



Offshore Petroleum Regulator
for Environment & Decommissioning

The Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020

Application for Consent for Projects

The OGA are responsible for granting consent for offshore oil and gas projects on the UK continental shelf. For projects within the scope of the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 (“the EIA Regulations”), the OGA cannot grant a consent without the Secretary of State’s agreement (via OPRED). Where the Secretary of State’s agreement to the grant of consent is required, the developer will have to submit an Environmental Statement, screening direction application or Schedule 3 notification (as appropriate) to OPRED.

The Secretary of State is only required to give agreement to the grant of consent where the activity for which consent is being sought falls within the EIA Regulations definition of a “project”, which requires construction works or other interventions in the natural surroundings and landscape to take place.

The OGA may therefore request that developers provide clarification with their consent submissions to assist OPRED and the OGA in determining whether the EIA regulations apply by asking whether the project involves construction or physical intervention. Developers are directed to OPRED’s recently republished EIA guidance which provide some further explanation around this.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005109/The Offshore Oil and Gas Exploration Production Unloading and Storage Environmental Impact Assessment Regulations 2020 - A Guide July 2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005109/The_Offshore_Oil_and_Gas_Exploration_Production_Unloading_and_Storage_Environmental_Impact_Assessment_Regulations_2020_-_A_Guide_July_2021.pdf)