
STATUTORY INSTRUMENTS

2017 No. 1013

**The Conservation of Offshore Marine
Habitats and Species Regulations 2017**

PART 2

CONSERVATION OF NATURAL HABITATS AND HABITATS OF SPECIES

Site protection and management

Management schemes for European offshore marine sites

22.—(1) Any competent authority which exercises functions in relation to a European offshore marine site may establish a management scheme for that site.

(2) A management scheme—

- (a) must set out how a competent authority establishing the scheme proposes to exercise its functions so as to secure in relation to that site compliance with the requirements of the Habitats Directive or the Wild Birds Directive; and
- (b) where it relates to a site which has been designated as a special area of conservation, must set out how, for the purposes of securing compliance with the requirements of Article 6(1) of the Habitats Directive, the competent authority establishing it proposes to exercise its functions in order to maintain or restore to a favourable conservation status—
 - (i) the natural habitat types listed in Annex I to the Habitats Directive which are found at the site; and
 - (ii) the species listed in Annex II to that Directive which are found at the site.

(3) Before establishing a management scheme, the competent authorities concerned must consult—

- (a) the Joint Committee;
- (b) such other competent authorities having functions in relation to the site as they consider appropriate; and
- (c) where the site adjoins a European marine site, such other persons who are parties to a management scheme for that European marine site as they consider appropriate.

(4) Any competent authority consulted under paragraph (3)(b) must be given the opportunity of participating in the establishment of the scheme.

(5) A competent authority may establish a single management scheme for two or more European offshore marine sites.

(6) Only one management scheme may be established for each European offshore marine site.

(7) A competent authority which has established a management scheme must review the scheme periodically, initially by the fifth anniversary of the date of the scheme's establishment and thereafter by each fifth anniversary of that date.

(8) A management scheme may be amended at any time, but before amending a scheme the competent authority which established it must—

- (a) consult the Joint Committee; and
- (b) consult such other persons as it considers appropriate.

(9) Before establishing or amending a management scheme for a site, the competent authorities concerned must have regard to—

- (a) any conservation objectives established for the site under regulation 21(a); and
- (b) any advice provided under regulation 21(b) relating to that site.

(10) As soon as a management scheme has been established or is amended, the competent authorities concerned must ensure that a copy of the scheme, or the amended scheme (as the case may be) is provided to—

- (a) the Secretary of State;
- (b) the devolved administrations;
- (c) those consulted under paragraph (3);
- (d) such other persons as the Secretary of State may direct;
- (e) in the case of a management scheme entered into by a competent authority in Scotland in relation to a site in the Scottish offshore region, such other persons as the Scottish Ministers may direct; and
- (f) in the case of a management scheme entered into by a competent authority in Wales in relation to a site in the Welsh offshore region, such other persons as the Welsh Ministers may direct.

(11) The Secretary of State may vary or revoke a direction under paragraph (10)(d), the Scottish Ministers may vary or revoke a direction under paragraph (10)(e) and the Welsh Ministers may vary or revoke a direction under paragraph (10)(f).

(12) In paragraph (3)(c), “European marine site” means any site which is a European marine site for the purposes of the 1994 Regulations, the Conservation (Natural Habitats, &c.) Regulations (Northern Ireland) 1995(1) or the 2017 Regulations.