STATUTORY INSTRUMENTS

1998 No. 2313

The Compulsory Purchase by Public Authorities (Inquiries Procedure) (Scotland) Rules 1998

Procedure where the Secretary of State causes pre-inquiry meeting to be held

7.—(1) The Secretary of State may cause a pre-inquiry meeting to be held if it appears to him desirable and, where he does so, paragraphs (2) to (11) apply.

(2) The Secretary of State shall serve with the relevant notice a notification of his intention to cause a meeting to be held and a statement of matters.

(3) The acquiring authority shall, not later than 8 weeks after the relevant date (or such other date as the person appointed for the purpose of paragraph (10), after considering any representations from such parties as he thinks fit, may determine), serve an outline statement on the Secretary of State and on each statutory objector.

(4) The acquiring authority shall–

(a) include in or attach to their outline statement the text of any written representation or written statement as referred to in rule 5(2); and

(b) within the period mentioned in paragraph (3), supply a copy of their outline statement and of any such attachments to the government department concerned.

(5) The Secretary of State may by notice in writing require any statutory objector and any other person who has notified him of an intention or a wish to appear at the inquiry to serve, not later than 4 weeks after being so required (or such other date as the person appointed for the purpose of paragraph (10), after considering any representations from such parties as he thinks fit, may determine), an outline statement on him, on the acquiring authority and on any other person specified in such notice.

(6) Where a person is required to serve an outline statement in terms of paragraph (5) the Secretary of State may require, by such date as he may determine, service on such person by any other party of the outline statement of that other party.

(7) The meeting (or, where there is more than one, the first meeting) shall be held not later than 16 weeks after the relevant date.

(8) The Secretary of State shall give not less than 3 weeks' written notice of the meeting to the acquiring authority, each statutory objector, any person known at the date of the notice to be entitled to appear at the inquiry and any other person whose presence at the meeting appears to him to be desirable; and he may require the acquiring authority to take, in relation to notification of the meeting, one or more of the steps which he may under rule 16(6)(b) or (c) require them to take in relation to notification of the inquiry.

(9) The Secretary of State shall cause to be published in a newspaper circulating in the locality in which the land is situated a notice of his intention to cause a meeting to be held.

(10) A person appointed by the Secretary of State for the purpose shall preside and shall determine the matters to be discussed and the procedure to be followed at the meeting.

(11) Where a pre-inquiry meeting has been held pursuant to paragraph (1), a further meeting may be held and, in that event, the person so appointed by the Secretary of State shall arrange for such notice to be given as appears to him necessary; and paragraph (10) shall apply to such a meeting.