
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 339

**The Town and Country Planning (Application
of Subordinate Legislation to the Crown)
(Inquiries Procedure) (Scotland) Order 2006**

Town and Country Planning Appeals (Determination by Appointed Person) (Inquiries Procedure) (Scotland) Rules 1997

3.—(1) The Town and Country Planning Appeals (Determination by Appointed Person) (Inquiries Procedure) (Scotland) Rules 1997(1) apply to the Crown with the following modifications.

(2) After rule 2 (application of rules) insert—

“Modifications where national security direction given

2A. The modifications set out in the Schedule shall have effect where a direction is given by the Scottish Ministers, or the Secretary of State, under or by virtue of—

- (a) section 265A(3) of the Act(2)(planning inquiries to be held in public subject to certain exceptions);
- (b) paragraph 6(7) of Schedule 3 to the Listed Buildings Act(3)(determination of certain appeals by person appointed by the Scottish Ministers);
- (c) paragraph 6(7) of the Schedule to the Hazardous Substances Act(4)(determination of certain appeals by person appointed by the Scottish Ministers).”.

(3) At the end of the Rules add the Schedule set out in Schedule 2 to this Order.

(1) S.I.1997/750 as amended by S.I. 1998/2312.

(2) 1997 c. 8. Section 265A was inserted by the Planning and Compulsory Purchase Act 2004 (c. 5 (“the 2004 Act”), section 91(1).

(3) 1997 c. 9. Schedule 3 was amended by the 2004 Act, section 91(2).

(4) The Planning (Hazardous Substances) (Scotland) Act 1997 c. 10. Paragraph 6(7) was inserted by section 91(3) of the 2004 Act.