

## SCHEDULE

### Consequential amendments (marine licensing)

#### **The Infrastructure Planning (Decisions) Regulations 2010**

**12.**—(1) The Infrastructure Planning (Decisions) Regulations 2010<sup>(1)</sup> are amended as follows.

(2) After regulation 3, insert—

##### **“Deemed consents under the Marine and Coastal Access Act 2009**

**3A.** This regulation applies in relation to an application where the decision-maker is considering whether to include in an order granting development consent a provision deeming a marine licence to have been issued under Part 4 of the Marine and Coastal Access Act 2009<sup>(2)</sup>, by virtue of section 149A of the Act<sup>(3)</sup>.

(2) When deciding an application to which this regulation applies, the decision-maker must have regard to—

- (a) the need to protect the environment,
- (b) the need to protect human health, and
- (c) the need to prevent interference with legitimate uses of the sea.”

(3) Omit regulations 4 (deemed consents under section 34 of the Coast Protection Act 1949<sup>(4)</sup>) and 5 (deemed licences under the Food and Environment Protection Act 1985<sup>(5)</sup>).

---

(1) S.I. 2010/305.

(2) 2009 c. 23.

(3) Section 149A of the Planning Act 1998 (c. 29) was inserted by paragraph 4(1) and (2) of Schedule 8 to the Marine and Coastal Access Act 2009.

(4) 1949 c. 74.

(5) 1985 c. 48.