
EXPLANATORY NOTE

(This note is not part of the Rules)

Section 265A of the Town and Country Planning (Scotland) Act 1997 provides that all planning inquiries are to be held in public except where the Secretary of State or the Scottish Ministers, after consultation with the Secretary of State, otherwise direct on the grounds of national security. Section 265A also makes provision for the appointment of persons (“appointed representatives”) to represent the interests of any person who will be prevented from hearing or inspecting any evidence at a local inquiry if such a direction is given.

These Rules make provision as to the procedure to be followed by the Scottish Ministers when they are considering giving a national security direction, including provisions on publicity (rule 6), written representations (rule 8), hearings (rules 9 and 10) and notification of their decision (rule 14). The Rules also set out the functions of appointed representatives (rule 4).