



Heat Networks (Scotland) Act 2021

2021 asp 9

PART 6

POWERS OF LICENCE HOLDERS

Compulsory acquisition of land

PROSPECTIVE

68 Compulsory acquisition of land by licence holder

- (1) A licence holder may, with the authorisation of the Scottish Ministers, compulsorily acquire land that is required for the construction or operation of a heat network.
- (2) Subsection (1) includes in particular the power to acquire—
 - (a) any right or interest in or over land,
 - (b) a servitude or other right in or over land by the creation of a new right.
- (3) The Scottish Ministers must not authorise under subsection (1) any acquisition in relation to land which belongs to Her Majesty in right of Her private estates unless the appropriate authority consents to the acquisition.
- (4) The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 applies in relation to an acquisition under subsection (1) as if—
 - (a) this section were contained in an Act in force immediately before the commencement of that Act, and
 - (b) the licence holder were a local authority.
- (5) Subsection (1) does not apply in relation to land held or used by or on behalf of a Minister of the Crown or a department of the Government of the United Kingdom.
- (6) In subsection (3)—
 - (a) the reference to Her Majesty's private estates is to be construed in accordance with section 1 of the Crown Private Estates Act 1862,

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 68. (See end of Document for details)

(b) the “appropriate authority” means the person appointed by Her Majesty in writing under the Royal Sign Manual or, if no such appointment is made, the Scottish Ministers.

(7) In this Part, a “licence holder” means a person holding a heat networks licence.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 68.