



Heat Networks (Scotland) Act 2021

2021 asp 9

PART 3

HEAT NETWORK ZONES

Variation of heat network zone

50 Variation of heat network zone by local authority

- (1) A local authority may vary a heat network zone situated in its area if the heat network zone was designated by the local authority under section 46(1).
- (2) In considering whether to vary a heat network zone under subsection (1), a local authority must have regard to the matters mentioned in section 48(1).
- (3) Before deciding whether to vary a heat network zone under subsection (1), a local authority must consult such persons, and in such manner, as the Scottish Ministers may specify by regulations.
- (4) Having had regard to the matters mentioned in section 48(1) and complied with the requirements under subsection (3), the local authority may—
 - (a) vary the heat network zone, or
 - (b) decide not to vary the heat network zone.
- (5) If the local authority varies the heat network zone, it must—
 - (a) identify the area of the heat network zone as varied in a document by reference to a map,
 - (b) specify in the document the day on which the variation takes effect, and
 - (c) publish the document in such manner as the Scottish Ministers may specify by regulations.

Commencement Information

- I1** S. 50 in force at 16.1.2023 for specified purposes by S.S.I. 2022/376, reg. 2, sch.
- I2** S. 50 in force at 30.5.2023 in so far as not already in force by S.S.I. 2023/148, reg. 2(1)(2)(e)

Changes to legislation: There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Cross Heading: Variation of heat network zone. (See end of Document for details)

51 Variation of heat network zone by Scottish Ministers

- (1) The Scottish Ministers may vary a heat network zone—
 - (a) following a request by the local authority in whose area the heat network zone is situated, or
 - (b) on the Scottish Ministers' own initiative.
- (2) It does not matter for the purposes of subsection (1) whether the heat network zone was designated by—
 - (a) a local authority, or
 - (b) the Scottish Ministers.
- (3) In deciding whether to vary a heat network zone under subsection (1), the Scottish Ministers must have regard to the matters mentioned in section 48(1).
- (4) Before deciding whether to vary a heat network zone, the Scottish Ministers must consult—
 - (a) each local authority in whose area the heat network zone is situated,
 - (b) such other persons as they consider appropriate.
- (5) Having had regard to the matters mentioned in section 48(1) and complied with the requirements under subsection (4), the Scottish Ministers may—
 - (a) vary the heat network zone, or
 - (b) decide not to vary the heat network zone.
- (6) If the Scottish Ministers vary the heat network zone under subsection (5)(a), they must—
 - (a) identify the area of the heat network zone as varied in a document by reference to a map,
 - (b) specify in the document the day on which the variation takes effect, and
 - (c) publish the document in such manner as they consider appropriate.

Commencement Information

I3 S. 51 in force at 30.5.2023 by S.S.I. 2023/148, reg. 2(1)(2)(f)

Changes to legislation:

There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021,
Cross Heading: Variation of heat network zone.