
BERWICKSHIRE AREA PARTNERSHIP

Report by Executive Director & Service Director Assets & Infrastructure

JIM CLARK RALLY 2019 PUBLIC CONSULTATION PROCESS

6 JUNE 2019

1 PURPOSE AND SUMMARY

- 1.1 This report provides the Area Partnership and the local community an opportunity to consider and comment on the proposals submitted by event organisers of the Jim Clark Rally to hold a rally on closed roads in Berwickshire on 8 and 9 November 2019.**
- 1.2 Revised legislation has been introduced to allow motor sports events to take place on closed public roads. The new regulations build upon previous experience through the Jim Clark Rally and other events and are intended to introduce increased rigor to the procedure for organising and running such events.
- 1.3 The new regulations introduce a two stage procedure where organisers must first successfully apply to an "authorised body" for a permit before applying to the local roads authority for a Motor Sports Order.
- 1.4 In determining whether to make a motor sports order Scottish Borders Council, as local roads authority, must consider a number of factors that are laid out in the regulations. This report outlines those factors and provides an opportunity to, in particular, examine the proposals submitted by the rally organisers in respect of the routes and timings for the rally on 8 and 9 November 2019.

2 RECOMMENDATIONS

- 2.1 I recommend that the Area Partnership:-**
 - (a) Notes the introduction of the new legislation and the application by organisers of the Jim Clark Rally to run an event on the 8th and 9th November.**
 - (b) Makes known any comments it has about the proposal to run an event and/or the proposed routes and timings for that event**

3 BACKGROUND

- 3.1 From 1996 through to 2014 the Jim Clark Rally has taken place annually on closed roads in the Berwickshire area. The legislation that allowed this to take place was the Scottish Borders Council (Jim Clark Memorial Rally) Order Confirmation Act 1996.
- 3.2 Following the tragic events at the 2014 Jim Clark Rally a Motor Sport Event Safety Review Group was set up to determine how such events might be made safer in the future. This, along with the findings of the Fatal Accident Inquiry carried out into the 2014 event, has led to more robust procedures and new legislation being put in place for all motor sport events going forward.
- 3.3 The Motor Sport on Public Roads (Scotland) Regulations 2019 came into force on 17 April 2019 and revoke the previously used 1996 Act that is discussed in 3.1 above. The new regulations introduce increased rigor to the planning process and aims to reduce the likelihood of a repeat of the tragic events of 2014. They introduce a two stage procedure where organisers must first successfully apply to an "authorised body" for a permit before applying to the local roads authority for a Motor Sports Order. The latter procedure must be completed at least 6 months prior to an event taking place.
- 3.4 In determining whether to make a Motor Sports Order roads authorities must consider:
 - the likely impact of the event on the local community;
 - potential local economic and other benefits
 - and any other matters that it considers relevant.
- 3.5 The new legislation also states that the roads authority may make the Motor Sports Order if it is satisfied that:
 - adequate arrangements have been made to allow the views of the local community to be taken into account
 - adequate arrangements have been made to involve local residents, the police and other emergency services in the planning and implementation of the event
 - adequate public safety arrangements have been or will be made for the event, and
 - adequate traffic management arrangements have been or will be made for the event.

4 CURRENT POSITION

- 4.1 The organisers of the Jim Clark Rally have successfully applied for a permit and have lodged an application with Scottish Borders Council seeking a Motor Sports Order (within the specified 6 month period required to allow consideration) to undertake an event on Friday 8th & Saturday 9th November 2019. It should be noted however that the event organisers have prior to submitting the application been in detailed consultation with representatives of Scottish Borders Council and Police Scotland through the established Safety Advisory Group (SAG) system that is in place at the Council.

- 4.2 The SAG process is separate from the operational management of an event. SAG meetings are a multi-agency forum normally made up of Police Scotland, Scottish Fire & Rescue Service, Scottish Ambulance Service and Scottish Borders Council representatives along with event promoters and organisers. The main purpose of SAG is to assist event organisers in planning their events, with the specific aim of ensuring the safety of the public.
- 4.3 As part of the process of satisfying itself on the first two bullet points of section 3.5 above, the Council has launched a public consultation, available online via <https://scotborders.citizenspace.com/>. The online consultation will close on 28 June. In addition to this Council officers are in attendance at the Berwickshire Area Partnership on the 6 June to discuss the event plan, including the proposed routes and timings.
- 4.4 As for previous events the organisers of the Jim Clark Rally will be contacting separately those residents who are directly impacted by the routes. They have also intimated that they will have a stand at Duns Show on 3rd August 2019. The purpose of which will be to publicise the rally, to distribute flyers and be available to answer questions from the public.
- 4.5 It is recommended that the Area Partnership notes the new legislation and the requirement for the Council to consult on the proposals submitted by the Rally Organisers. The committee should consider the routes and timings proposed by the Rally Organisers attached at Appendix A to F and provide any comments or questions on these for consideration as the Council assess whether or not to issue a Motor Sports Order.

5 IMPLICATIONS

5.1 Financial

There are no direct costs attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

If the Council does not provide the opportunity for the local community to comment on proposals it will not be in a position to satisfy itself that the event organisers are meeting the requirements laid out in the Motor Sport on Public Roads (Scotland) Regulations 2019.

5.3 Equalities

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

5.4 Acting Sustainably

There are no economic, social or environmental effects directly linked to the recommendations within this report.

5.5 Carbon Management

The recommendations within this report will have no impact on the Council's carbon emissions.

5.6 Rural Proofing

This report is not linked to a new or amended policy or strategy.

5.7 Changes to Scheme of Administration or Scheme of Delegation

The recommendations in this report do not require any change to either the Scheme of Administration or the Scheme of Delegation.

6 CONSULTATION

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, Corporate Communications Manager and the Clerk to the Council are being consulted on this report and any comments received will be advised at the Berwickshire Area Partnership.

Approved by

Name **Rob Dickson** **Signature**

Title **Executive Director**

Name **Martin Joyce** **Signature**

Title **Service Director Assets & infrastructure**

Author(s)

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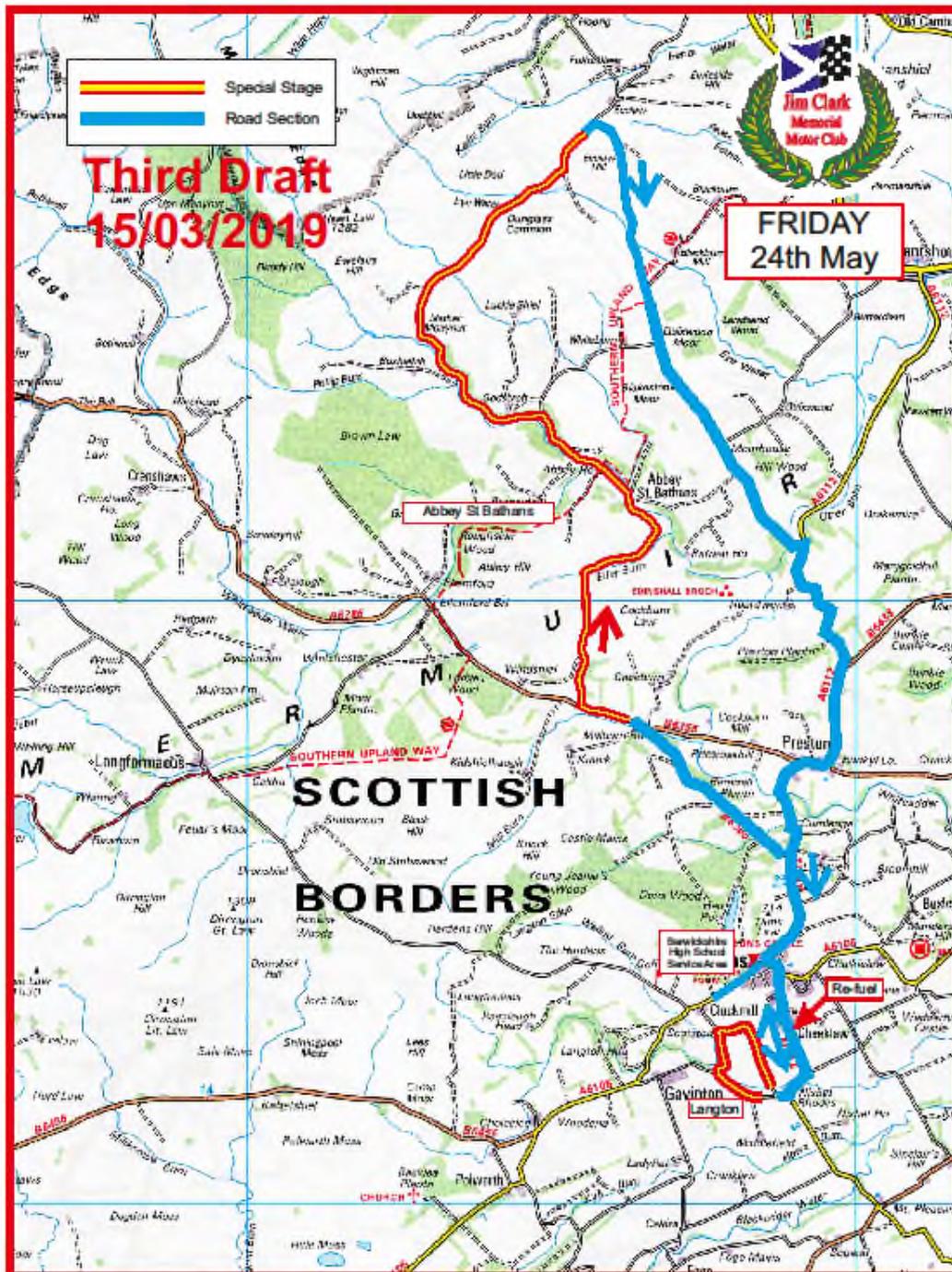
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Previous Minute Reference: None

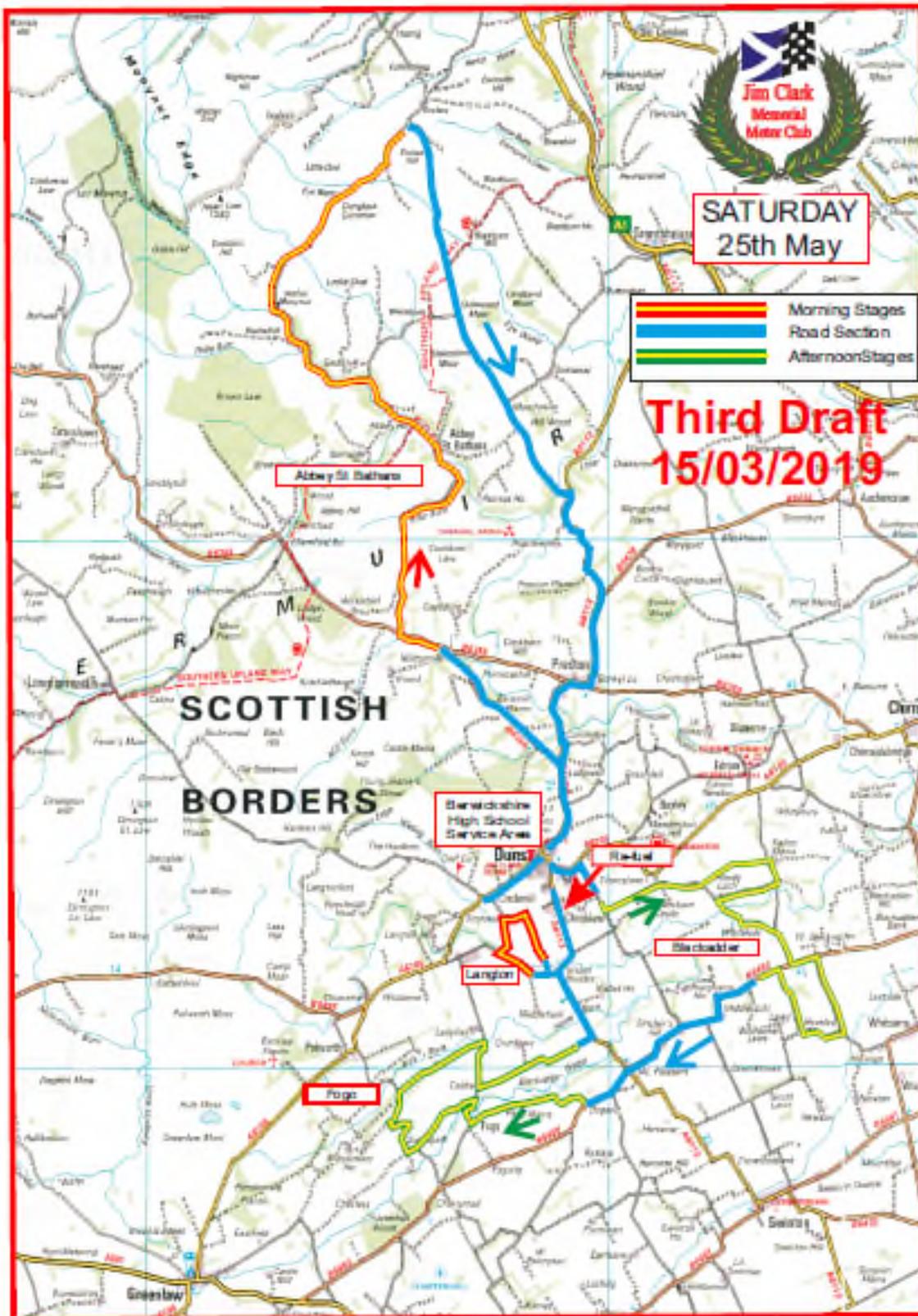
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Contact us at Jacqueline Whitelaw, PLACE, Business Support, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 0300 100 1800, email JWhitelaw@scotborders.gov.uk.

Appendix A : Overview Maps



Appendix A cont.: Overview Maps



Appendix B : Stage Timings

Proposed Jim Clark Rally 2019 stage timings

Friday 8 November

Ceremonial start – Duns Square - 19:00

SS1 & 3 – Abbey St Bathans

- Road closure 17:53 to 00:53.
- First car due to start stages at 19:13 and 21:03 respectively.

SS2 & 4 – Langton

- Road closure 18:44 to 01:44.
- First car due to start stages at 20:04 and 21:54 respectively.

Saturday 9 November

Ceremonial restart – Duns Square – 10:00

SS5 & 7 – Abbey St Bathans

- Road closure 08:53 to 15:53.
- First car due 10:13 and 12:13 respectively.

SS6 & 8 – Langton

- Road closure 09:44 to 16:44.
- First car due 11:04 and 13:04 respectively.

SS9 & 11 – Blackadder

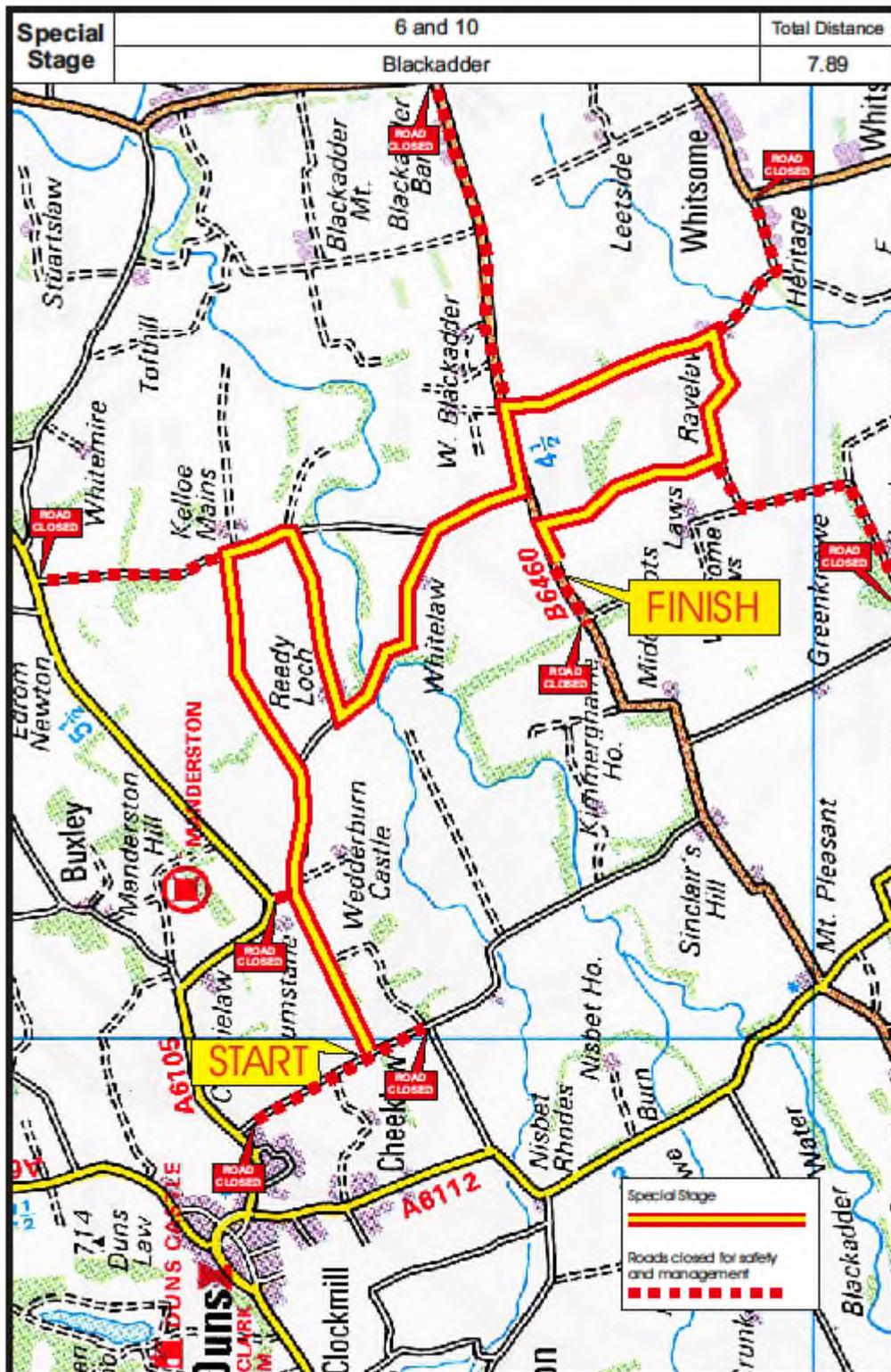
- Road closure 12:39 to 19:39.
- First car due 13:59 and 15:23 respectively.

SS10 & 12 – Fogo

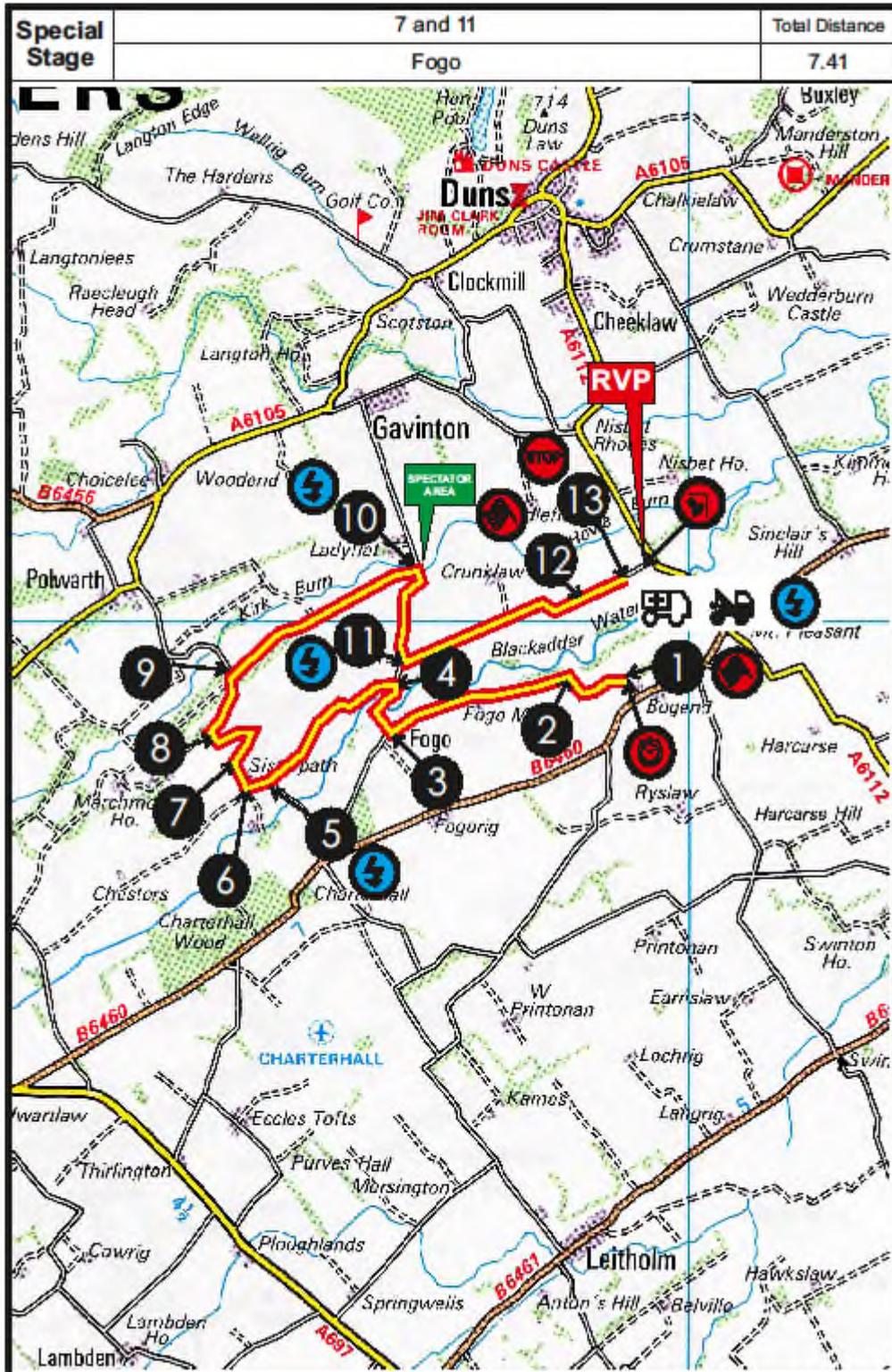
- Road closure 13:01 to 20:01.
- First car due 14:21 and 15:45 respectively.

Finish – Duns Square – First car due 15:55.

Appendix D : Blackadder Stage



Appendix E : Fogo Stage



Appendix F : Langton Stage

