

Status: Point in time view as at 18/01/2006.

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Cross Heading: Functions on reference is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

PLANNING INQUIRY COMMISSIONS

Functions on reference

- 4 (1) A commission inquiring into a matter referred to them under section 69(2) shall—
- (a) identify and investigate the considerations relevant to, or the technical or scientific aspects of, that matter which in their opinion are relevant to the question whether the proposed development should be permitted to be carried out, and
 - (b) assess the importance to be attached to those considerations or aspects.
- (2) If—
- (a) in the case of a matter mentioned in section 69(2)(a), (b) or (c), the applicant, or
 - (b) in any case, the planning authority,
- so wish, the commission shall give to each of them, and, in the case of an application or appeal mentioned in section 69(2)(a) or (b), also to any person who has made representations relating to the subject matter of the application or appeal which the authority are required to take into account under section 38(1) or (2), an opportunity of appearing before and being heard by one or more members of the commission.
- (3) The commission shall then report to the responsible Minister or Ministers on the matter referred to them.
- (4) A commission may, with the approval of the Secretary of State and at his expense, arrange for the carrying out (whether by the commission themselves or by others) of research of any kind appearing to them to be relevant to a matter referred to them for inquiry and report.

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