

## DECISION OF THE CLERKS HEARING

Organising Club	<u>BRSCC</u>	Date	<u>3rd October 2024</u>
Type Of Event	<u>Race</u>	Status	<u>Interclub</u>
Venue ( <i>Inc. Circuit Layout</i> )	<u>Brands Hatch Indy</u>	Permit No	<u>134543</u>

Reason for hearing: Protest  Right of Review

Please fill out the below details as applicable:

Name: Richard Freye  
Competition / Entrant Licence No: 252526  
Issuing ASN (If not Motorsport UK): \_\_\_\_\_  
Competition Number in Event: 68  
Race / Class: Super Classic Pre-99 Formula Ford Championship

The Clerk heard evidence from the following persons:

Richard Freye (the competitor requesting the Right of Review)

Luke Souch (BRSCC Sporting Manager) was also present to facilitate the online meeting but played no part in the proceedings.

The Clerks decision is:

No significant and relevant new element exists and therefore the Right of Review fails. The original decision including any penalty shall stand. The fee (NCR C.14.2.1) is forfeit.

The competitor is reminded that the decision of the Review Body as to whether or not such an element exists is not subject to appeal before any further judicial body (NCR C.14.5.1)

Reason(s) for this decision:

The Right of Review Hearing took place online via Teams, facilitated by BRSCC. The decision subject to this review was made at Brands Hatch on Saturday, 17th August 2024 at 19:00 (Bulletin 33 of the event). The hearing started at 10:30 on Thursday, 3rd October.

Present in the hearing was Mr Ian Danaher (Clerk of the Course, the review body), Richard Freye (the competitor), and Luke Souch (see above).

In advance of the hearing, Mr Danaher had sight of the letter which Mr Freye had submitted as part of his petition for the Right of Review. The letter, whilst containing a view, did not in itself present any significant and relevant new evidence.

During the hearing, Mr Freye was asked to present to the review body the 'significant and relevant' new evidence being relied on. In doing so, Mr Freye shared the onboard footage from his car. This footage was in fact reviewed as part of the original enquiry resulting in the decision made at the event. Mr Freye was asked if there was any further evidence he wished to present. In fairness to the competitor, the review body allowed him to explain his views on the original footage. However, the fact remained that the evidence being relied on in this hearing was not 'new' and had been used in the original enquiry at the event.



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The appeal fee is: RETURNED  FORFEIT

The licence is: RETAINED  ENDORSED

The competitor has not made payment at the Event and undertakes to settle the payment to Motorsport UK in accordance with the regulations.

Yes  No

	NAME	SIGNATURE
Clerk of the Course signed	Ian Danaher	I Danaher

Timed at: 11:15 \_\_\_\_\_

Date: 3rd October 2024 \_\_\_\_\_

**I, being the Driver / Entrant, acknowledge receipt of the above Clerks Decision:**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Timed at: \_\_\_\_\_

Date: \_\_\_\_\_

**YOU ARE REMINDED OF YOUR RIGHT TO APPEAL**