



# Heat Networks (Scotland) Act 2021

## 2021 asp 9

### PART 3

#### HEAT NETWORK ZONES

##### *Designation of heat network zone*

#### **47 Duty on local authority to review heat network zoning in area**

- (1) Each local authority must carry out a review to consider whether one or more areas in its area is likely to be particularly suitable for the construction and operation of a heat network.
- (2) A local authority must carry out—
  - (a) its first review under subsection (1) as soon as practicable after the day on which this section comes into force,
  - (b) each subsequent review under that subsection by no later than 5 years after the day on which the local authority last published a statement under subsection (6).
- (3) In carrying out a review under subsection (1), a local authority must have regard to the matters mentioned in section 48(1).
- (4) If, following a review under subsection (1), the local authority considers that one or more areas considered as part of the review is likely to be particularly suitable for the construction and operation of a heat network, the local authority must, in relation to each area—
  - (a) proceed to consider whether to designate the area as a heat network zone in accordance with section 48, or
  - (b) request that the Scottish Ministers consider whether to designate the area as a heat network zone in accordance with section 49.
- (5) But a local authority may not make a request under subsection (4)(b) if the area is the subject of a direction under section 53.
- (6) After each review, the local authority must publish a statement in relation to each area considered as part of the review—

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*Changes to legislation: There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 47. (See end of Document for details)*

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- (a) explaining whether the local authority considers that the area is likely to be particularly suitable for the construction and operation of a heat network,
  - (b) explaining the reasons for that view, and
  - (c) if the local authority considers that the area is likely to be particularly suitable for the construction and operation of a heat network—
    - (i) identifying the area by reference to a map, and
    - (ii) giving reasons for its decision under subsection (4)(a) or (b).
- (7) The Scottish Ministers may specify by regulations, in relation to a statement published under subsection (6)—
- (a) any further information that must be included in a statement,
  - (b) how it is to be published,
  - (c) the persons to whom copies of it are to be sent, and
  - (d) such other requirements relating to the statement as they consider appropriate.

**Commencement Information**

**I1** S. 47 in force at 16.1.2023 for specified purposes by S.S.I. 2022/376, reg. 2, sch.

**I2** S. 47 in force at 30.5.2023 in so far as not already in force by S.S.I. 2023/148, reg. 2(1)(2)(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 47.