
STATUTORY INSTRUMENTS

2017 No. 1012

The Conservation of Habitats and Species Regulations 2017

PART 6

Assessment of plans and projects

CHAPTER 5

Pipe-lines

Authorisations under Pipe-lines Act 1962: application of assessment and review provisions

93.—(1) The assessment provisions apply in relation to the granting of a pipe-line construction authorisation under the Pipe-lines Act 1962(1).

(2) Where in such a case the competent authority considers that any adverse effects of the plan or project on the integrity of a European site or a European offshore marine site would be avoided by granting an authorisation for the execution of works for the placing of the proposed pipe-line along a modified route, the competent authority may, subject to the provisions of Schedule 1 to the Pipe-lines Act 1962 (applications for pipe-line construction authorisations)(2), grant such an authorisation.

(3) The review provisions apply to an authorisation mentioned in paragraph (1) unless—

(a) the works to which the authorisation relates—

(i) were completed before 30th October 1994; or

(ii) have been completed before the site became a European site or a European offshore marine site (as the case may be); or

(b) the authorisation was granted—

(i) subject to a condition as to the time within which the works to which it relates were to be begun and that time has expired without those works having been begun; or

(ii) for a limited period and that period has expired.

(4) Where, on the review of such an authorisation, the competent authority considers that any adverse effects on the integrity of a European site or a European offshore marine site of the carrying out or, as the case may be, the continuation of the plan or project would be avoided by a variation of the authorisation, the authority may vary it accordingly.

(5) In conjunction with the review of any such authorisation the competent authority must review any direction deeming planning permission to be granted for the plan or project and may vary or revoke it.

(1) 1962 c. 58; see section 1, which relates to pipe-line construction authorisations. Section 1 was amended by the Planning Act 2008 (c. 29), Schedule 2, paragraph 6; S.I. 1999/742; and 2007/1519. It was also amended, in relation to England and Wales, by the Criminal Justice Act 1982 (c. 48), sections 38 and 46 and, in relation to Scotland, by the Criminal Procedure (Scotland) Act 1975 (c. 21), sections 289F and 289G.

(2) Schedule 1 was amended by the Petroleum Act 1987 (c. 12), section 25, and by S.I. 1992/449 and 1999/742.

Status: *This is the original version (as it was originally made).*
