

## FAIRER SCOTLAND DUTY

### ASSESSMENT NOT REQUIRED DECLARATION

Policy title	The Motorsport on Public Roads (Scotland) Regulations 2019
Directorate: Division: team	Transport Scotland: Roads Directorate: Road Policy Team
Policy lead responsible for taking the decision	George Henry, Head of Road Policy

#### Rationale for decision

The principal purpose of the regulations is to introduce a two stage authorisation process to allow motorsports to be held on closed public roads across Scotland. The regulations allow local authorities to authorise motorsport events jointly with the relevant motor sport governing body, potentially unlocking benefits at a local level, by issuing a motor sport order.

Whilst the Motor Sport on Public Roads (Scotland) Regulations 2019 process is legislative, and therefore constitutes a strategic decision, we do not believe the regulations to have specific relevance to socio-economic inequalities. We therefore conclude that no Fairer Scotland Duty assessment is required for this purpose.

However, we do note that the scope of the regulations will benefit both urban and rural communities. In particular, rural communities may benefit further as the local economy could be boosted by the hosting of events.

It is currently a criminal offence to promote or take part in a race or trial of speed on public roads in Scotland. The only exceptions is the Jim Clark Memorial Rally which is held in the Scottish Borders via Scottish Borders Council (Jim Clark Memorial Rally) Order Confirmation Act 1996 and the Beatson's Mull Rally, which is authorised under the Strathclyde Regional Council Order Confirmation Act 1990. However, neither event has been held for a few years due to ongoing issues about insuring such events.

Under the Road Traffic Act 1988 event organisers are liable for damages unless the organiser has taken reasonable steps to prevent any accidents and injuries. The two stage authorisation process will enable events like the Mull

Rally to proceed, which can attract considerable media interest both locally and internationally and generate up to £1 million for the local economy.

Research has shown that socio-economic factors can be impacted if public roads are closed. However, roads authorities are responsible for managing traffic as part of their duties under the Road Traffic Regulation Act 1984 and it is a requirement of the Regulations that local authorities, before issuing authorising an event, be satisfied that adequate traffic management arrangements have been or will be made for the event. It should be noted, however, that generally for such events public roads are not all closed at once, instead only small sections of public roads may be closed for a couple of hours at a time whilst crews undertake their time trials. More importantly, the Jim Clark and Mull Rallies have been running since 1969, and the roads authorities who approve these rallies work closely with the community to ensure that people can still get around during the event.

To ensure that the Fairer Scotland Duty is considered we propose that all local authorities ensure they assess equality impacts of road closures when determining and approving future motorsports orders.

**I confirm that the decision to not carry out a Fairer Scotland assessment has been authorised by:**

Name and job title of Deputy Director (or equivalent)	Date authorisation given
<b>Hugh Gillies</b> <b>Director of Roads</b>	25 February 2019