
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 1

INTRODUCTORY AND GENERAL PROVISIONS

Plans or projects relating to offshore marine area or offshore marine installations

4.—(1) Nothing in these Regulations requires an appropriate assessment of any plan or project so far as that plan or project is to be carried out on, in or in relation to any part of the sea in the offshore marine area, or on or in relation to an offshore marine installation.

(2) In paragraph (1)—

(a) “offshore marine area” means—

(i) any part of the seabed and subsoil situated in any area designated under subsection (7) of section 1 of the Continental Shelf Act 1964⁽¹⁾ (exploration and exploitation of continental shelf), and

(ii) any part of the waters within British fishery limits⁽²⁾ (except the internal waters of, and the territorial sea adjacent to, the United Kingdom, the Channel Islands and the Isle of Man); and

(b) “offshore marine installation” means any artificial island, installation or structure (other than a ship) which is situated—

(i) in any part of the waters in any area designated under section 1(7) of the Continental Shelf Act 1964, or

(ii) in any part of the waters in any area designated under subsection (4) of section 84 of the Energy Act 2004⁽³⁾ (exploitation of areas outside the territorial sea for energy production).

(1) 1964 c. 29; section 1(7) was amended by the Oil and Gas (Enterprise) Act 1982 (c. 23), paragraph 1 of Schedule 3. Areas have been designated under section 1(7) by S.I. 1987/1265, 2000/3062 and 2001/3670.

(2) As defined by section 1 of the Fishery Limits Act 1976 (c. 86).

(3) 2004 c. 20. An area has been designated under section 84(4) by S.I. 2004/2668.