

POLICY NOTE

The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 31) Regulations 2021

SSI 2021/262

The above instrument was made in exercise of the power conferred by paragraph 1(1) of schedule 19 of the Coronavirus Act 2020. The instrument is subject to made affirmative procedure by virtue of paragraph 6(3) of schedule 19 of the Act.

These Regulations amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 to reduce the required physical distances to be maintained between persons within the premises of the Renaissance Club, North Berwick for the period of the abrdn Scottish Open, which is scheduled to start on 8 July and end 11 July 2021 (or 12 July in the event play cannot be completed on the 11 July). These regulations also make a minor amendment to provisions relating to stadia and live events: a local authority will only be required to notify the Scottish Ministers of an application for an exemption on capacity in Levels 0, 1 or 2 when directed to do so by the Scottish Ministers. These regulations also remove the area of Blackburn with Darwen Borough Council in England from the list of areas to which the common travel area restrictions apply.

Legislative background

1. The UK Coronavirus Act 2020 received Royal Assent on 25 March 2020. Under that Act, the Scottish Government made regulations (in force from 26 March 2020) to implement physical distancing and impose restrictions on gatherings, events and operation of business activity. From 14 September 2020 they were replaced by the Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020. From 9 October 2020 those Regulations were suspended and replaced by the Health Protection (Coronavirus) Restrictions and Requirements) (Additional Temporary Measures) (Scotland) Regulations 2020. A new levels-based approach was introduced on 2 November 2020, when the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 (“the principal regulations”) came into force and revoked the previous regulations.

Policy Objectives

Physical distancing at the abrdn Scottish Open, 8 – 11 July 2021

2. These Regulations amend schedules 1, 2 and 3 of the principal regulations to reduce the distances required to be maintained between persons in the premises of the Renaissance Club, North Berwick for the period of the abrdn Scottish Open, which is scheduled to start on 8 July and end 11 July 2021 (or 12 July in the event play cannot be completed on the 11 July).

3. These Regulations reduce physical distancing requirements within the premises of the Renaissance Club during the period of the abrdn Scottish Open to 1 metre, except within two spectator grandstands where the physical distancing requirement is reduced to 1.5 metres.

4. The abrdn Scottish Open has been designated a flagship event by the Scottish Government. This designation is intended to enable a small number of internationally significant events to take place in 2021, with appropriate covid-19 mitigations in place. Delivery of flagship events aligns with ‘Scotland The Perfect Stage’¹ (Scotland’s events strategy) and supports longer-term recovery for the sector from COVID-19. Further information about flagship events, and the considerations and criteria used to determine whether an event should enter the flagship events gateway process, is available in the Scottish Government’s Events Sector Guidance.²

Stadia and Live events

5. These Regulations make a minor amendment to Part 4 (restrictions on stadia and live events) in each of schedules 1, 2 and 3. Local authorities will only be required to notify the Scottish Ministers of an application for an exemption on capacity in Levels 0, 1 or 2 when directed to do so by the Scottish Ministers, instead of such notification requirement applying to every capacity exemption application received by a Local Authority.

Common Travel Area

6. These Regulations amend schedule 7A of the principal regulations to remove the area of Blackburn with Darwen Borough Council from the list of places in the Common Travel Area (CTA) from which travel to and from Scotland is not permitted without a reasonable excuse.

7. These changes are being made due to changes to the epidemiological position for those areas.

Consultation

8. There has been no public consultation in relation to this instrument.

Impact Assessments

9. No impact assessments are required. The provisions are also subject to strict obligations on the Scottish Government to review their necessity.

Scottish Government
Directorate for Covid Coordination
7 July 2021

¹ [Supporting Events in Scotland | VisitScotland.org](https://www.visitScotland.org)

²² [Coronavirus \(COVID-19\): events sector guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot)