
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 434

**The Town and Country Planning
(Appeals) (Scotland) Regulations 2008**

PART 6

Called-in Applications and non-delegated appeals

Called-in applications

17.—(1) Parts 1, 3 and 7, the Hearing Session Rules and the Inquiry Session Rules apply to an application referred to the Scottish Ministers following a direction under section 46(1) of the Act as they apply to a delegated appeal under section 47 of the Act with the modifications specified in paragraph (2).

(2) The modifications are—

- (a) references to the appeal and the appellant are to be treated, respectively, as references to the application and the applicant;
- (b) references to the appointed person in Parts 3 and 7 (other than in regulation 21) are to be treated as references to the Scottish Ministers, and in regulation 21, the Hearing Session Rules and the Inquiry Session Rules are to be treated as references to the person appointed to hold the hearing session or inquiry session, as the case may be; and
- (c) in regulation 7, 8(5) and 11(3)(c), “considers”; in regulation 8(1), “does”; in regulation 8(3), “determines”; in regulation 9(2) and (4) and 11(4), “is”; in regulation 10(1), “has”; in regulation 10(1)(b), “wishes” and in regulation 12(1), “proposes”, are respectively to be read as “consider”, “do”, “determine”, “are”, “have”, “wish” and “propose”.

Non-delegated appeals

18. Parts 1, 3 and 7, the Hearing Session Rules and the Inquiry Session Rules apply to a non-delegated appeal as they apply to a delegated appeal with the modifications specified in regulation 17(2)(b) and (c).