



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING TUESDAY 01st August 2017**

Steve Stringwell (Chairman)
Kelvin Nicholls
Bob Kettleboro

CASE No J2017/21

The panel of the National Court considered the appeal by Neil MacLennan against the Decision of the Stewards to exclude him from the FF1600 race at Knockhill on 4th June 2017 for overtaking under yellow flags.

The panel of the National Court considered two preliminary applications relating to (i) the Decision of the Stewards itself: and (ii) the participation of Mr. Sumner (the CoC) at the hearing. The panel's findings in respect of the preliminary applications were that the Clerk of the Course had the ability to deal with the incident under General Regulation C5.1.1; the Clerk of the Course's decision was valid; Ross Martin was a party to the proceedings and his appeal to the Stewards of the Meeting under General Regulation C6.1.2 was valid; the Decision of the Stewards was valid and appealed by Mr MacLennan in accordance with General Regulation C7.1 the appeal before the National Court was to proceed as a de novo hearing. The panel agreed that Mr. Sumner participate as a witness at the hearing.

The panel of the National Court considered the bundled of documents prepared for the appeal and the submissions made by Mr. Champkin on behalf of Mr. MacLennan and Ms. Sarah Franklin acting on behalf of the MSA. As part of the submissions the panel heard oral evidence from Ray Sumner (the Clerk of the Course), Neil MacLennan (Driver of Car No. 25), Alan Couper MSA Steward. In addition the panel viewed video evidence of the incident. The Panel of the National Court also took into account timing sheets in its deliberation with special attention to sector 3. The panel noted that Neil MacLennan himself fully accepted he did overtake Car No. 316 at the said location under a yellow flag.

In reaching its decision and having discussed all of the matters before it the panel unanimously agreed that yellow flags and flag signals in general are a major safety issue and have to be obeyed at all times. The decision of National Court is that the appeal fails and that the exclusion by the Stewards of the meeting be upheld. The National Court also orders the payment of costs of £500.00 by the Appellant.

**STEVE STRINGWELL
CHAIRMAN**