between protecting UEFA advertising rights and ensuring there was a “community feel” to the hosting of the event. DF Concerts and Events requested an exemption in recognition of the role they played driving tourism and in the absence of sufficient budget to allow them to become an official sponsor of EURO 2028.

### **Other issues**

One individual felt demonstrations should be exempt from the advertising measures while another felt people should be able to operate without restrictions.

One respondent felt those authorised to advertise should be supported to maximise their income. They also called for ambush marketing restrictions to be extended to all events and emphasised the importance of digital information and communication:

“If ambush marketing provisions are important / sensible for the EUROs, they should be in place for all events – to protect all events commercial rights. If the current law is insufficient to protect commercial rights or events, governing bodies, teams, clubs – then change now to cover the EUROs and leave those protections in place for a better event sector future. Digital information and communication, including social media – can be used as a significant platform for ambush marketing, unauthorised advertising, merchandise trading – these areas should be specifically looked at regarding our (Scottish Government) desire to protect the rights of event promoters.” - Individual

# 4. Ticketing

## Introduction

The consultation paper clarifies that UEFA is the only authorised seller of EUROs tickets. It notes that in the past UEFA has operated its own platform for the resale of tickets for those who had purchased tickets but could not use them and wished to sell them at face value.

## EURO 2020 restrictions on ticket sales

Selling tickets for a profit – or ‘ticket touting’ – was banned, both for in person and online sales, for EURO 2020. Measures were intended to protect UEFA’s rights, support fair access to tickets and help ensure public confidence in the event. Exemptions included for charity auctions and certain electronic communications or the storage of data.

Were you aware of ticket touting laws put into place for EURO 2020?  
 What impact, if any, did those measures have on you (as a resident, business or visitor)?

**Table 6: Awareness of ticket touting laws in event zones for EURO 2020**

Respondent type	n=	Yes	No	Don't know	No answer
<b>All answering (%)</b>	<b>23</b>	<b>52%</b>	<b>48%</b>	<b>0%</b>	<b>N/A</b>
Individuals	15	27%	73%	0%	N/A
Organisations	8	100%	0%	0%	N/A
- Commercial / Trade org	2	100%	0%	0%	N/A
- Other org	6	100%	0%	0%	N/A
All respondents (n=)	23	12	11	0	0
All respondents (%)	23	52%	48%	0%	0%

Awareness of ticket touting laws that were in place for EURO 2020 was evenly split among those who answered this question, with 52% aware and 48% not aware. All organisations who answered were aware of the previous laws, compared to 27% of individuals.

Open comments were provided by 17 respondents. The most frequently mentioned theme was that there had been no impact, with a small number of other comments.

### No impact

Ten respondents commented there had been no impact on them as a result of the ticket touting laws in place for EURO 2020. Only one expanded their comment – an organisation who clarified that there had been no impact on them as the police had been responsible for enforcing the law.

### Other issues

A small number of other comments were received on the topic of ticket touts, though these comments did not relate directly to the proposals. For instance, the British Transport Police

observed that due to the electronic sale of tickets for EURO 2020, fewer touts had operated. They suggested this approach be replicated for EURO 2028, noting:

“This reduced the risk of criminality on our jurisdiction as well as calls to service (i.e. for touts congregating at or blocking entrances).” - Justice Solutions, British Transport Police

However, Advice Direct Scotland highlighted their consumer advice service had received contacts regarding the touting of tickets for EURO 2020. They felt a “fertile ground for fake tickets” was created by the demand for tickets, alongside the urgency placed on getting them. They identified difficulties achieving suitable remedies for consumers who had bought tickets from touts. They felt the market for touted tickets “remains prevalent to this day” and called for efforts to raise consumer awareness and prevent tickets being touted.

One individual felt that selling tickets for a profit should be allowable given other commercial products could be sold for a profit.

### **Proposed EURO 2028 restrictions on ticket sales**

UEFA has suggested the measures used for EURO 2020 did not go far enough and should be strengthened for 2028. They have expressed a preference for all unauthorised resales, including tickets sold at face value, to be banned, and that it does not include a charity exemption or any other exemption.

What impact do you think the proposed measures on ticket touting for EURO 2028 might have on you (as a resident, business or visitor)?

A total of 18 respondents commented on the perceived impact of the proposed measures on ticket touting for EURO 2028.

#### **No impact**

Seven respondents felt there would be no impact on them arising from the proposals on ticket touting. Two were traders - one a sole trader, the other an organisation trading across Scotland. None of these respondents expanded upon their answer.

#### **Positive impact for visitors**

Some respondents highlighted positive impacts for visitors, the second most prevalent theme. For instance, individuals felt benefits would include not being harassed by ticket touts, avoiding the inadvertent purchase of unauthorised tickets and preventing needless travel to events due to having bought an unauthorised ticket. One individual felt the proposals might make it easier to buy tickets but did not give further details. DF Concerts & Events called for a consumer law to be introduced that banned ticket touts across all industries including sports and music events.

#### **Satisfaction with the proposals**

Two individuals agreed with the proposals, with one stating: “It’s the right thing to do”, though the other did not give further explanation.

## Comments on ticket resale

Although comments were not directly related to the question, a few respondents raised the issue of ticket resales. One noted likely demand for tickets and felt the incentive to resell was therefore high. They cited UEFA EURO 2024 championships where ticket resales rose to over £10,000 in some cases, causing detriment to consumers and increased resources for scammers to repeat their scams. While they called for strict measures to counter such activity, they also noted that some deterrents such as exclusive codes and non-transferable methods could also reduce the practicality of reselling tickets by legitimate means.

One organisation called for clarification as to whether there would be a resale platform, noting this would help avoid empty seats within the stadium. One individual felt ticket resales should be managed by a UEFA controlled transfer system rather than a resale platform. This could work by having the ticket buyer designating the invited buyer on a digital system, then providing their contact details so the ticket can be transferred once checks have been run. One individual felt it should be possible to sell tickets at face value but not for a profit.

“With tickets being produced and distributed electronically, UEFA can prevent significant profiteering by implementing controls at point of purchase and points of ticket distribution and transfer between buyers and users. Buyers can be required to submit names and contact details of all ticket users, transfers can be “controlled” by UEFA ticketing system and therefore transfers, and the initial purchase, can be blocked or cancelled and the tickets resold. Of course, this requires investment in tech and resources, however it will prevent abuse and protect the commercial rights. UEFA can relatively easily introduce a ticket transfer system that includes bank details / payment details between original buyers and secondary buyers.” - Individual

## Managing adverse impacts

Do you think there are any exemptions or other measures that could be applied to help manage any adverse impacts from the proposed ticket touting measures?

Can you explain your answer to the above question?

**Table 7: Exemptions or other measures could be applied to manage adverse impacts**

Respondent type	n=	Yes	No	Don't know	No answer
<b>All answering (%)</b>	<b>21</b>	<b>24%</b>	<b>43%</b>	<b>33%</b>	<b>N/A</b>
Individuals	14	14%	43%	43%	N/A
Organisations	7	43%	43%	14%	N/A
- Commercial / Trade org	2	50%	50%	0%	N/A
- Other org	5	40%	40%	20%	N/A
All respondents (n=)	23	5	9	7	2
All respondents (%)	23	22%	39%	30%	9%

Overall, one quarter (24%) of those who answered indicated that there are exemptions or other measures that could help manage any impacts from the suggested ticket touting measures; 43% felt there were not and one third (33%) were unsure. Views were relatively equally split among organisations who answered, with 43% indicating there were other measures and 43% that there were not, with 14% unsure. However, among individuals 14% answered yes compared to 43% answering no and 43% who were unsure.

In total, nine respondents left a comment to explain their answer to help manage adverse impacts from the proposed ticket touting measures. However, while two respondents made suggestions for exemptions, other comments aligned with the proposals.

### **Suggested exemptions**

Advice Direct Scotland felt selling tickets by auction for charitable purposes should be exempt from the measures to prevent ticket touting as the intention behind this was positive and did not involve illicit profiting from resales. They suggested:

“The removal of a profit motive will curtail the common incentive for ticket resale. The regulation of charity work will mitigate the risks of this exemption and will not mislead the public about resales.” – Advice Direct Scotland

An individual suggested locally based ticketing or hospitality firms should be offered the ability to become authorised ticket resellers or distributors to “continue to service their traditional local markets”.

Another respondent felt that an exemption should be made for people who wished to sell tickets they had purchased, though it was not clear if they meant separately from the official UEFA resale platform as no further detail was provided.

### **Other issues**

A few respondents left comments that aligned to the proposals. For instance, two suggested avoiding the use of intermediaries for ticket sales and two suggested preventing ticket sales on the streets and in event zones.

Conversely, one individual felt the proposals were unfair and that they should be allowed to buy and sell tickets for a profit.

### **Level of financial penalty**

The consultation paper set out that, for EURO 2020, a person convicted of a ticket touting offence was liable on a summary conviction to a fine not exceeding level 5 on the standard scale, up to £5,000. Views were sought on increasing the maximum fine for those convicted of a ticket touting offence, taking into account the greater potential to make a significant profit at scale using the internet and smartphones. The proposed options for a maximum fine were £5,000, £10,000, £20,000, £50,000 or don't know.



Which level of penalty for ticket touting offences do you think would be most appropriate for EURO 2028? Why?

**Table 8: Most appropriate level of penalty for ticket touting offences**

Respondent type	n=	£5,000	£10,000	£20,000	£50,000	Don't know	No answer
<b>All answering (%)</b>	<b>23</b>	<b>9%</b>	<b>13%</b>	<b>22%</b>	<b>17%</b>	<b>39%</b>	<b>N/A</b>
Individuals	15	13%	13%	20%	20%	33%	N/A
Organisations	8	0%	13%	25%	13%	50%	N/A
- Commercial / Trade org	2	0%	0%	50%	0%	50%	N/A
- Other org	6	0%	17%	17%	17%	50%	N/A
All respondents (n=)	23	2	3	5	4	9	0
All respondents (%)	23	9%	13%	22%	17%	39%	0%

Among those who answered this question, the largest proportion – 39% – were unsure what level of penalty would be most appropriate. This was the most common answer among both individuals (33%) and organisations (50%) who answered. Among those who selected any of the proposed penalty levels presented as answer options, there was more support for larger value penalties. Overall, 22% favoured a penalty of £20,000 and 17% favoured £50,000, compared to 9% supporting a £5,000 penalty and 13% a £10,000 penalty. No organisations who answered felt a £5,000 penalty was appropriate.

Open comments were given by 14 respondents. The most prevalent theme was that the penalty should be proportionate to the amount ticket touts made, with the second most common theme being that the amount should be increased so it acts as a better deterrent.

### **Penalties should be proportionate**

The penalty should be proportionate to the situation or amount made by ticket touts, according to some respondents who opted for fine levels of either £10,000 or £20,000. British Transport Police Justice Solutions preferred the lower of these, highlighting that the higher penalties would likely be unaffordable for low level ticket touts and would be disproportionate compared to other offences or fines.

### **The penalty should act as a deterrent**

A few individuals felt the penalty should be greater than £5,000 to act as a better deterrent for ticket touts. These respondents varied in the level of fine they preferred, and ranged from £10,000 to £50,000. The individual who opted for £50,000 felt this was only feasible if the level was widely publicised and enforced. Another individual agreed, also suggesting £50,000 was an appropriate level that would act as an effective deterrent:

“Of the numbers proposed I would support £50,000 and it should be at least equal to other EURO 2028 territories. Offences out with Scotland relating to Scotland matches should be similarly treated and vice versa. Jurisdiction is important to avoid offshore offences having little deterrence or punishment. Fines should not be capped and should be the greater of £50,000 or a multiple of the estimated commercial gain being sought or achieved by the tout, and or at least include all unlawful gains made by that tout.” - Individual

### **Other suggestions**

Advice Direct Scotland advocated a fine of £20,000, calling for this to be paired with clear public information and additional preventative activity. This included clearly indicating proper channels for the sale of tickets and making them secure against reselling, noting:

“The use of electronic and non-resalable tickets in the recent EURO 2024 championship minimised the ability to tout and made scam tickets much easier to identify.” - Advice Direct Scotland

Another organisation queried how many ticket tout offences were committed during EURO 2020 and what the penalties had been, noting penalties were only useful if offences were prosecuted.

Two individuals felt there should be no fine; one felt it was not illegal to sell tickets for a profit and another felt the level of fine did not matter as people would still try to tout tickets regardless.

## 5. Other considerations

The consultation also sought views about how the proposals may impact on different groups, including views on a [UEFA EURO 2028 Partial Business and Regulatory Impact Assessment](#) (BRIA) that has been published by the Scottish Government.

Do you have any feedback on the partial Business and Regulatory Impact Assessment published alongside this survey?

Six respondents provided views on the partial Business and Regulatory Impact Assessment, though most did not directly answer the question.

DF Concerts & Events called for greater clarity regarding the proposals, noting it was difficult to give a clear response to the consultation until the “location, proximity or duration” of restrictions had been determined. They called for further consultation once these options had been formally identified. This organisation preferred Option 3 of the BRIA, which was also the Scottish Government’s preferred option - bespoke EURO 2028 legislation that was proportionate and limited.

“Option 3 of the Business and Regulatory Impact Assessment has the best outcome, however there are parts of it which are fundamentally wrong. For UEFA to come and operate in the city and have such pulling power over the spaces in which small, medium, and large local businesses rely on for them to be told they can no longer utilise these is wrong. The Scottish Government needs to consider local businesses when creating these legislations and remember that this will have a substantial impact on them if they are not able to operate as normal.” - DF Concerts & Events

Conversely, the BRIA was felt useful in contextualising the proposals by Advice Direct Scotland. However, they also highlighted the importance of maintaining consumer trust.

“The assessment was a useful tool for summarising the proposals, why they have been put forward and comparing them to alternative options. We believe that this better contextualises the proposals and their intended effect. However, as an advice organisation, we believe that the primary assessment required is the benefit to consumers affected by the regulations. As discussed in this response, consumer trust is essential to maintain, especially in the context of an international event. We are also keen to ensure that no scam advertising targeting vulnerable people is given a platform at this event. We have seen scammers use tent-pole events to market scam products and services, using popularity as a sales pressure and false sense of security” – Advice Direct Scotland

In what ways, if any, do you think the proposed legislation would affect some groups of people differently than others? This might be based on where people live, their socioeconomic status or their protected characteristics.

Eight respondents left comments regarding whether the proposals would affect some groups of people differently than others.

## Impact on vulnerable people or disabled people

The most prevalent theme was that EURO 2028 may impact vulnerable people or disabled people. A few respondents noted possible impact on vulnerable groups, such as older or isolated people, or disabled people. One organisation noted these groups were more likely to be the target of scams. They proposed that:

“Targeted support and protection measures be targeted to the most vulnerable people and their safety be prioritised.” – Advice Direct Scotland

Two individuals also felt that there could be an issue for disabled people. One felt signage for disabled people may be considered as unofficial advertising and that this should be avoided. Another suggested, though not directly related to the proposals, that sufficient tickets should be made available to disabled people or carers, so they were not disadvantaged in attending.

### Keep tickets affordable

Although not directly related to the proposals, some respondents commented on the cost of the event for people, calling for ticket prices to be kept as low as possible or affordable for local people. One individual suggested this could reduce the potential for “contempt within groups living in poverty in the city” while another felt funding would be better spent tackling poverty in the city. This latter individual also asked if people in Glasgow had been consulted over whether the event should be held there.

One suggestion was that lower priced tickets could be made available for those who would not otherwise be able to afford them and that these should be prevented from being resold for profit through various measures. These could include restricting the number of tickets that can be bought, ensure the buyer plans to attend, obtaining contact details and undertaking ID checks. Another made a wider point that if tickets could not be resold for a profit, then commercial operators should also be limited in what they could charge to prevent overcharging.

Do you have any further comments about the regulatory context for events in Scotland? In your response you may wish to reflect on how Scotland can maintain its reputation for hosting events.

The final question asked for any further comments on the regulatory context for events in Scotland, generating comments from 13 respondents. Again, comments were not always in relation to the regulatory context, but addressed wider issues relating to either EURO 2028 or events hosted in Scotland more generally. No clear themes emerged and a range of views were provided, most of which have already been addressed earlier in this report. Additional points are noted below.

## More preparation is required

Two organisations called for more preparatory work for events, including the Federation of Small Businesses who highlighted that small businesses often struggle to participate in written consultations and called for more creative means of engagement and lead in time and information to support their engagement and preparation. One individual believed the best way to encourage events to be hosted in Scotland was for maximum engagement across all sectors of the community, while another highlighted the need to consider safety and security of people near the vicinity of event zones, based on previous experience of incidents arising at football events.

“Protect events commercial interests by enabling and encouraging Scotland’s businesses to commercially share in that success.” – Individual

Festivals Edinburgh felt the context for events in Scotland could be improved by:

- Reinstating multi-agency groups that had been co-ordinated by the Scottish Government during the pandemic for signature events, as these were felt to have been useful.
- Learning from their work with Dr Beatriz Garcia on best practice in effective events governance.
- Examine the 28-day planning rule for temporary structures to determine if this takes sufficient account of the construction and demounting of event infrastructure.
- A review of the initial operation of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 to determine its impact, with a particular focus on lets of residents’ primary residences rather than the letting of people’s secondary houses.
- Reviewing the Civic Government (Scotland) Act 1982 to determine if changes to the current licensing arrangements that affect events are required:

“One area of specific interest should be the possible introduction of multi-year licensing supported by annual inspections which could replace the current annual licensing process which, by requiring the submission of the substantially similar paperwork each year, seems inefficient, causes unnecessary bureaucracy, and disproportionately impacts smaller operators. Some local authorities have advised that multi-year licences cannot be considered under the current 1982 Act and would require Scottish Government to bring forward legislation to make this possible.” - Festivals Edinburgh

## Other issues

Singular responses to this question covered multiple issues and included the following:

- Adequate facilities such as toilets and cleaning operatives should be in place.
- Ensure improved vehicular access for local residents and businesses compared to EURO 2020.
- Increase public transport, particularly in the evenings and to rural areas.

- Extend financial or advertising support to other major events, to help offset the financial risk posed to commercial event organisers.
- Consumer rights should be central to discussions on the regulation of goods and services for events, to ensure consumer trust is strong and redress is straightforward.
- Improve enforcement efforts to ensure tickets are not sold for a profit and to sell them only to named individuals with appropriate identification.

## 6. Conclusions

Reflecting on the experience and perspectives of respondents, this report provides a summary of views on proposed legislation governing EURO 2028 commercial rights protection. Responses often incorporated wider aspects of event management and these were included in the analysis. For more detail, readers are encouraged to look to individual responses where permission was given for publication.

The most prevalent view was there had been no or minimal impact from the street trading restrictions for EURO 2020. Similarly for EURO 2028 the most prevalent theme was there would be no or minimal impact. A few respondents highlighted potential impacts on businesses, such as the need to provide information and guidance on the measures or having to relocate temporarily. Potential positive impacts included minimised unauthorised trading and improved consumer rights and confidence. One organisation asked for the regulations to include mention of pedlar certificates due to a rise of issues associated with these. There was no consensus as to whether any exemptions or other measures should be applied to help manage adverse impacts of street trading. More broadly, respondents called for advance planning and regular updates to assist businesses prepare for EURO 2028.

Fewer respondents were aware of advertising restrictions associated with EURO 2020 than for street trading restrictions. Again, the predominant view was that these same measures would have no impact for EURO 2028, with impacts on businesses such as restricting their ability to advertise being the second most prevalent theme. Just over half of respondents did not feel there were appropriate exemptions or other measures that should be applied. However, calls were made to exempt certain businesses, such as charity or community advertising.

The most common view was that ticket touting laws for EURO 2020 had no impact on respondents, with respondents most likely to feel the same would be the case if similar ticket touting proposals are used for EURO 2028. However, some highlighted positive impacts for visitors arising from the proposals being implemented, such as visitors having less contact with ticket touts or inadvertently buying unauthorised tickets. Some suggested exemptions such as for tickets sold for charitable purposes. There were mixed views around which level of penalty for ticket touting offences was most appropriate. Most commonly uncertainty was expressed around the level of financial penalty that would be appropriate. Though higher penalties were more likely to be supported than lower penalties, some felt the penalty should be proportionate to the situation or amount made by ticket touts and a few felt the penalty should be publicised and act as a deterrent.

Additional comments were received on the current partial Business Regulatory Impact Assessment and on groups that might be impacted by the proposals, such as older or disabled people being the potential target for scams and those in lower socio-economic groups being unable to afford to attend the events. In relation to the broader regulatory context of events in Scotland, there were calls for more preparatory work including engaging and providing information to stakeholders and groups that may be affected, and to review legislation around the governance of events to ensure it is fit for purpose.

# Appendix A: Organisations responding to the consultation

The eight organisations who responded to the consultation were:

Advice Direct Scotland

Justice Solutions, British Transport Police

DF Concerts & Events

Federation of Small Businesses

Festivals Edinburgh

Glasgow City Council

Rox

South Lanarkshire Council Consumer and Trading Standards



# Appendix B: Consultation questions

## Street trading

Were you aware of street trading laws put in place in event zones for EURO 2020?

[Closed question – answer options: Yes/No/Don't Know]

What impact, if any, did those street trading laws have on you (as a resident, business or visitor)?

What impact do you think the proposed measures on street trading in EURO 2028 event zones might have on you (as a resident, business or visitor)?

Do you think there are any exemptions or other measures that could be applied to help manage any adverse impacts from the proposed street trading measures?

[Closed question – answer options: Yes/No/Don't Know]

Can you explain your answer to the above question?

## Advertising

Were you aware of advertising laws put in place in event zones for EURO 2020?

[Closed question – answer options: Yes/No/Don't Know]

What impact, if any, did those advertising laws have on you (as a resident, business or visitor)?

What impact do you think the proposed measures on advertising in EURO 2028 event zones might have on you (as a resident, business or visitor)?

Do you think there are any exemptions or other measures that could be applied to help manage any adverse impacts from the proposed advertising measures?

[Closed question – answer options: Yes/No/Don't Know]

Can you explain your answer to the above question?

## Ticketing

Were you aware of ticket touting laws put in place for EURO 2020?

[Closed question – answer options: Yes/No/Don't Know]

What impact, if any, did those ticket touting laws have on you (as a resident, business or visitor)?

What impact do you think the proposed measures on ticket touting for EURO 2028 might have on you (as a resident, business or visitor)?

Do you think there are any exemptions or other measures that could be applied to help manage any adverse impacts from to the proposed ticket touting measures?

[Closed question – answer options: Yes/No/Don't Know]

Can you explain your answer to the above question?

Which level of penalty for ticket touting offences do you think would be most appropriate for EURO 2028?

- £5,000
- £10,000
- £20,000
- £50,000
- Don't know

Why?

### **Impacts**

Do you have any feedback on the partial Business and Regulatory Impact Assessment published alongside this survey?

In what ways, if any, do you think the proposed legislation would affect some groups of people differently than others? This might be based on where people live, their socioeconomic status or their protected characteristics.

### **Other mega events and events more generally**

Do you have any further comments about the regulatory context for events in Scotland? In your response you may wish to reflect on how Scotland can maintain its reputation for hosting events.



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