

THE SCOTTISH BORDERS COUNCIL
BERWICKSHIRE (VARIOUS ROADS) MOTOR SPORT ORDER 2019

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This Order is made under the MOTOR SPORT ON PUBLIC ROADS (SCOTLAND)
REGULATIONS 2019 ("the 2019 Regulations")

- A. The Scottish Borders Council ("the Council"), has received an application under Regulation 4 of the 2019 Regulations from the Jim Clark Memorial Motor Club ("the Promoter") for a Motor Sport Order to authorise an event to take place on public roads as set out in Schedule I below, being a race or trial of speed between motor vehicles on public roads in Scotland ("the Event").
- B. The Council is the local roads authority for the public roads on which the Event is to take place.
- C. The Council has considered:
 - (a) the likely impact of the Event on the local community,
 - (b) the potential local economic and other benefits, and
 - (c) any other local matters that the Council considers relevant.
- D. The Council is satisfied that:
 - (a) adequate arrangements have been made to allow the views of the local community to be taken into account,
 - (b) adequate arrangements have been made to involve local residents, the police and other emergency services in the planning and implementation of the event,
 - (c) adequate public safety arrangements have been made or will be made for the event, and
 - (d) adequate traffic management arrangements have been or will be made for the event.
- E. The application for the Order was made with the permission of the Royal Automobile Club Motor Sports Association Limited ("the Governing Body") (being a motor sport governing body with authority to issue permits in respect of a race or trial of speed of that kind for the purposes of the 2019 Regulations). The permit, number 110790 dated 7 May 2019 is appended as Schedule II to this Order.
- F. The application included details of orders under section 16A of the Road Traffic Regulation Act 1984 (prohibition or restriction on roads in connection with certain events), and of any other orders, regulations or other legislative instruments, that will be needed in connection with the Event.
- G. By virtue of section 12H (8) of the Road Traffic Act 1988 ("the 1988 Act") the Promoter is liable in damages if personal injury or damage to property is caused by anything done:
 - (a) by or on behalf of the Promoter in connection with the Event,
 - (b) by or on behalf of a participant, or

- (c) by or on behalf of a person of a description specified in regulations made by the Scottish Ministers,

unless it is proved that the Promoter took reasonable steps to prevent the injury or damage occurring.

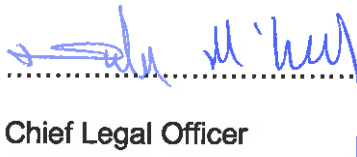
- H. By virtue of section 12H (9) of the 1988 Act, for the purpose of the Law Reform (Contributory Negligence) Act 1945, any injury or damage for which a person is liable under subsection (8) is to be treated as due to the fault of that person.

In exercise of its powers under Regulation 5 of the 2019 Regulations The Scottish Borders Council hereby orders as follows:

The Event, being the Jim Clark Memorial Rally 2019 will take place on the public roads listed in Part I of Schedule I to this Order and shown on the maps in Part 2 of Schedule I to this Order and subject to compliance with the permit at Schedule II to the Order and subject to compliance with the conditions listed in Schedule III of this Order. Alternative Routes for vehicular and pedestrian traffic likely to be affected by the Event are listed in Part 3 of Schedule I to this Order.

Sealed with the Common Seal of The Scottish Borders Council this Thirty-first day of October Two Thousand and Nineteen




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Chief Legal Officer

Schedule I

Part 1 — List of Public Roads

NO WAITING

DUNS

From 18:00 on Thursday 7 November 2019 to 20:30 on Saturday 9 November 2019

North Street – from South Street to Golden Square

Golden Square – from North Street to Market Square

Market Square – from Golden Square to Easter Street

Black Bull Street – from Golden Square to Newtown Street

Newtown Street – from No 14 to Castle Street – north side only

Industrial Estate – east end

WEDDERBURN LODGE

From 18:00 on Thursday 7 November 2019 to 20:30 on Saturday 9 November 2019

C101 – from its junction with the D46/6 northwards for 50 metres

D46/6 – from its junction with the C101 southwards for 50 metres

C101 – from its junction with the D46/6 westwards for 100 metres

ROAD CLOSURES

DUNS

From 22:00 on Thursday 7 November 2019 to 20:00 on Saturday 9 November 2019

Duns Industrial Estate (East End)

From 10: 00 on Friday 8 November 2019 to 20:30 on Saturday 9 November 2019

Duns Town Centre:

North Street and Market Square to Easter Street

Castle Street (south)

Black Bull Street

ABBAY ST BATHANS

From 13:15 to 20:15 on Friday 8 November 2019

and

From 08:15 to 15:15 on Saturday 9 November 2019

B6355 B6355 at Millburn Bridge to the C107 at Burnhouses

C107 C107 at the northern boundary of Abbey St Bathans to the C106 east of Whiteburn

C107 B6355 at Burnhouses to the D27-6 C107 at Bankend

D27-6 C107 at Bankend to the C106 at south of Ecclaw

D35-6 C106 south of Moorhouse to the southern boundary of Abbey St Bathans

LANGTON

From 13:56 to 20:56 on Friday 8 November 2019

and

From 08:56 to 15:56 on Saturday 9 November 2019

D12-6 A6105 at Clockmill to the D13-6 north of Langton Mill

D12-6 D13-6 north of Langton Mill to the C101 east of Gavinton

D13-6 D12-6 west Of Grueldykes to the C101 at Nisbet Rhodes

C101 C101 at A6112 at Nisbet Rhodes to east of Gavinton at the C102

C101 C101 at Crimson Hill in Gavinton to the C102

BLACKADDER

From 12:15 to 19:15 on Saturday 9 November 2019

D46-6 A6105 east of Duns to the C101 south of Duns Sewage Works

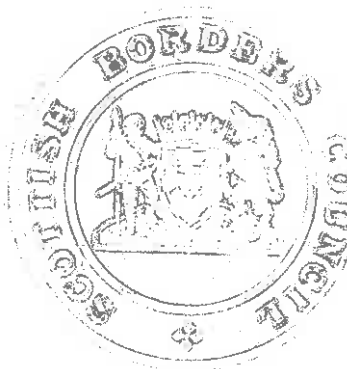
C101 C101 south of Duns Sewage Works to the D46-6 C101 at Wedderburn Lodge

C101 C101 south of Duns Sewage Works to the C103 south of Crumstane
C103 C101 south of Crumstane to the C100 east of Whitelaw Farm
D48-6 C106 west of Reedy Loch to the C100 at Kelloe House Lodge
C100 A6105 south of Edrom to the C103 east of Whitelaw Farm
B6460 at the eastern boundary of Sinclairhill to the B6437 north of Whitsome
C100 B6460 at Whitelaw Toll east of Sinclairhill to the C99 at Ravelaw Farm west of Whitsome
C99 C100 at Ravelaw to the B6437 west of Whitsome
D52-6 B6460 west of Whitelaw Old Toll House to the C99 west of Langrigg
C99 A6112 west of Bellshiel to the C100 at Ravelaw

FOGO

From 12:37 to 19:37 on Saturday 9 November 2019

D93-5 at the east end of Fogo to the B6460 at Bogend
C102 D10-6 south of Ladyflat to the C95 at Fogo Smithy
D94-5 C102 south of Caldra to the C95 at Sisterpath
C95 at the south boundary of Marchmont Station to the C102 at Fogo Smithy
C95 A6105 at Polworth to the C95 at the south boundary of Marchmont Station
D10-6 C95 south of Polworth to the C102 south of Gavinton
D9-6 C102 at Caldra Farm to the A6112 at Nisbet Hill
C102 at the southern boundary In Gavinton to the D10-6 South of Ladyflat



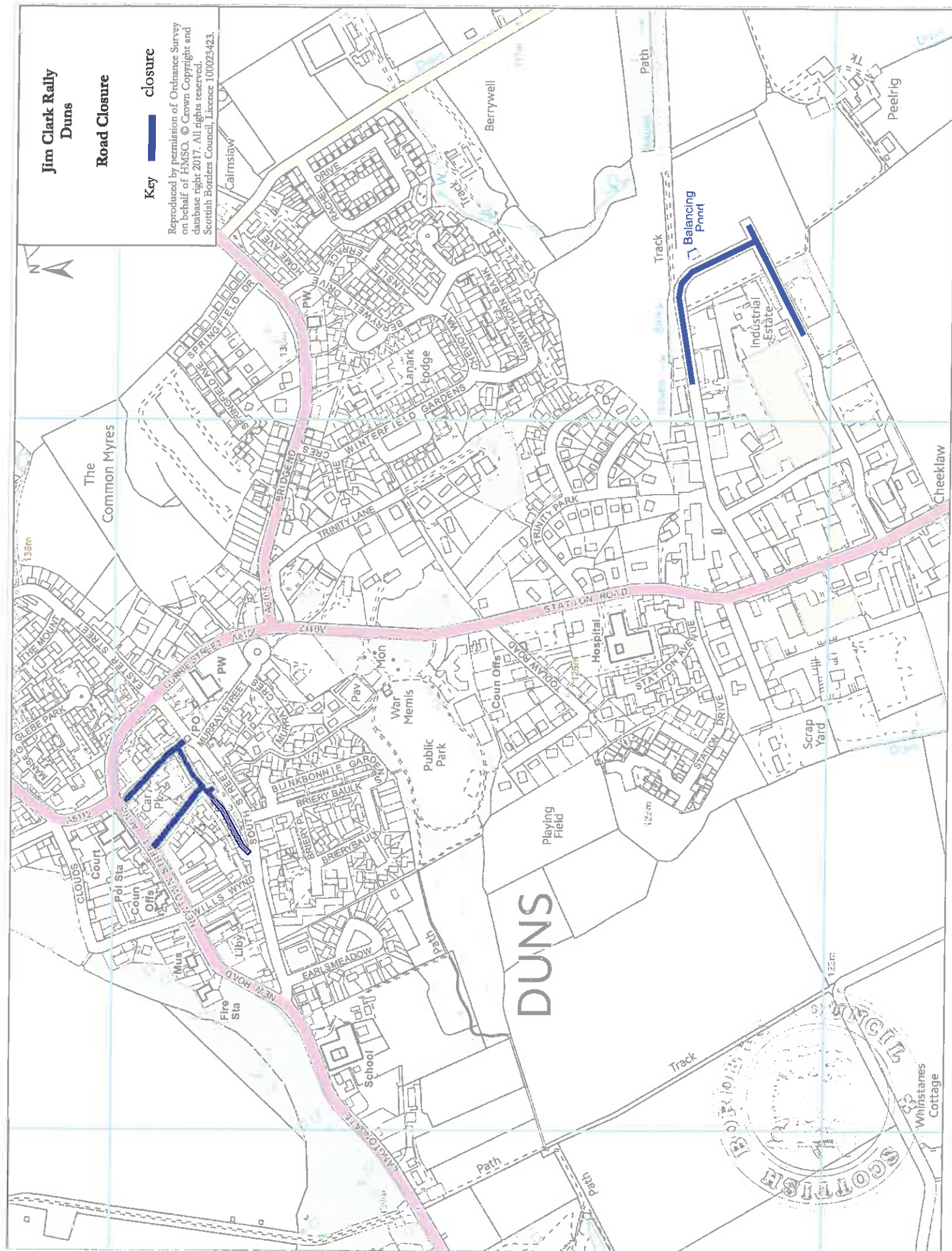
Schedule I

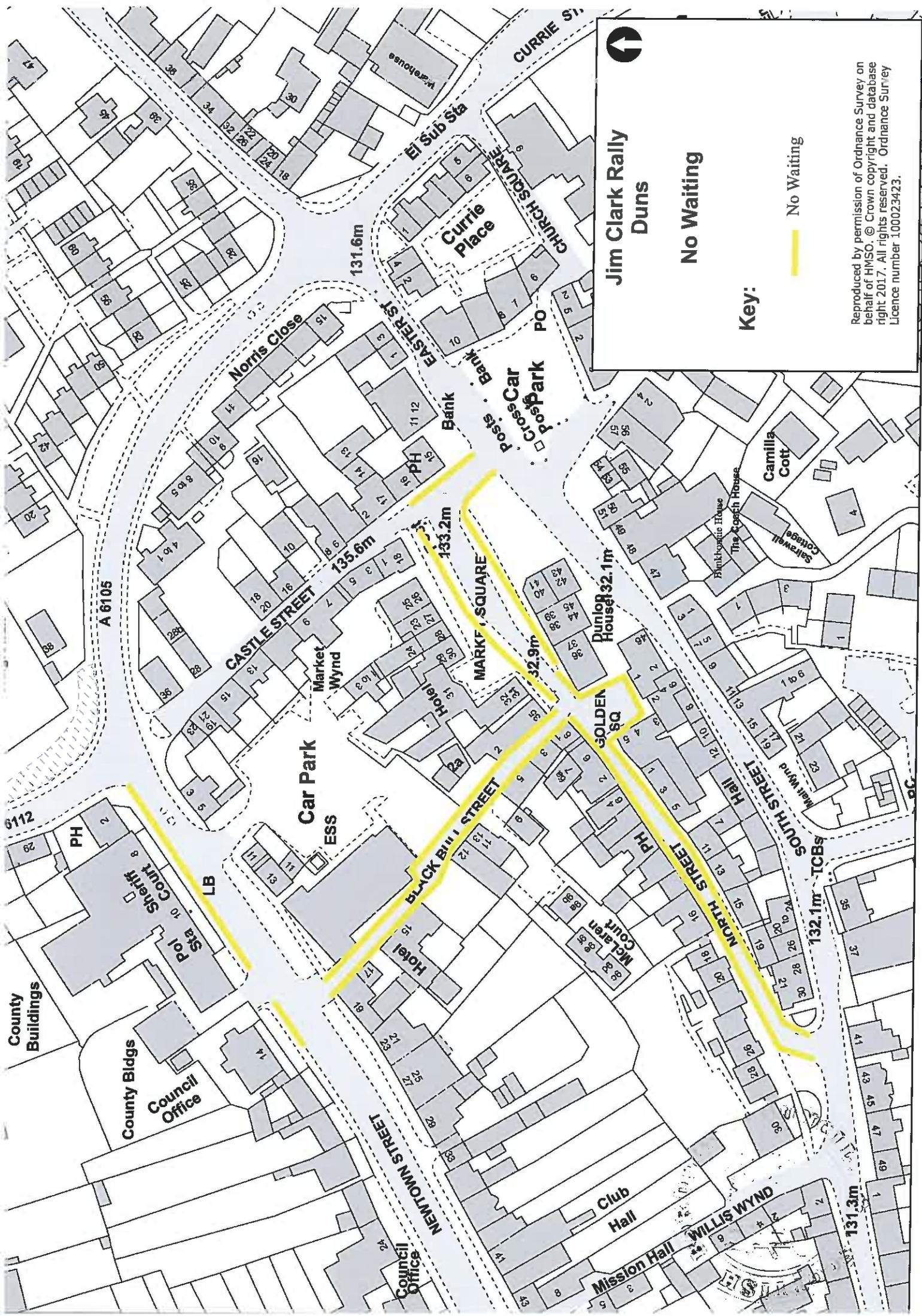
Part 2 – Maps

Road Closure

Key	closure
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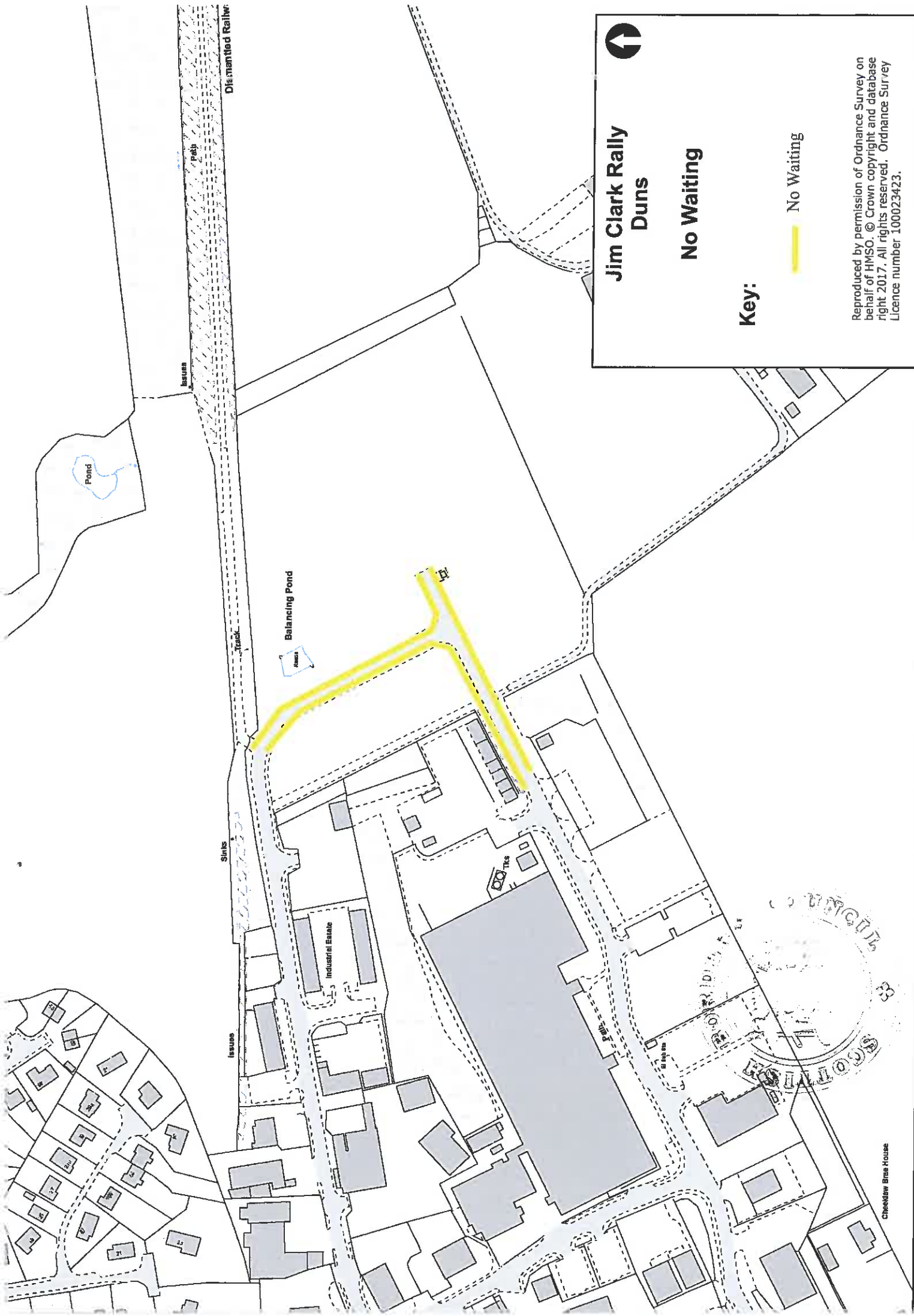
Jim Clark Rally
Duns

No Waiting

Key:

— No Waiting

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Jim Clark Rally
Duns

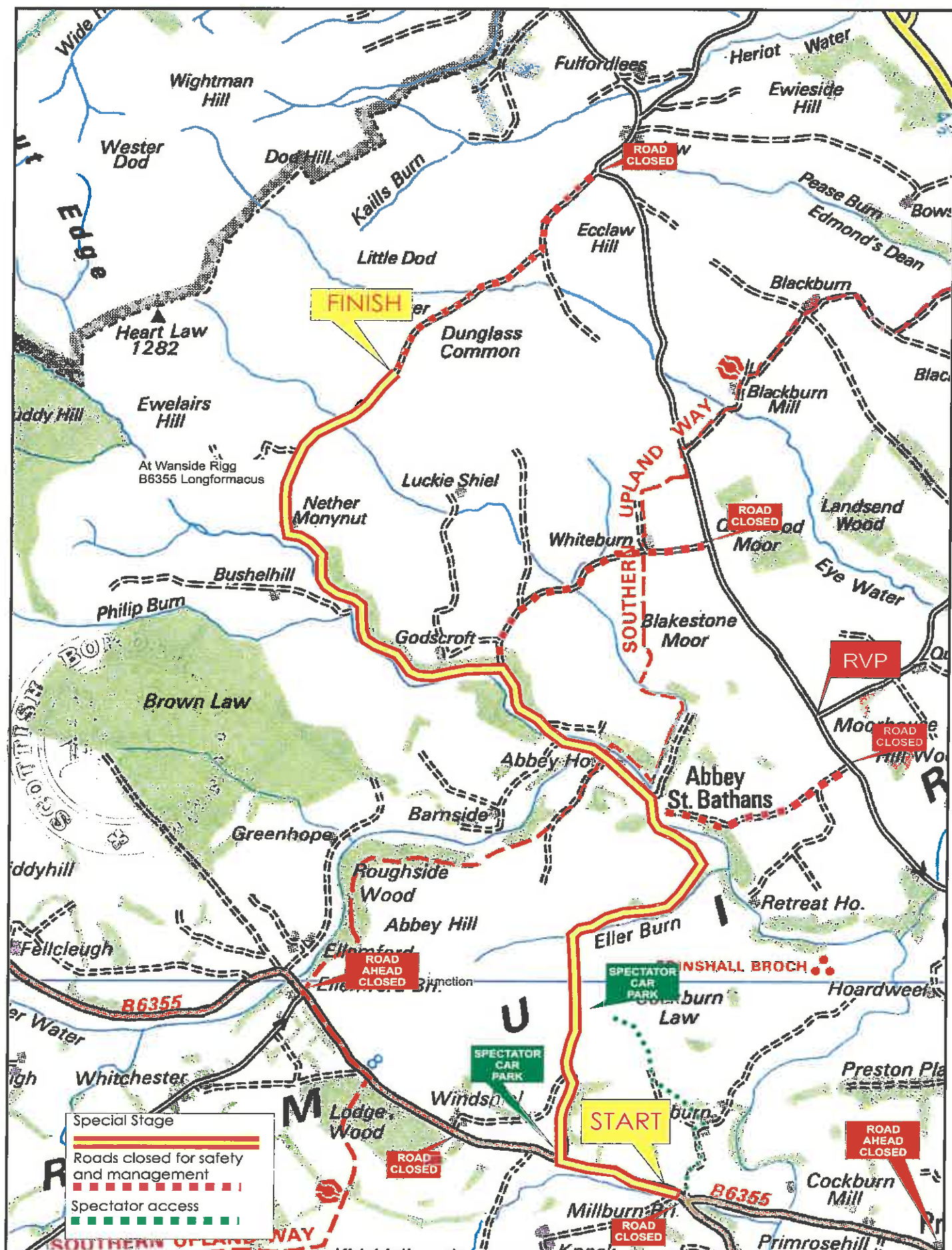
No Waiting








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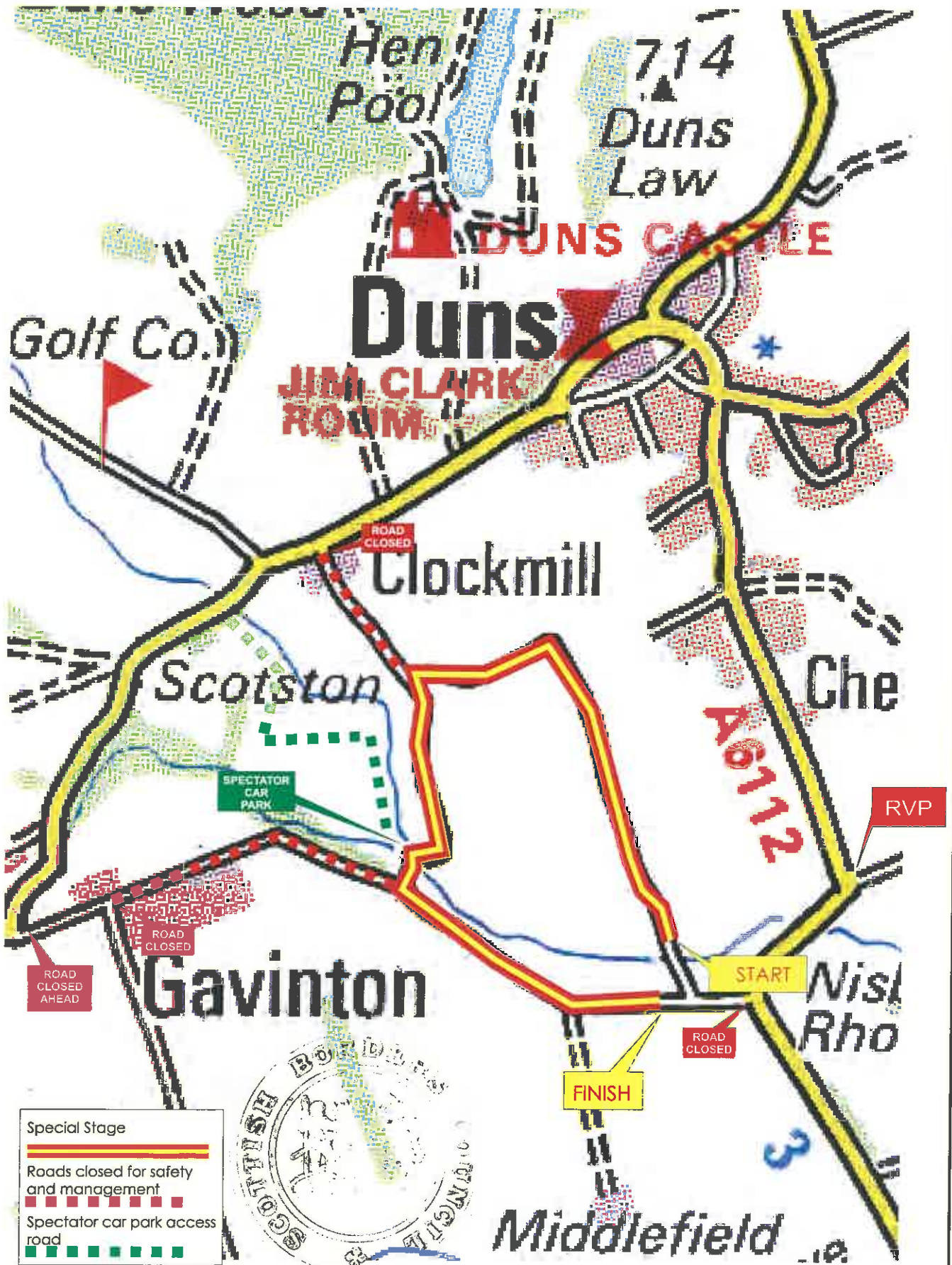
 No Waiting





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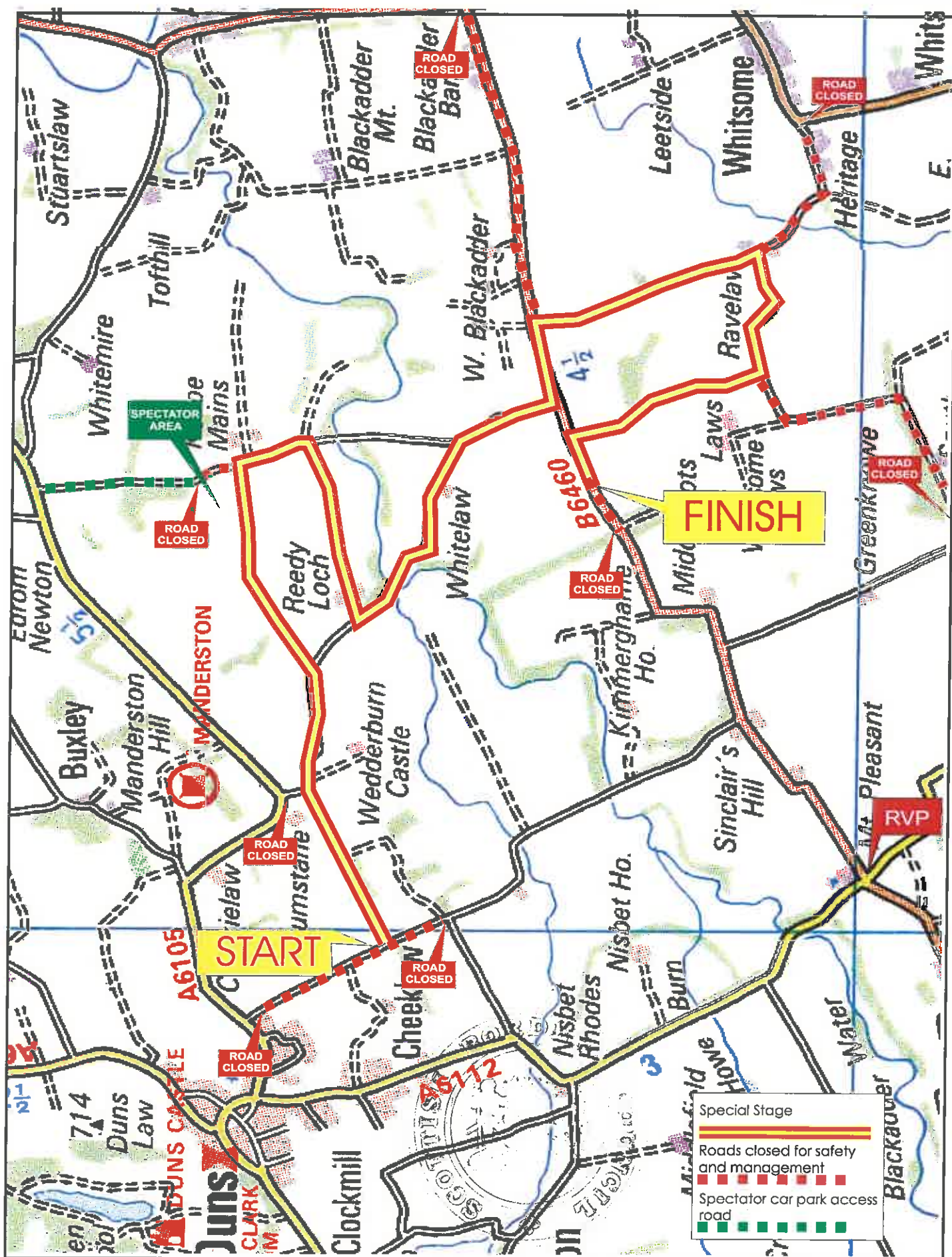
SS 1-4-6		ABBEY ST BATHANS				7.97 miles			
POST	ROAD CLOSURE MAP	TOTAL	0.00	APPROACH SPEED		PREDICTED MARSHALS			
		INTER	0.00	SPECTATORS EXPECTED		RADIO			



SS 2-3-5-7		LANGTON				1.96 miles			
POST	ROAD CLOSURE MAP	TOTAL	0.00	APPROACH SPEED		PREDICTED MARSHALS		   	  
		INTER	0.00	SPECTATORS EXPECTED		RADIO			



SS 8-10		BLACKADDER						7.89 miles	
POST	STAGE CLOSURE	TOTAL		APPROACH SPEED		PREDICTED MARSHALS		   	
		INTER		SPECTATORS EXPECTED		RADIO			



SS 7-11

FOGO

7.66 miles

POST

ROAD CLOSURE
MAP

TOTAL

0.00

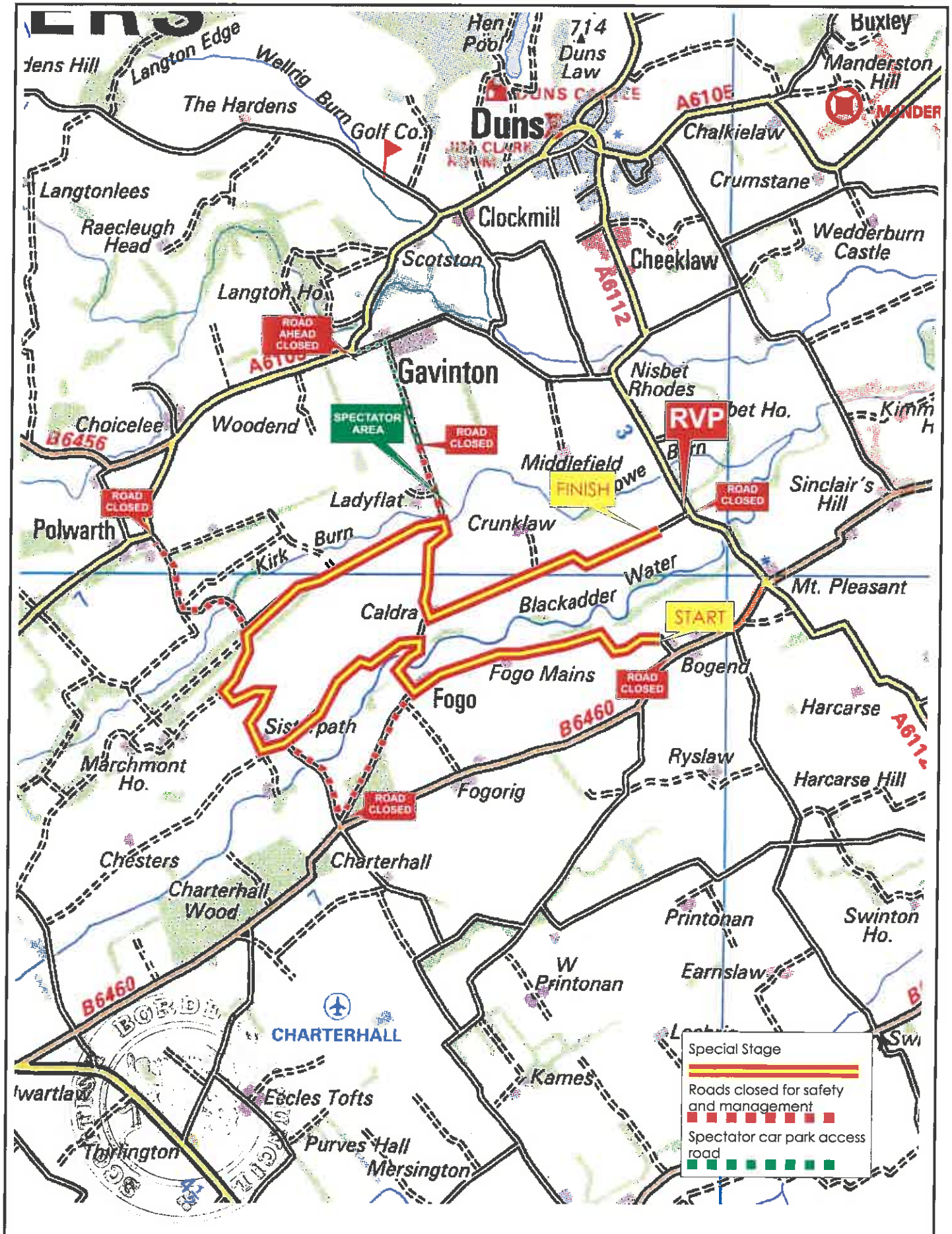
APPROACH
SPEEDPREDICTED
MARSHALS

INTER

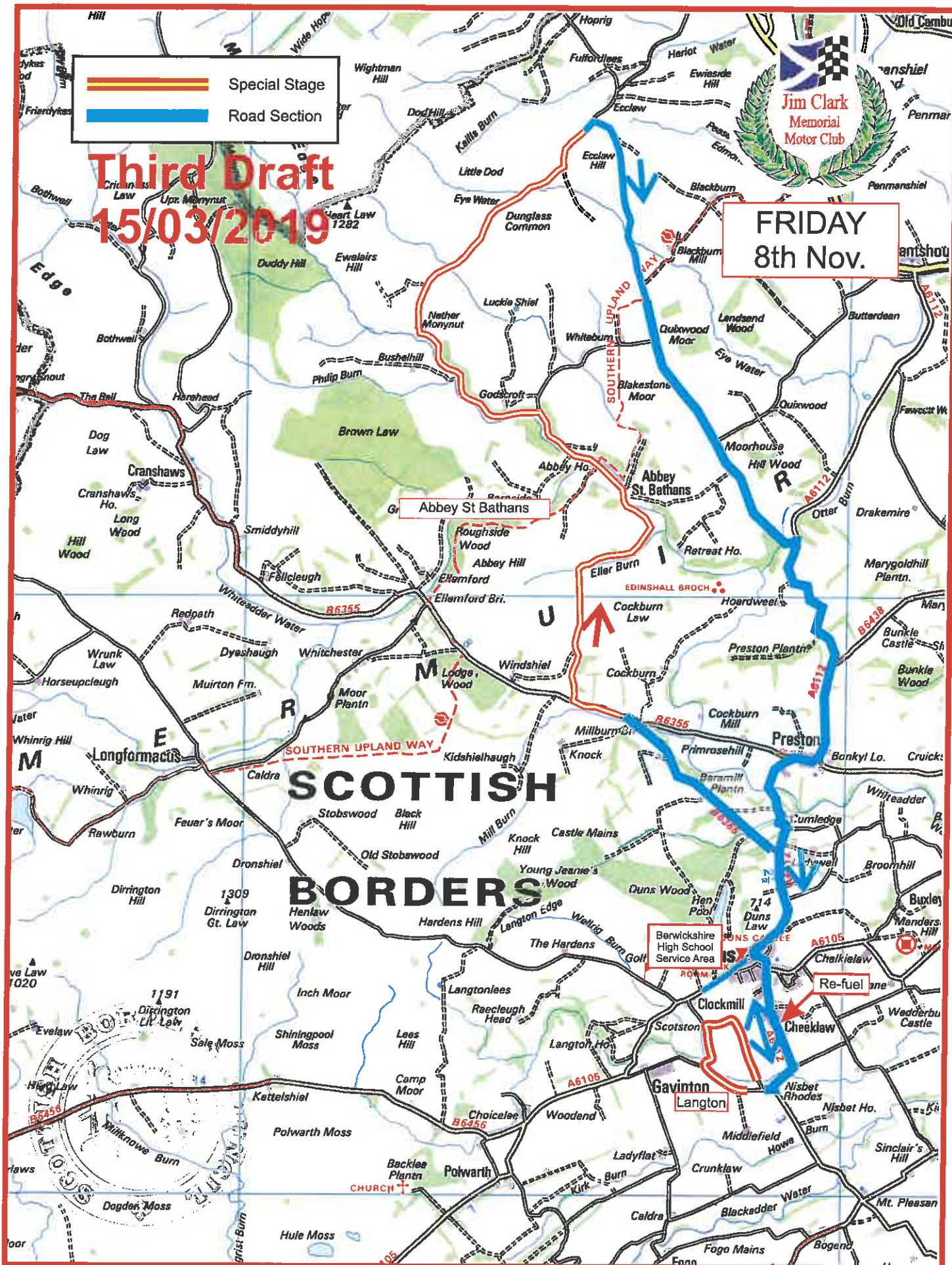
0.00

SPECTATORS
EXPECTED

RADIO



19/09/2019



FRIDAY
8th Nov.

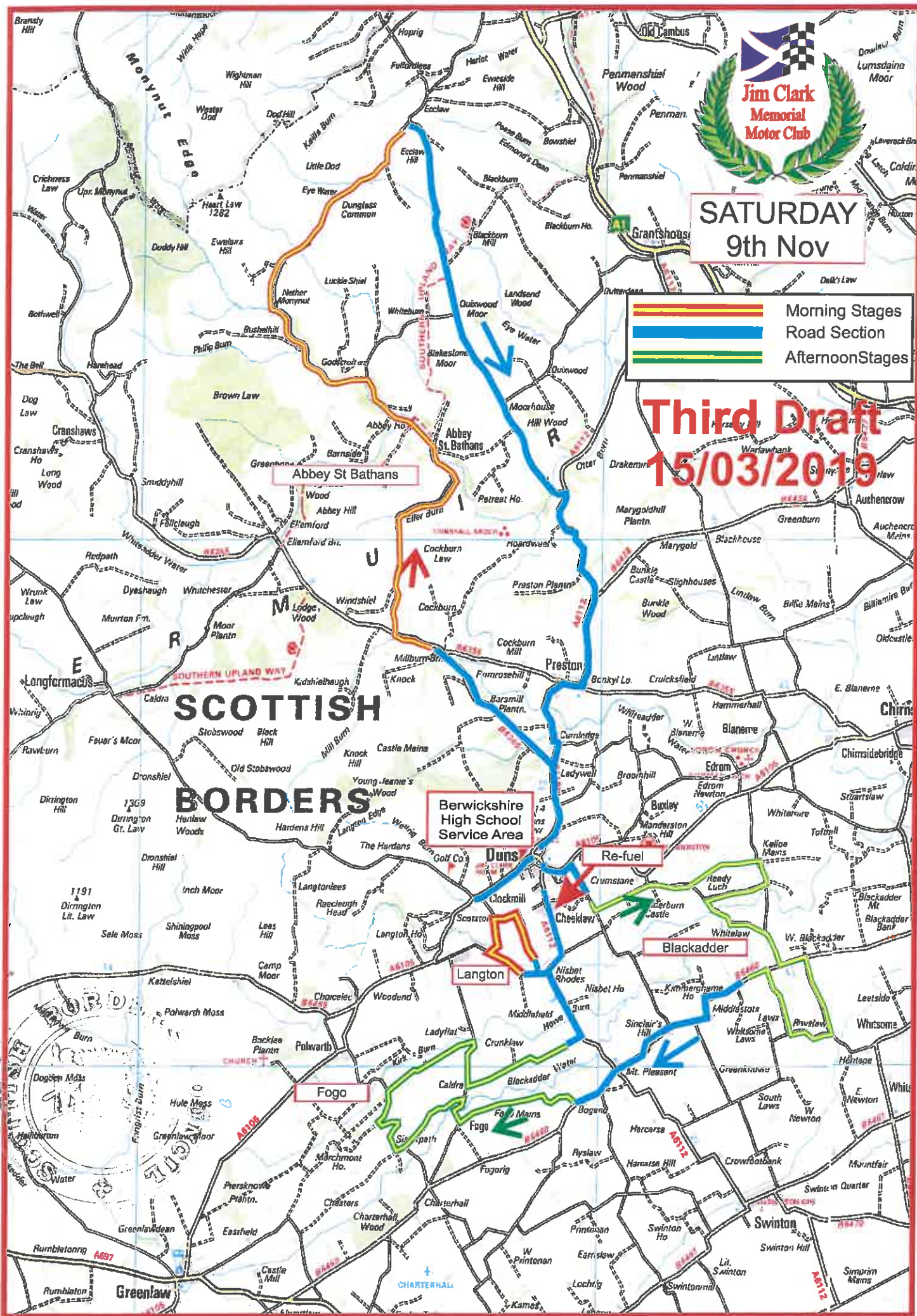
SCOTTISH
BORDERS



SATURDAY
9th Nov

- Morning Stages
- Road Section
- Afternoon Stages

Third Draft
15/03/2019



Schedule I

Part 3 – Alternative Routes for vehicular and pedestrian traffic

The road closures taking place are predominantly on minor roads and closure points will be clearly marked on site in line with the maps contained Part 2 of Schedule I.

The main diversion routes are detailed below:

Abbey St.Bathans Stages (Friday & Saturday):

Travelling west on the B6355 and wishing to head north thereafter

Return eastwards on B6355 to Preston; then north on A6112 to Grantshouse; continue north on A1 to its junction with the C130 (signposted to Cockburnspath) near Tower Farm; take C130 and thereafter turn left onto the C106 Ecclaw Road and continue to the closure point

Travelling west on the B6355 and wishing to continue west

Return eastwards on B6355 to Preston; then north on A6112 to Grantshouse; continue north then west on A1 to its junction with the B6370 near West Barns; head south-west on the B6370 to junction with B6355 near Gifford; turn left on B6355 and travel in a south-easterly direction to the point of closure

Travelling east on the B6355 and wishing to continue east

Return in a north-westerly direction on B6355 towards Gifford ; turn right onto B6370 and follow this route in a north-easterly direction to its junction with the A1 ; continue east then south on A1 to Grantshouse; head south on A6112 to Preston then west on B6355 to the point of closure

Travelling east on the B6355 and wishing to head north thereafter

Return westwards on B6355 towards Gifford ; turn right onto B6370 and follow this route to its junction with the A1 ; continue east then south on A1 to the Cockburnspath Roundabout; Take the C130 to Cockburnspath then take the second right onto the C106 Ecclaw Road and continue to the point of closure

Southbound

Return in a north-easterly direction on the C106 Ecclaw Road; then south on the C130 to its junction with the A1; Continue south on the A1 to Grantshouse; turn right onto the A6112 and travel south to Preston; take the B6355 and travel westwards to the point of closure

Langton Stages (Friday & Saturday):

Eastbound (clockwise) Loop

Return west on C101 to junction with A6105; travel north-east on A6105 through Duns to junction (roundabout) with the A6112; head south on A6112 over Langton Burn to second junction with C101; turn right onto C101 and head west to point of closure

Westbound (anti-clockwise) Loop

– the above in reverse

Blackadder Stages (Saturday only):

Travelling east on B6460

Return west on B6460; then south on A6112; then east on B6461 to crossroads with B6437; turn left onto B6437 and head north through Whitsome to the junction with the B6460 (the point of closure)

Travelling west on B6460
the above in reverse

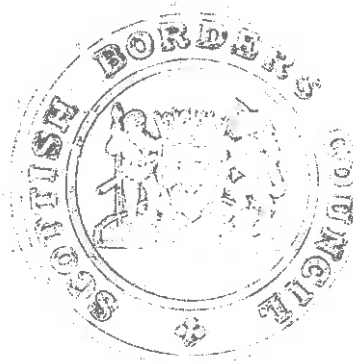
Fogo Stages (Saturday only):

Southbound (clockwise) Loop

travel east on A6105 through Duns to junction (roundabout) with the A6112; head south on A6112 to junction with B6460; head west on B6460 then on A697 to Greenlaw; turn right onto A6105 and head north-easterly to start point

Northbound (anti-clockwise) Loop
the above in reverse

Shalley



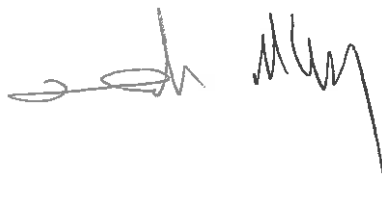
Schedule II

Permit

Club: Jim Clark Memorial Motor Club
Event: The Jim Clark Rally
Permit #: 110790 - Schedule

In accordance with The Motor Sport on Public Roads (Scotland) Regulations 2019, Sec. 3(4);

- a) The rally shall take place on the identified route subject to such changes identified as appropriate during the process for consideration of a Motor Sport Order under Regulation 5 which changes have been approved by Scottish Borders Council.
- b) Competitors must comply with Motorsport UK Regulations R5.1 to R5.4.5, H32.1.1 to H33.1.7, H Chart 7 and Chart 26.
- c) Vehicles complying with Motorsport UK Regulations R46-49.11.4, R25.2 as appropriate and scrutinised in accordance with Motorsport UK Regulations R5.1 to R5.1.4.
- d) Public safety arrangements compliant with Motorsport UK Regulations and the Stage Rally Safety Requirements following full co-operation and engagement by the Jim Clark Memorial Motor Club with Scottish Borders Council's Safety Advisory Group.
- e) Insurance provided by the issue of this Motorsport UK Event Organising Permit is explained on the reverse of the Permit.



Dear Secretary,

ORGANISING PERMIT/CERTIFICATE OF EXEMPTION

CLUB ID: 297026
ORGANISING CLUB: Jim Clark Memorial Motor Club
DATE/S OF EVENT: 08 Nov 2019 to 09 Nov 2019
TYPE OF EVENT: Stage Rallying-Stage 45 Miles & Over
STATUS OF EVENT: National 'B'
VENUE: Duns Rugby Club, Castle Park, Duns TD11 3QQ
PERMIT NUMBER: 110790

The Royal Automobile Club Motor Sports Association Ltd (hereinafter called Motorsport UK) authorises your Club to organise the event detailed above subject to compliance with the General Regulations of Motorsport UK and all other relevant requirements of Motorsport UK. Your attention is drawn to the conditions printed on the reverse of this form and those stated hereunder.

If applicable, the event has been authorised under the Motor Vehicles (Off Road Events) Regulations 1995 (as amended), see overleaf.

Please note: MSA Steward TBA. Note Appendix 1 (3), Motorsport UK Steward overnight accommodation required. Forward draft Safety Manual to the Competitions & Clubs team.

FINANCIAL DECLARATION

We certify that the competitor numbers shown below signed-on for the above event.
 Accordingly we enclose our remittance fee made up as follows:

PERMIT FEE	£	4.00
INSURANCE FEE	£	72.80
<input type="text"/> COMPETITORS @	£	76.80
OTHER FEES: STEWARDS FEE	£	264.00
TOTAL	£	

VAT RECEIPT ☐

(Please enclose an S.A.E if address differs from Permit)

Secretary of
 Meeting.....

For and on behalf of

Date.....

PAYMENT METHOD

Bank Transfer

Details can be found overleaf

Credit/Debit Card

Log in to www.motorsportuk.org to pay your Permits online

Cheque

Cheques to be made payable to Motorsport UK and sent to the address below.

For and on behalf of the Motorsport UK
 Date of Issue 7 May 2019

Schedule III

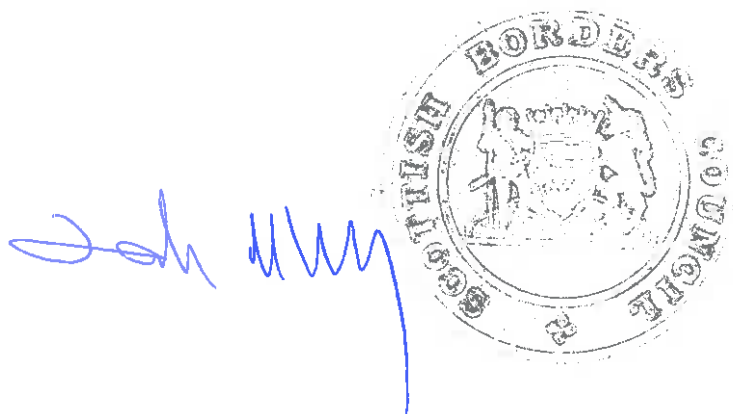
1. No person may drive a vehicle participating in the Event unless they hold a valid driver's licence issued by the Governing Body in category Stage Rally Driver, National 'A', National 'B' or International which must be presented on the day.
2. Competitors must comply with the Governing Body's Regulations R5.1 to R5.4.5, H32.1.1 to H33.1.7, H Chart 7 and Chart 26.
3. No vehicle will be permitted to take part in the Event unless it has been approved by the Governing Body acting via a scrutineer appointed by and confirmed as meeting the following requirements:

Regulations R46-49.11.4, R25.2 as appropriate and scrutinised in accordance with Motorsport UK Regulations R5.1 to R5.1.4.
4. The Event may only take place between the hours of 13:15 and 20:56 on 8 November 2019 and 08:15 and 19:37 on 9 November 2019 (although other scheduled activities outside the scope of this Order are scheduled to take place from 22:00 on 7 November until 22:30 on 9 November).
5. The Event may only take place on the public roads listed in Part 1 of Schedule I and shown on the maps in Part 2 of Schedule I.
- 6.. The Promotor shall at all times during the holding of the Event comply with and ensure compliance with the requirements of the permit issued to them and attached at Schedule II and the following requirements:
 - (a) ensure the Event does not take place unless a final Operation and Safety Manual has been submitted to the Council and approved no later than 7 days before the Event is due to commence ("the Operation and Safety Manual"). The Operation and Safety Manual shall include further details as to the manner of compliance with the conditions specified in this Schedule. In particular this includes (but is not limited to) scrutineer requirements, avoidance of disruption, separation of competitors, notification to residents including road closure signage, permitted access for residents with marshal authority, Command and Control Centres, spectator areas and spectator welfare/safety;
 - (b) provide a full risk assessment covering all aspects of the Event (in particular the safety of all involved);
 - (c) submit a Temporary Traffic Regulation Order/section 16A Order application form as appropriate for road closures (and any other Temporary Traffic Regulation Order requirements) together with maps and traffic management plans for the routes in question, showing the exact locations of any closures and the necessary diversion routes no less than 8 weeks in advance of the planned Event, for approval by the Roads Authority;
 - (d) ensure that the road is re-opened safely to public and residents use through the use of a clearly marked "Road Open Car" at the end of the Event, including ensuring all signage and other traffic management traffic management arrangements have been removed. All apparatus, signage or other structures used to control movement during the Event must be removed no later than 23:59 hours on 9 November 2019;

- (e) ensure that all marshals, drivers, scrutineers and other officials are trained in accordance with the requirements set out in the Governing Body's Yearbook 2019, including registration under the Governing Body's MotorsportsUK accreditation scheme and relevant training by the Governing Body's MotorsportsUK for marshals, drivers and scrutineers involved in the Event;
- (f) ensure that the Event and management thereof complies with the requirements for scrutineers set out in the Governing Body's Yearbook 2019;
- (g) ensure that all vehicle owners and drivers participating in the Event have appropriate motor rallying insurance which complies with Governing Body's requirements as set out in the Governing Body's Yearbook 2019;
- (h) maintain records of all insurance taken out pursuant to paragraph (g) above;
- (i) ensure that the Event is managed in accordance with the Operation and Safety Manual;
- (j) ensure there shall be no overtaking except where a slower competitor is caught by a faster competitor and the slower competitor has pulled over to allow them to pass;
- (k) ensure that there are appropriate arrangements in the Operation and Safety Manual to ensure the removal of broken down or otherwise damaged vehicles and that they are adhered to;
- (l) ensure that there is adequate separation of competitors for each stage including the management of spacing on each stage in real-time in response to any incidents on that stage, according to the Operation and Safety Manual;
- (m) provide information to the occupiers of all buildings accessed from the Event stage or who are otherwise likely to be affected by or inconvenienced by the Event no later than 2 weeks before the Event, which shall include full information about the Event including proposed timings, emergency procedures and how the public can contact the Promoter in the case of an emergency as well as complying with any other requirement in the Operation and Safety Manual;
- (n) erect and maintain road closure signage (and any other associated signage) for the duration defined in any relevant Temporary Traffic Regulation Order/section 16A Order;
- (o) ensure that access shall be enabled and permitted to the closed roads whilst this Order is in effect to allow residents access by marshals, when safe to do so;
- (p) ensure that all points where people not taking part in the Event might be permitted access to closed roads during the Event, are controlled via a marshal to prevent access during a live rally stage, and ensure that a marshal does prevent access during a live rally stage;
- (q) ensure that all drivers and competitors are required to comply with instructions given by officers of the Promotor, appointed marshals and appointed scrutineers at all times during the Event;
- (r) enable access by officers of The Scottish Borders Council, and all emergency services to any part of the course, spectator areas and inspection areas before, during and after the Event;
- (s) ensure liaison with all emergency services as set out in the Operation and Safety Manual or as otherwise required by the Police or any officer of The Scottish Borders Council;

- (t) enable access by all emergency services along the route and at the designated help points before during and after the Event and comply with any reasonable request by them consistent with ensuring health and safety at the Event;
- (u) keep a record of any damage, accident and injury occurring at the Event or caused by activity associated with the holding of the Event as part of the incident management process and provide a copy of such record to the police and the Council no later than 7 days after the Event if required;
- (v) undertake a full inspection of the route by the safety car train after each "round" of activity (within an hour before the next scheduled round of activity) and ensure that the route is safe for the next round of activity. This shall include reviewing any damage or problems caused by the previous activity; and have available a suitably competent contractor to carry out any emergency repairs required;
- (w) ensure that spectators are confined to the designated spectator areas during the rally stages and ensure that the local arrangements proposed for managing potential spectators outside of these areas is adhered to;
- (x) ensure that appropriate access, security, parking, medical and welfare facilities are provided for spectators as per the Purple Guide;
- (y) ensure the security and segregation of competitors' areas, including service and refueling areas;
- (z) provide a roles and responsibilities structure in accordance with the Governing Body's Yearbook 2019 no more than two weeks before the Event;
- (aa) ensure that all litter or other debris deposited on any road subject to this Order as a result of the Event is removed no later than 23.59 hours on the final day of the Event;
- (bb) stop the Event if required to do so by either Police Scotland or the Multi-Agency Control Centre ("MACC") and not to restart the Event without the prior permission of the said person requiring the Event to stop.

Note: The Promotor has agreed to pay the cost of any repairs to the public roads (including statutory undertakers' equipment, street lighting, road signs, drainage structures and traffic signals) which are required as a result of the Event. The route shall be inspected by a roads authority representative before and after the Event to agree road condition which will be used as the measurement for any subsequent damage.



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BERWICKSHIRE (VARIOUS ROADS) MOTOR SPORT ORDER 2019