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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules set out the procedures to be followed in connection with local inquiries held for the purposes of certain applications and appeals under the Planning (Hazardous Substances) (Scotland) Act 1997 (“the Hazardous Substances Act”). The Rules apply (rule 2) to inquiries held in connection with—

- (a) applications referred to the Scottish Ministers under section 18 of the Hazardous Substances Act on or after 1st June 2015; and
- (b) appeals under section 19 of the Act and regulation 43 of the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 on or after 1st June 2015.

In relation to such applications and appeals the Rules replace the Town and Country Planning (Inquiries Procedure) (Scotland) Rules 1997 and the Town and Country Planning (Determination by Appointed Person) (Inquiries Procedure) (Scotland) Rules 1997. Those Rules are amended accordingly by rules 11 and 12.

Rule 4 makes provision for notice of an inquiry session (as defined in rule 3 (interpretation)) to be given. Rule 5 sets out who is entitled to appear at an inquiry session and rule 6 sets out how the time and place of the inquiry is to be fixed and notified and published. Rules 7 and 8 respectively make provision in respect of the documents to be produced in connection with the inquiry session and in connection with the conduct of the inquiry session. Rule 9 enables the Scottish Ministers to appoint an assessor.

Rule 10 modifies the application of the Rules as they apply to called-in applications.