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STATUTORY INSTRUMENTS

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**2023 No. 91**

**The Environmental Targets (Biodiversity)  
(England) Regulations 2023**

**PART 3**

Long-term biodiversity target: wildlife-rich habitat restoration or creation

**Interpretation of Part 3**

**10.** In this Part—

“baseline” means the baseline from which the breadth of the territorial sea is measured;

“European site” has the meaning given in regulation 8 of the Conservation of Habitats and Species Regulations 2017(1) (European sites and European marine sites);

“marine conservation zone” means an area designated as a marine conservation zone under section 116(1) of the Marine and Coastal Access Act 2009(2) (marine conservation zones);

“nautical mile” means an international nautical mile of 1,852 metres;

a “protected site” means a site which is—

- (a) a European site;
- (b) a site of special scientific interest; or
- (c) a marine conservation zone,

on or before the day these Regulations come into force, to the extent that the site is situated wholly or partly in England or in its waters;

“site of special scientific interest” means an area notified under section 28(1) of the Wildlife and Countryside Act 1981(3) (sites of special scientific interest);

“territorial sea” means such of the territorial sea of the United Kingdom that is adjacent to England;

“water” and “waters”, in relation to England only, means all waters, including, in the case of the sea, the area of the sea and the seabed below that area of the sea which is on the landward side of a line every point of which is at a distance of one nautical mile on the seaward side from the nearest point of the baseline;

“wildlife-rich habitat” means a habitat that is one of the following types of habitat and which is of sufficient quality that it is, or will be, capable of supporting flora and fauna which are typically found in the habitat in question—

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(1) [S.I. 2017/1012](#), as amended by [S.I. 2019/579](#).

(2) [2009 c. 23](#). There are amendments of section 116, but none is relevant.

(3) [1981 c. 69](#). Section 28(1) was amended by section 105(1) of, and paragraph 79 of Schedule 11 to, the Natural Environment and Rural Communities Act 2006 ([c. 16](#)) and by section 148 of, and paragraph 2(1) and (2) of Schedule 13 to, the Marine and Coastal Access Act 2009 ([c. 23](#)).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) a habitat type of principal importance for the conservation of biodiversity listed by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006(4) (biodiversity lists and action (England));
- (b) another habitat type listed in Schedule 1.

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(4) 2006 c.16. Section 41 is amended by section 102(8) of the 2021 Act. The list published by the Secretary of State in accordance with section 41 can be found in the document entitled “List of habitats and species of principal importance in England” published on 8th September 2022 and updated on 29th November 2022. This document can be found online at <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england> . A printed copy of this document may be obtained from the Department for the Environment, Food and Rural Affairs, Seacole Building, 2 Marsham Street, London SW1P 4DF.