

SCHEDULE

THE FIRST-TIER TRIBUNAL FOR SCOTLAND LOCAL TAXATION CHAMBER RULES OF PROCEDURE 2022

PART 1

Rules common to all proceedings before the First-tier Tribunal

Disposal of an appeal without a hearing

9.—(1) This rule applies to appeals other than an appeal against a determination of an application for council tax reduction (for which provision is made in rule 46).

(2) A council tax appeal against a decision under regulation 8 (proposal treated as invalid due to lack of title or being out of time) or regulation 9 (proposal treated as invalid due to lack of information) of the 1993 Regulations may, if the First-tier Tribunal considers it appropriate to do so, be disposed of on the basis of written representations.

(3) Any other appeal may be disposed of on the basis of written representations, without a hearing, only if—

- (a) all the parties have given their agreement in writing, and
- (b) the First-tier Tribunal considers that it is able to decide the matter without a hearing.

(4) Where it appears to the First-tier Tribunal that an appeal, except an appeal of the kind specified in paragraph (2), is capable of being determined without a hearing it must seek the written agreement of the parties to proceed on this basis.

(5) Any party may, with or without the agreement of the other parties to an appeal, request in writing to the First-tier Tribunal that the appeal be determined without a hearing.

(6) On receipt of a request under paragraph (5) the First-tier Tribunal must, unless that request includes the agreement of parties, seek the written agreement of the other parties to determine the appeal without a hearing.

(7) Where an appeal is to proceed without a hearing, the First-tier Tribunal must serve notice on the parties accordingly.

(8) Any party may, at any time before an appeal is determined under this rule, withdraw any agreement given under paragraph (3)(a) by serving notice to that effect on the First-tier Tribunal.

(9) Where a party withdraws their agreement in accordance with paragraph (8) a hearing must be held for the purpose of deciding the appeal.

(10) The First-tier Tribunal may dispose of proceedings, or a part of proceedings, under rule 6 (dismissal of a case) without a hearing.

(11) An appeal, or part of an appeal, disposed of by virtue of paragraph (10) is not subject to paragraphs (3) to (9) of this rule.

Commencement Information

II [Sch. rule 9](#) in force at 1.4.2023, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Local Taxation Chamber (Rules of Procedure) Regulations 2022, Paragraph 9.