
Report by Director of Infrastructure & Environment

EILDON AREA PARTNERSHIP

10 February 2022

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 the Scottish Borders on the weekend of the 27 to 29 May 2022.**
- 1.2 Revised legislation was introduced in 2019 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 2019 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 27 and 29 May 2020.

2 RECOMMENDATIONS

- 2.1 I recommend that the Area Partnership:-**
 - (a) Notes the application by organisers of the Jim Clark Rally to run an event on the weekend of the 27th to 29th May 2022.**
 - (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 took place annually on closed roads in the Berwickshire area. The legislation that allowed this to happen 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 revoked 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 received at least 6 months prior to an event taking place.
- 3.4 An important point to note is that the previous 1996 Act was specific to the Jim Clark Rally and restricted routes to the Berwickshire Area. The 2019 Regulations applies to the whole of Scotland and an application can be made by anyone who wishes to promote a race or trial of speed between motor vehicles on a public road in Scotland. Similar legislation is in place for the rest of the United Kingdom.
- 3.5 The Jim Clark Rally held in November 2019 was the first event in the Scottish Borders to be held under the new legislation. There have been no subsequent JCR events as a result of COVID restrictions.
- 3.6 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.
- 3.7 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, having successfully applied for a permit from “the authorised body”, have lodged an application with Scottish Borders Council (within the specified 6 month period required to allow consideration) seeking a Motor Sports Order to undertake an event on Friday 27, Saturday 28 & Sunday 29 May 2022. It should be noted that the event organisers have also been in regular 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 Services, Scottish Ambulance Services and Scottish Borders Council along with the 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 At this time the intention of the Jim Clark Rally organisers is for the rally to be based in Duns as it was in 2019. The proposal is to have a pre-rally “shakedown stage” on the Friday morning followed by two rally stages starting early evening; then 7 rally stages (over 3 different routes) on the Saturday and a further 6 rally stages (over 3 further different routes) on the Sunday. The Shakedown Stage on Friday is scheduled for the road south of Mellerstain Mill with the evening stage being two runs of Longformacus to Abbey St Bathans following a ceremonial start in Duns Square. On the Saturday the three routes are Westruther, Scott’s View, Eccles. This would see a single run, in an anti- clockwise direction of travel, over the three routes followed by vehicle servicing and refuelling in Duns and then a repeat of that earlier sequence. Following a further refuelling there would then be a third run over the Eccles Stage ahead of a Ceremonial finish in Duns shortly after 1700 hours. Sunday would see routes at Edrom, Ayton and Fogo. The intention being to run a clockwise loop of these routes followed by servicing and refuelling in Duns before a repeat loop over the three routes and a final Ceremonial finish in Duns. Daily overall route plans are provided in Appendix A with provisional stage timings provided at Appendix C.
- 4.4 Plans of all the stages, including a reserve route at Blackadder, are included at Appendix B. It should be noted that while the majority of stages are within the Berwickshire Area, the Scott’s View Stage is within both the Eildon and Cheviot Area Partnership areas while the Mellerstain Mill shakedown is wholly within Cheviot.
- 4.5 As part of the process of satisfying itself on the first two bullet points of section 3.7 above, the Council has launched a public consultation; available online via <https://scotborders.citizenspace.com/>. The online consultation will run for 6 weeks. In addition to this Council officers, along with representatives of the Jim Clark Rally, will be in attendance at the Berwickshire, Cheviot and Eildon Area Partnership to discuss the event plan, including the proposed routes and timings.

- 4.6 As for previous events the organisers of the Jim Clark Rally have been contacting separately those residents who are directly impacted by the routes. This includes individual visits to all properties in addition to letter drops. Organisers have also indicated that they will consult with / inform the community councils affected by the rally.
- 4.7 Properties on "open" road sections who will experience an increase in traffic due to the temporary road closures will receive written notification of this.
- 4.8 The Jim Clark Rally organisers will also provide pre-event ongoing information on the status of the rally and on-the-day information through their website and social media outlets. In addition an on-the-day helpline will be permanently manned during the live-event.
- 4.9 The Jim Clark Rally is a major sporting event that brings significant economic benefit to the Scottish Borders. It attracts a high number of spectators, supporters, staff and competitors to the area; many of whom stay a number of nights. Previous studies have estimated that the event contributes over £2.5 Million to the local economy.
- 4.10 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 Appendices A to C 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

The new legislation and other measures that are now in place go further than previous legislation in its attempt to mitigate the safety and associated risks of holding the Rally. As with all events of this type, there are inherent risks that can never be fully mitigated. However, SBC is working with partners and the event organisers to ensure that the new legislation is complied with; that risk assessments and other appropriate safety measures are in place, monitored and reviewed.

5.3 Integrated Impact Assessment

An Integrated Impact Assessment has been undertaken in regards to the content of this report and no adverse findings have been observed requiring a fuller IIA to be undertaken.

5.4 Sustainable Development Goals

It is not envisaged that the recommendations within the report will impact on any of the UN Sustainable Development Goals.

5.5 Climate Change

There are no significant impacts on the Council’s carbon emissions or climate change contribution as a result of recommendations in this report. The impact on carbon emissions in the running of car events such as rallies is considered to be a wider issue outwith the scope of this report.

5.6 Rural Proofing

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

5.7 Data Protection Impact Statement

There are no personal data implications arising from the proposals contained in this report.

5.8 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 Director (Finance & Corporate Governance), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications are being consulted and any comments received will be incorporated into the final report.

Approved by

Name John Curry Director of Infrastructure & Environment

Author(s)

Name	Designation and Contact Number
Brian Young	Infrastructure Manager 01835 825178

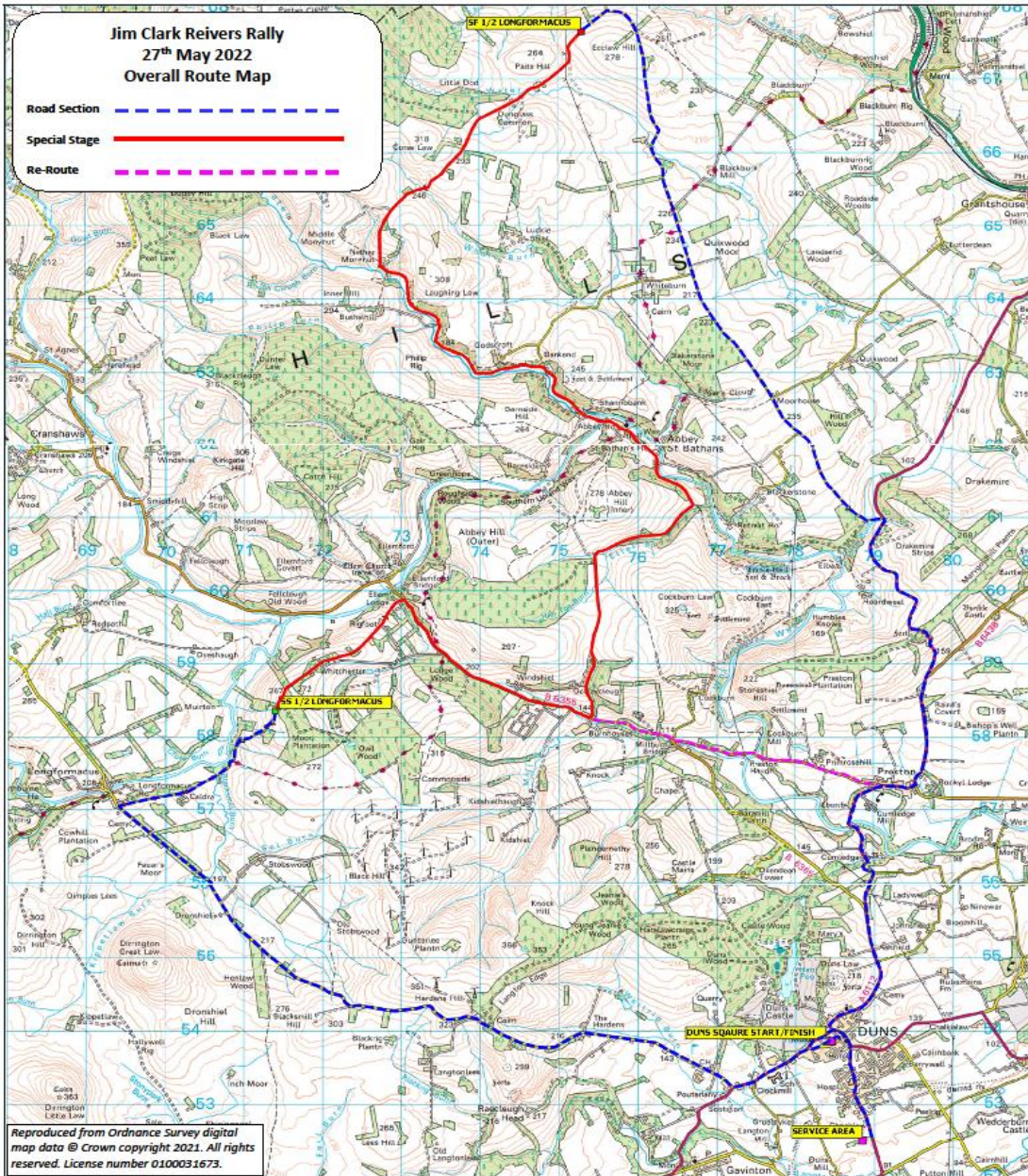
Background Papers: N/A

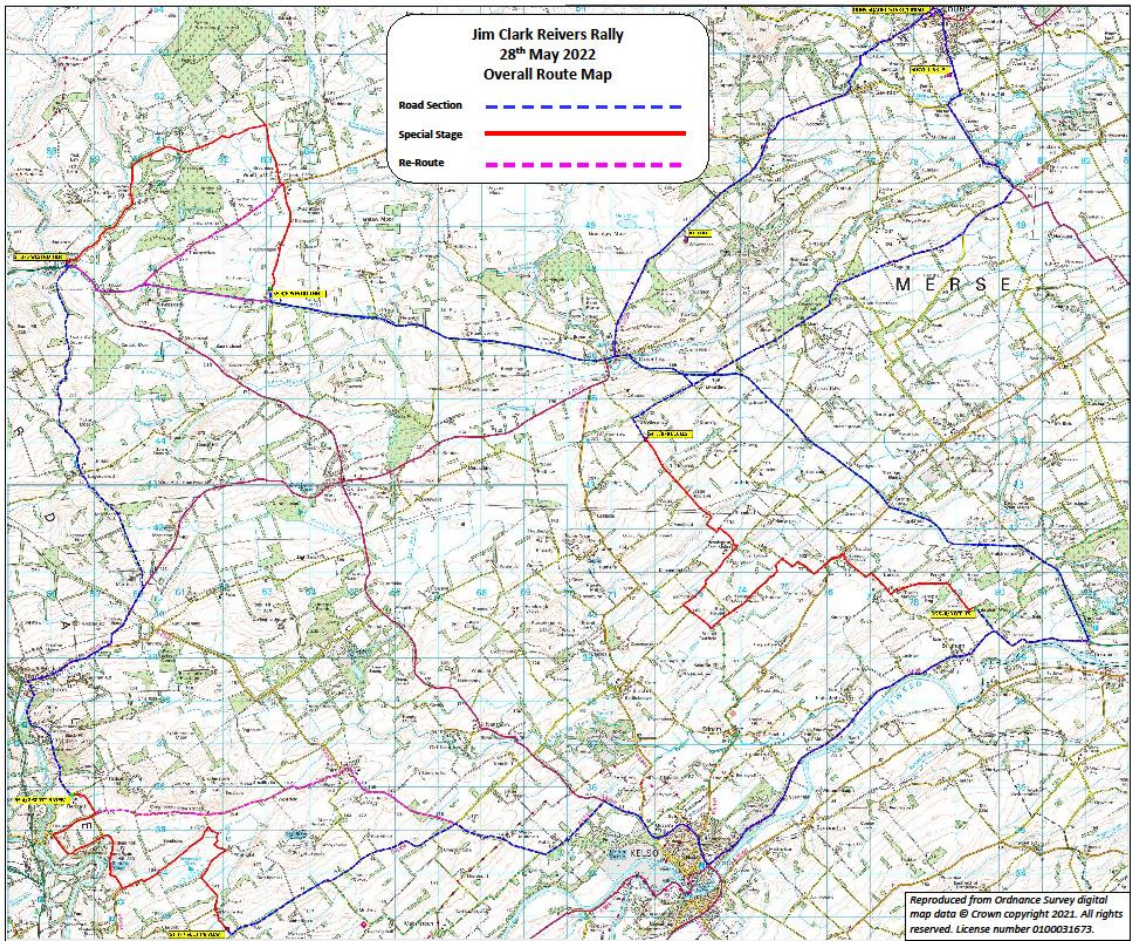
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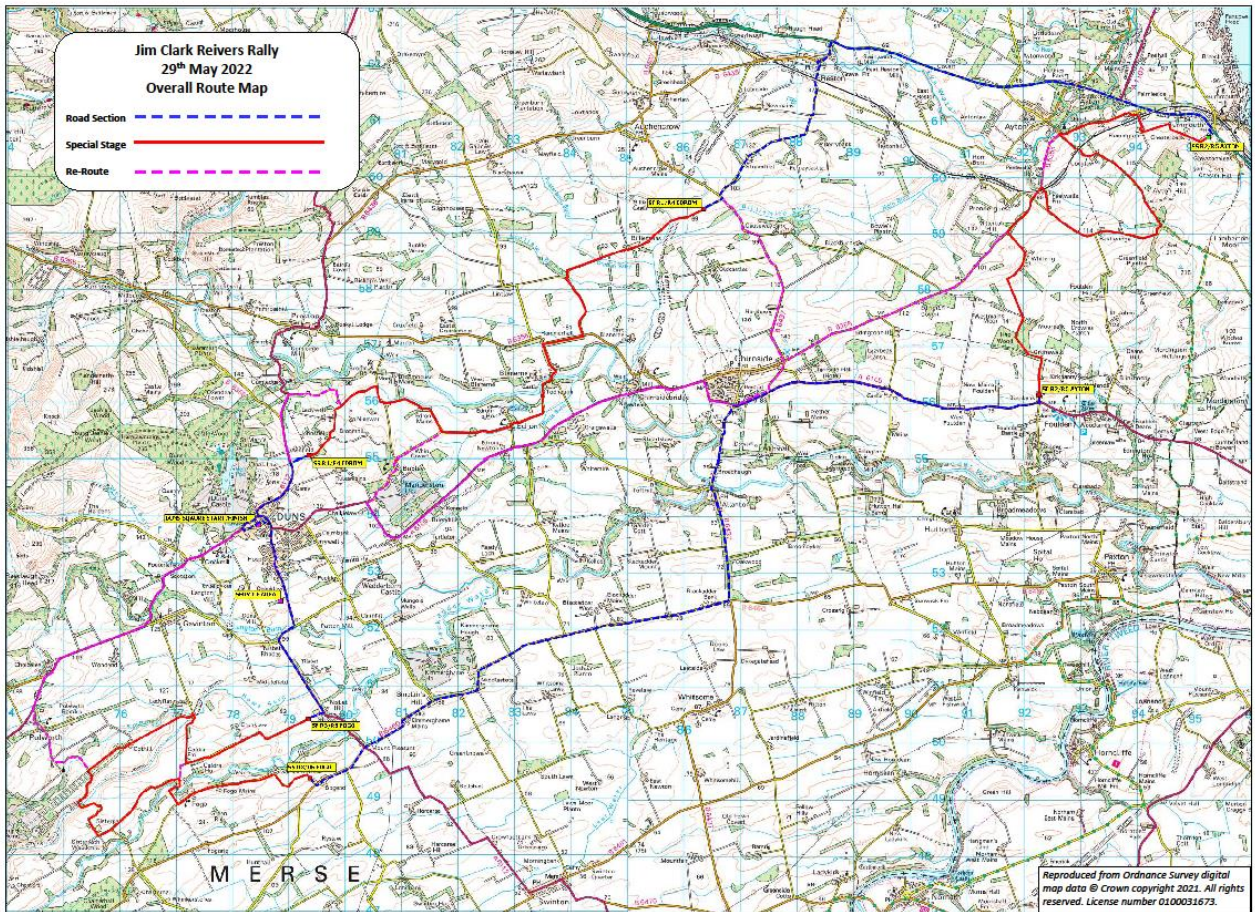
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Contact us at Jacqueline Whitelaw, PLACE, Business Support, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 0300 100 1800, email JWhitelaw@scotborders.gov.uk.

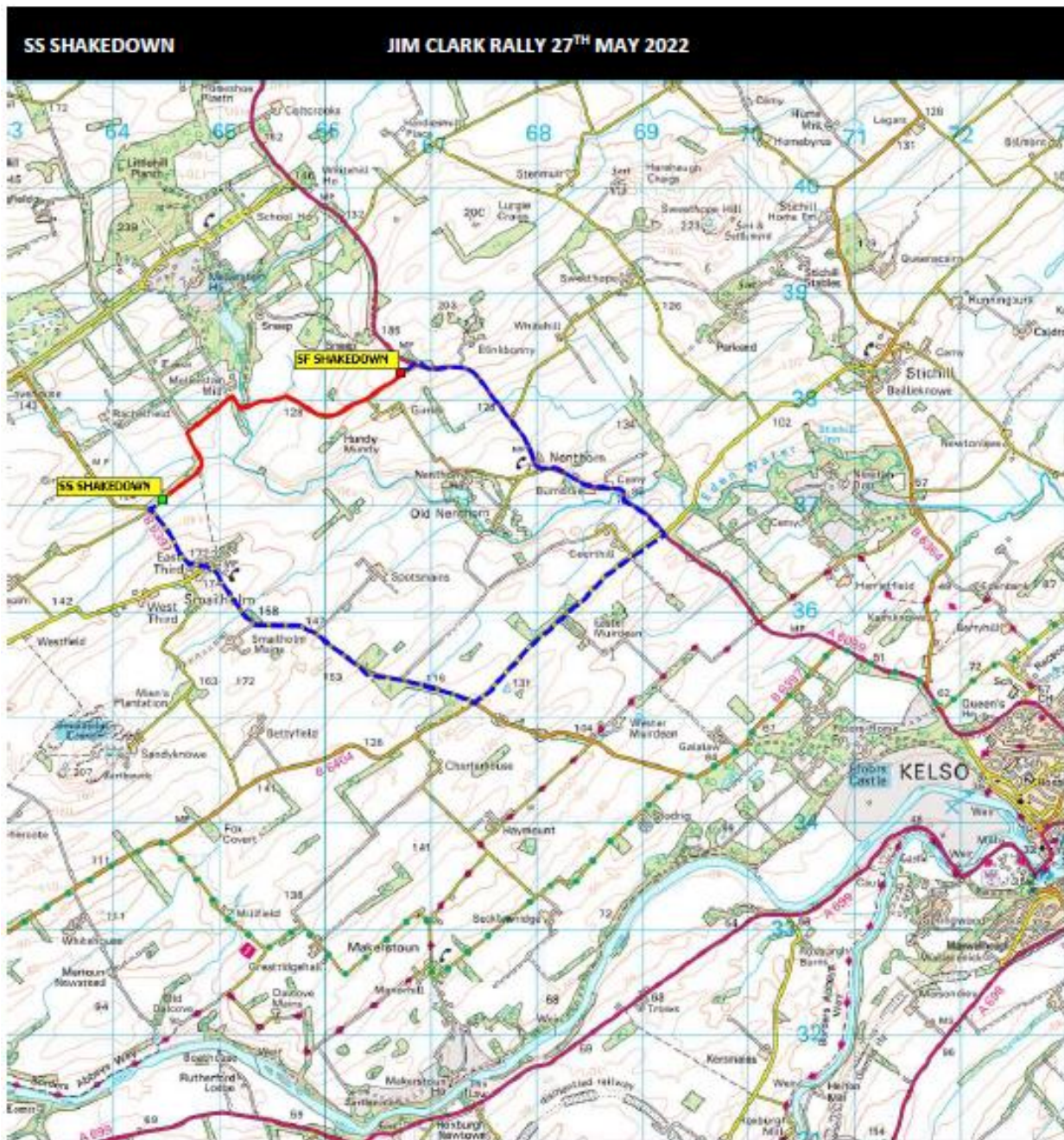
Appendix A : Overall Route Maps







Appendix B : Individual Stage Maps



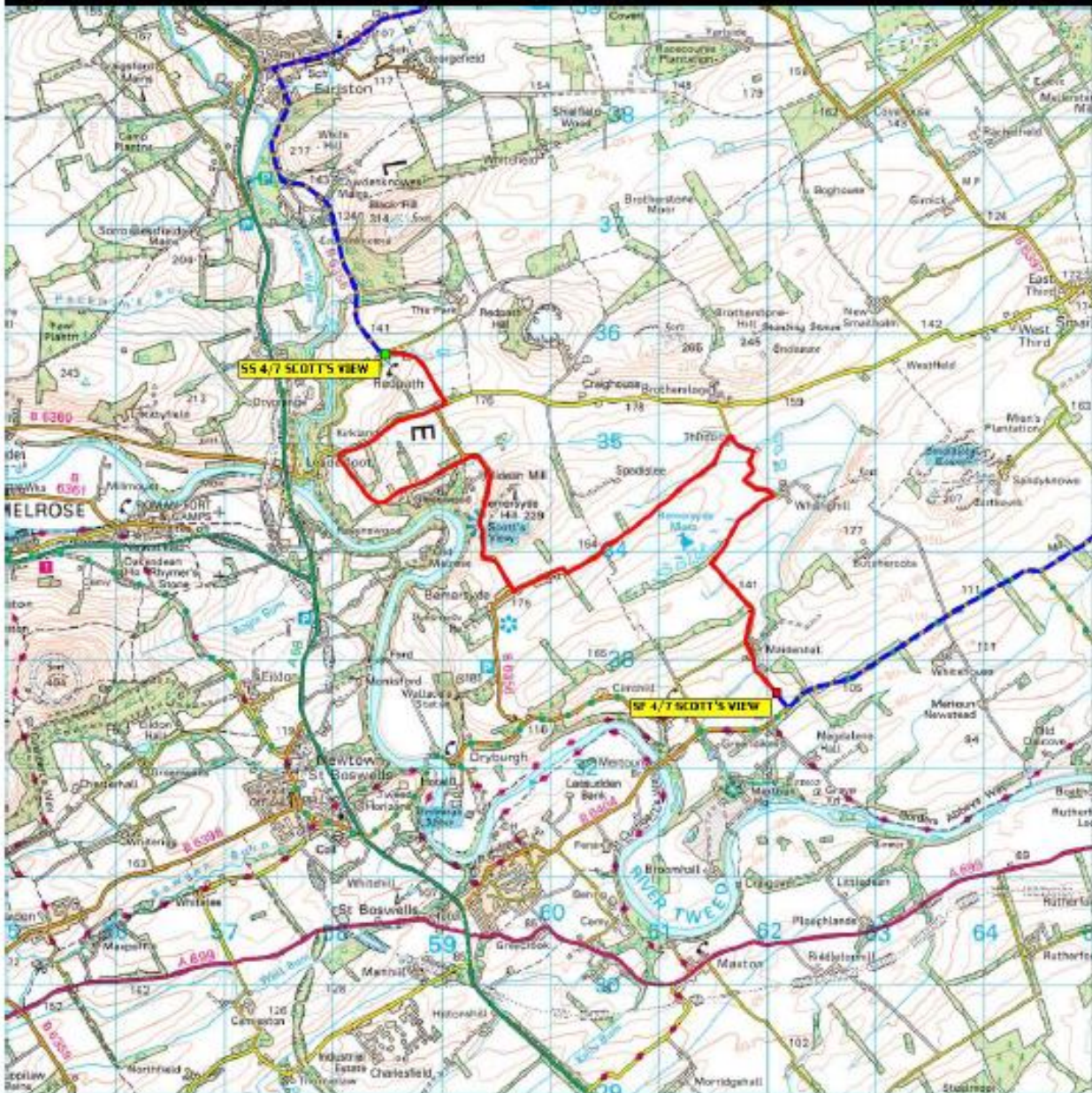


SS WESTRUTHER

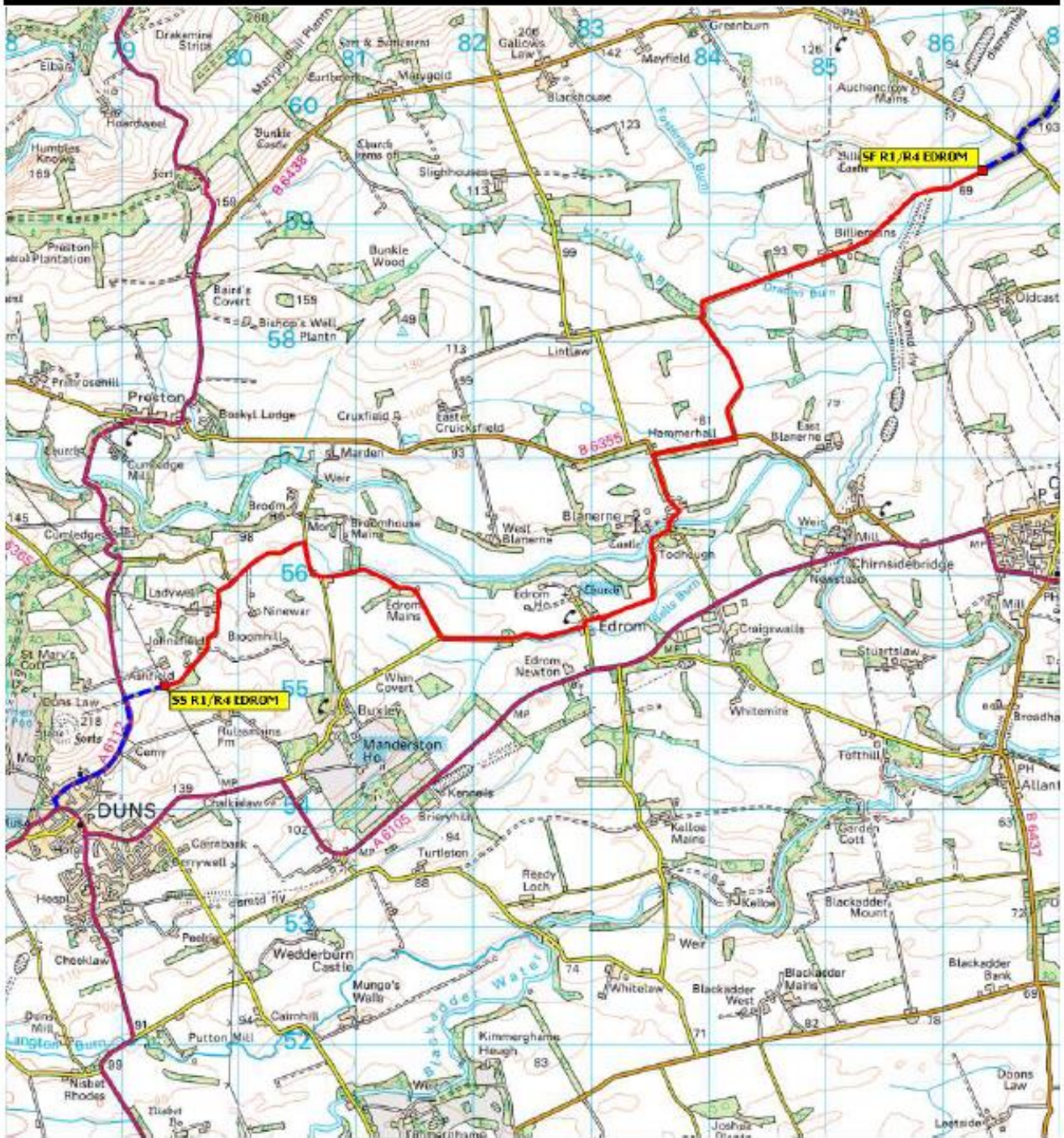
JIM CLARK RALLY 27TH – 28TH MAY 2022

6.28 MILES

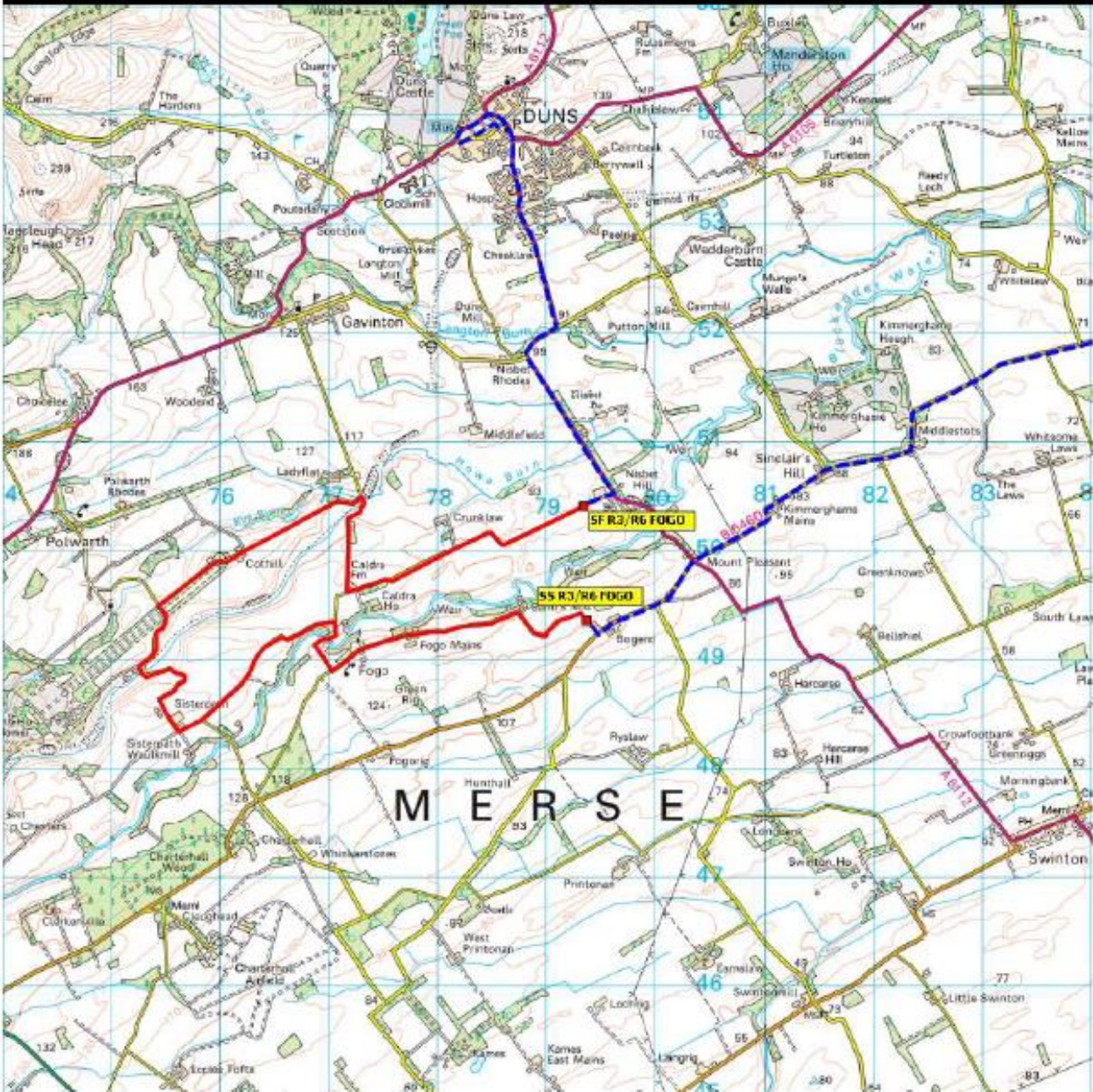


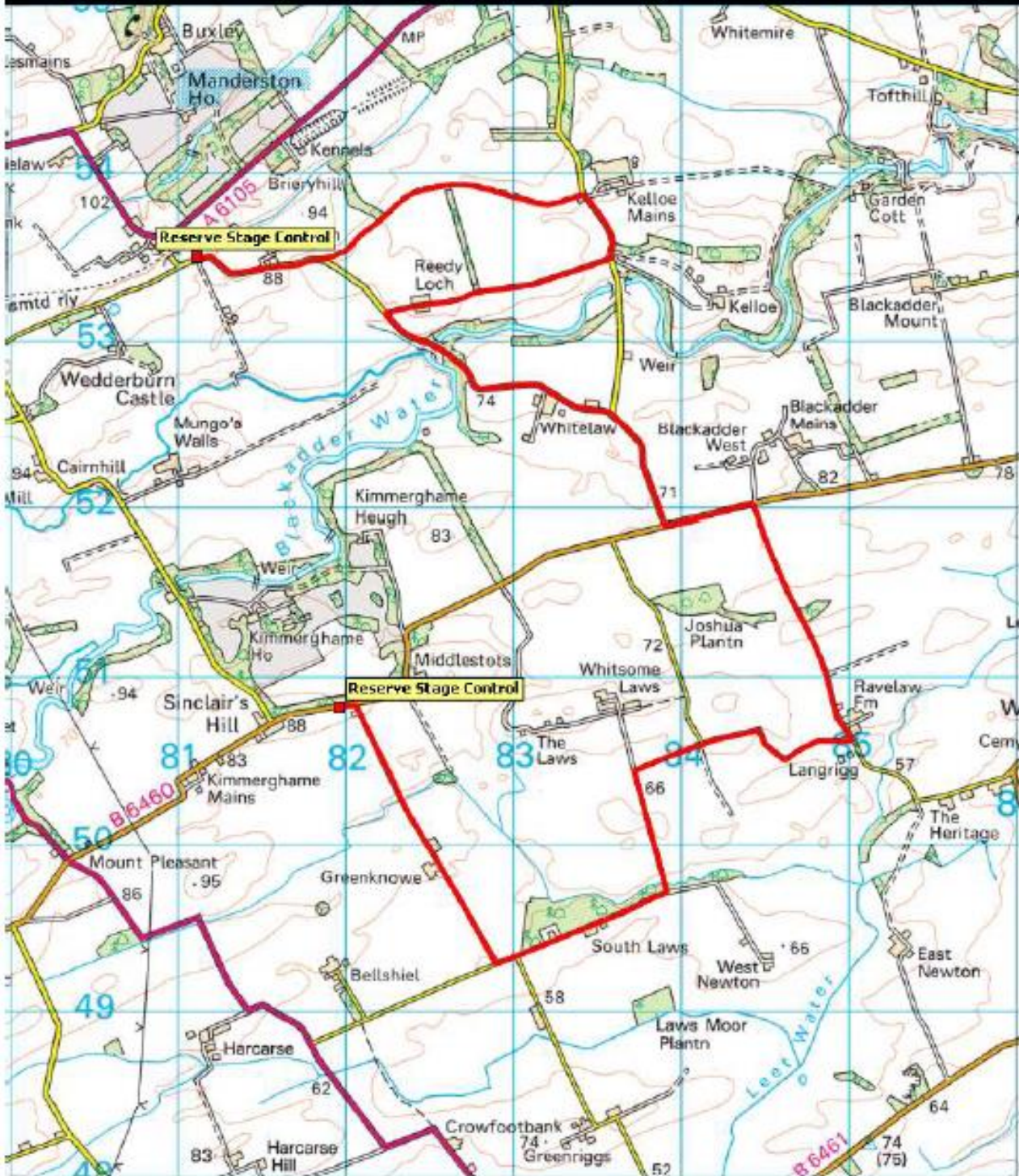












Appendix C : Provisional Stage Timings

Beatson's Building Supplies Jim Clark Rally 2022

Schedule

DRAFT

Leg 1							Friday 27th May 2022		
TC SS	LOCATION	SS Dist mls	Bogey Time	Liaison Dist mls	Target Time	Car 1 Due	Road Closure	Road Opens	
<i>Distance to next refuel</i>		(12.02)		(42.34)					
-	Holding Area - (Service)	-		-	-	18:45			
MTC 0	Ceremonial Start - (Duns Square)	-		1.44	00:15	19:00			
TC 1		-		8.37	00:18	19:18			
SS 1	Longformacus 1	-		-		19:21	17:21		
SF 1		12.02	09:38	-		19:43			
TC1A	Regroup In - (Duns Service)	-		11.89	00:24	20:07			
TC1B	Regroup Out / Service In	-		-	00:10	20:17			
TC1C	Service Out	-		-	00:30	20:47			
TC 2		-		9.21	00:20	21:07			
SS 2	Longformacus 2	-		-		21:10			
SF 2		12.02	09:38	-		21:32			
MTC 1	End of Leg 1 (Duns Square)	-		11.43	00:24	21:56		00:21	
TOTALS		24.04		42.34					

<p>Sunrise: 04:35 Sunset: 21:38</p>
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Leg 2		Saturday 28th May 2022						
TC SS	LOCATION	SS Dist mls	Bogey Time	Liaison Dist mls	Target Time	Car 1 Due	Road Closure	Road Opens
	<i>Distance to next refuel</i>	(12.92)		(6.59)				
-	Holding Area - (Service)	-		-	-	09:45		
MTC 2	Ceremonial Start - (Duns Square)	-		1.44	00:15	10:00		
RZ 1	Refuel - (Woodhead Farm)			(5.15)				
	Distance to next refuel	(20.78)		(51.57)				
TC 3		-		12.66	00:27	10:27		
SS 3	<i>Westruther 1</i>	-		-		10:30	08:30	
SF 3		6.22	04:59	-		10:39		
TC 4		-		9.79	00:25	11:04		
SS 4	<i>Scott's View 1</i>	-		-		11:07	09:07	
SF 4		6.70	05:23	-		11:16		
TC 5		-		14.21	00:35	11:51		
SS 5	<i>Eccles 1</i>	-		-		11:54	09:54	
SF 5		7.86	06:19	-		12:04		
TC5A	Regroup In - (Duns Square)	-		8.00	00:19	12:23		
TC5B	Regroup Out	-		-	00:10	12:33		
TC5C	Service In	-		0.92	00:03	12:36		
TC5D	Service Out	-		-	00:40	13:16		
RZ 2	Refuel - (Woodhead Farm)			(5.99)				
	Distance to next refuel	(20.78)		(45.12)				
TC 6		-		13.38	00:32	13:48		
SS 6	<i>Westruther 2</i>	-		-		13:51		15:30
SF 6		6.22	04:59	-		14:00		
TC 7		-		9.79	00:25	14:25		
SS 7	<i>Scott's View 2</i>	-		-		14:28		16:07
SF 7		6.70	05:23	-		14:37		
TC 8		-		14.21	00:35	15:12		
SS 8	<i>Eccles 2</i>	-		-		15:15		
SF 8		7.86	06:19	-		15:25		
RZ 3	Refuel - (Woodhead Farm)			(7.74)				
	Holding Area			-				
	Distance to next refuel	-		-				
TC 9		-		8.70	01:18	16:43		
SS 9	<i>Eccles 3</i>	-		-		16:46		17:23
SF 9		7.86	06:19	-		16:56		
MTC 3	Ceremonial Finish - (Duns Square)	-		4.59	00:12	17:08		
TOTALS		49.42		97.69				

Sunrise: 04:35 Sunset: 21:38

Sunday 29th May 2022

TC SS	LOCATION	SS Dist mls	Bogey Time	Liaison Dist mls	Target Time	Car 1 Due	Road Closure	Road Opens
<i>Distance to next refuel</i>		(21.84)		(9.77)				
MTC 0	Holding Area - (Service)	-		-	-	09:45		
TC 1	Ceramonial Start - (Duns Square)	-		1.44	00:15	10:00		
SS R1	Edrom 1	-		1.05	00:07	10:07	08:10	
SF R1		-		-		10:10		
TC 2		7.19	05:46	-		10:20		
SS R2	Ayton 1	-		7.28	00:17	10:37	08:40	
SF R2		-		-		10:40		
		7.30	05:52	-		10:50		
RZ 1	<i>Refuel</i>	-		(0.00)	-			
	<i>Distance to next refuel</i>	(21.84)		(26.05)	-			
TC 3		-		11.24	00:20	11:10	09:13	
SS R3	Fogo 1	-		-		11:13		
SF R3		7.35	05:54	-		11:23		
TC3A	Regroup In - (Duns Square)	-		4.72	00:12	11:35		
TC3B	Regroup Out	-		-	00:10	11:45		
TC3C	Service In	-		0.92	00:03	11:48		
TC3D	Service Out	-		-	00:30	12:18		
TC 4		-		1.89	00:12	12:30		
SS R4	Edrom 2	-		-		12:33		15:10
SF R4		7.19	05:46	-		12:43		
TC 5		-		7.28	00:17	13:00		
SS R5	Ayton 2	-		-		13:03		15:40
SF R5		7.30	05:52	-		13:13		
RZ 2	<i>Refuel</i>	-		(0.00)	-			
	<i>Distance to next refuel</i>	-		-	-			
TC 6		-		11.24	00:20	13:33		16:13
SS R6	Fogo 2	-		-		13:36		
SF R6		7.35	05:54	-		13:46		
MTC 1	Ceremonial Finish - (Duns Square)	-		4.59	00:10	13:56		
TOTALS		43.68		51.65				

Sunrise: 04:35 Sunset: 21:38
