
EXPLANATORY NOTE

(This note is not part of the Regulations)

Pursuant to section 11(1) and (3) of the Local Government (Miscellaneous Provisions) Act 1976 local authorities in England and Wales are only entitled to sell electricity produced in association with heat unless regulations provide otherwise. These Regulations provide that local authorities can also sell electricity which is produced from the following renewable sources: wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogases.

In accordance with section 11(2) of the Local Government (Miscellaneous Provisions) Act 1976, local authorities remain subject to the requirements of Part I of the Electricity Act 1989 (1989 c.29).

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.