



Heat Networks (Scotland) Act 2021

2021 asp 9

PART 2

HEAT NETWORK CONSENT

Transfer, modification and revocation of heat network consent

PROSPECTIVE

28 Appeals against notice of revocation given by local authority

- (1) Where a local authority gives a notice of revocation to a person under section 27(4), the person may appeal to the Scottish Ministers against the notice.
- (2) Where an appeal is made under subsection (1) against a revocation notice, the notice has no effect pending the final determination or withdrawal of the appeal.
- (3) The Scottish Ministers may by regulations make further provision about appeals under subsection (1).
- (4) Regulations under subsection (3) may in particular include provision about—
 - (a) the way in which appeals are to be made, including time limits for making appeals,
 - (b) matters that may be raised in appeals,
 - (c) the information to be provided when making appeals,
 - (d) the procedure in connection with determining appeals,
 - (e) the manner in which appeals are to be conducted,
 - (f) decisions that may be taken on appeal,
 - (g) how the determination of appeals is to be notified.
- (5) The provision that may be made by virtue of subsection (4)(e) includes provision about the holding of an inquiry or hearing for the purpose of determining an appeal, including—

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 28. (See end of Document for details)

- (a) the hearing of evidence at an inquiry or hearing in public or otherwise including any procedure to apply where evidence is not to be heard in public or documentary evidence is not to be open to public inspection,
 - (b) the appointment of persons to hold an inquiry or hearing,
 - (c) the role of such persons,
 - (d) the timing of an inquiry or hearing,
 - (e) notification of an inquiry or hearing,
 - (f) attendance of required persons at an inquiry or hearing,
 - (g) giving of evidence of persons required to attend an inquiry or hearing,
 - (h) consequences of persons failing to attend an inquiry or hearing or to provide information required by an inquiry or hearing, including the creation of offences,
 - (i) the payment of expenses by parties to the inquiry or hearing.
- (6) The maximum penalty that may be provided for in regulations under subsection (3) creating an offence is, on summary conviction, a fine not exceeding level 1 on the standard scale or imprisonment for a period not exceeding 3 months.
- (7) Regulations under subsection (3) may modify any enactment (including this Act).

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 28.