

Marine Advice Memo

To: Stephen Treby - Marine Licensing Team

From: Rebekah Newstead - Marine Area Management and Advice Team

Date: 04/03/2026

Response to email from Stephen Treby dated 05/02/2026

Consultation: CML2365 Discharge of Condition 3.25

Application Reference: CML2365

Applicant: Liverpool Bay CCS

NRW advisors consultation record

Specialism	Consulted
Marine & Coastal Physical Processes	<input checked="" type="checkbox"/>
Marine Water Quality	<input checked="" type="checkbox"/>
Benthic Ecology	<input checked="" type="checkbox"/>
Marine Mammals	<input checked="" type="checkbox"/>
Marine Ornithology	<input checked="" type="checkbox"/>
Marine Fish	<input type="checkbox"/>

NRW Advisory comments:

Requires action		
Reference	Summary	RAG
Receptor – Physical Processes		
PP1.1	No sand wave clearance is covered in this CEMP but is covered in the ES. Please either confirm that sand wave clearance is no longer taking place or provide information on which CEMP will include sand wave clearance activities	AMBER
PP1.4	There should be a commitment not to place moved boulders in a such a way that interrupts sediment transport (i.e. not piled up in a line to create a rock berm).	AMBER
Receptor - Marine Mammals		
MM1.1	Commitments to minimise disturbance to marine fauna, including marine mammals through management during pre-trenching activities carried out with a vessel have not been included, however are included for PLGR, PLBR and mattress installation.	AMBER

Detailed Comments:

Document Reviewed: CONDITION 3.25: CEMP#2 – ACTIVITY 1, CABLE LAYING AND PROTECTION PHASE 2

Receptor – Physical Processes

PP1.1. **RAG = AMBER**

Section 1.1.4 (Table 1.1) – Clarification required

The physical processes section of the Environment Statement (ES) covered sand wave clearance for cable-laying (even after route change around West Hoyle). NRW (A) would expect any sand wave clearance activity to be covered in this CEMP (CEMP#2). NRW (A) seek clarification whether the absence of sand wave clearance in the document means that this activity will not be conducted? Since we do not yet have the cable specification and installation plan (CSIP) as required for condition 3.19, we cannot establish if sand wave clearance should be covered by this CEMP.

LBCCS Response: LBCCS confirms that sandwave clearance will not occur while executing the activities included within **CEMP#2**. Sandwave clearance is therefore excluded from the pre-lay works that form **Phase 2 of Activity 1**. If sand-wave management becomes necessary during cable burial, it will be outlined and approved in the upcoming CSIP and managed under **CEMP#3**, not **CEMP#2**. LBCCS has, however, conducted a detailed bathymetric survey of the cable route and mapped the location of the sandwaves. Analysis of the bathymetry indicates that the cable can be routed around the sandwaves to the south of the Douglas platform.

NRW (A) is correct; **Condition 3.19** requires a **CSIP** that describes the complete cable installation methodology. The **CSIP** is under preparation and has not yet been submitted. **CEMP#2** therefore covers only the pre-lay preparatory tasks such as pre-lay grapnel run, boulder relocation, and pre-lay mattresses.

Any requirement for sand-wave clearance, if needed at all, would arise from:

- The recommendations of the detailed Cable Burial Risk Assessment (CBRA), and
- The final cable installation methodology that will be reported in the **CSIP, and CEMP#3**; not **CEMP#2**.

Sandwave clearance is therefore not included in **CEMP#2** because none of the pre-lay activities would require this activity.

Furthermore, the **CSIP (Condition 3.19)** has not yet finalised whether such intervention is required for cable laying. However, as stated above, analysis of the bathymetry currently indicates that the cable can avoid the sandwaves.

PP1.2. RAG = YELLOW

Section 1.5.3 – Clarification required

If draft cable crossing agreements aren't in place (request to vary CML2365 to remove condition 3.35), what certainty is there that the specified plans for crossing protection (mattress installation) described in this CEMP will be accepted by the other party? NRW (A) seek confirmation that the lack of agreements will not affect the number and strategy for mattress placement.

LBCCS Response: The engineering design of the cable crossing at each location is under review by the third-party asset owners. One crossing design has been approved, comments have been returned on a second which are being addressed by the installation contractor.

The Crossing Agreements have been under negotiation between Liverpool Bay CCS Limited and all third-party asset owners for over two years. The terms (e.g., limits of liability, and repair costs) are being finalised between the respective legal teams. One has been fully agreed and is progressing to execution. The other four are undergoing final scrutiny and are expected to be agreed imminently.

Letters of no objection to the crossings have been received from all parties except for North Hoyle wind farm, who will not issue the letter until the legal teams finalise the terms of the Crossing Agreement, and Burbo Bank Extension OFTO and Eni UK, both of whom are expected to issue letters imminently.

PP1.3. RAG = YELLOW

Section 2.6.4 - Clarification required

NRW (A) recommend that paragraph 2.6.4 should state that “Boulders *will be* relocated from corridor 10m either side of cable centre line” as shown and described in Figure 2.2.

LBCC Response: The intended and assessed boulder-relocation footprint is indeed a 10 m corridor on either side of the cable centreline as shown in Figure 2-2.

The omission in paragraph 2.6.4 is a wording gap rather than a methodological difference.

The CEMP#2 text can be clarified, and has been updated, as follows:

“Boulders will be relocated from within a corridor extending 10 metres either side of the cable centreline, consistent with the area illustrated in Figure 2-2.”

This aligns the narrative in Section 2.6.4 with the spatial footprint already presented in Figure 2-2

PP1.4. RAG = AMBER

Section 2.6.4 - Mitigation required

NRW (A) advise that commitment is required not to place moved boulders in such a way that interrupts sediment transport (i.e. not piled up in a line to create a rock berm). This should be detailed and agreed to within the CEMP.

LBCCS Response: LBCCS can confirm that moved boulders will be placed in such a way that does not interrupt sediment transport.

CEMP#2 establishes the following relevant principles:

- **Environmental impacts must be minimised**, with seabed disturbance restricted to the minimum necessary for safe installation (Section 2.2.3).

- All seabed activities must be undertaken in a manner that avoids **changes to seabed morphology** beyond accepted thresholds (Table 4-1 under “Limitation of Seabed Disturbance”)

While these commitments are consistent with NRW's concerns, LBCCS will also fulfil the specific mitigation request related to boulder placement by including in CEMP#2 the following text in **section 2.6.4** and **Table 4-1**:

“Relocated Boulders will be placed individually and dispersed so as not to form linear features, clusters, or berm-like structures that could obstruct or alter natural sediment transport pathways”

Receptor – Benthic Ecology

With regards to Benthic Ecology NRW (A) request the applicant provide clarification as to whether sand wave clearance will be undertaken as part of this proposed development.

We have no comments to make in relation to the Invasive Non-Native Species Management Plan but advise that the applicant submit subsequent Biosecurity Risk Assessment and Management Plans for each Marine Licence application in line to NRW's Biosecurity guidance. We recommend that the applicant accurately assess and report baseline information on the INNS present at the ports visited by the vessel(s) proposed for use over the previous 12 months and that the applicant refer to NRW's [Guidance for completing NRW's Marine Non-native Species Biosecurity Risk Assessment and Management Plan](#), in particular, section B.1.1, which lists suitable data sources to investigate for records of INNS around the UK to inform this and future assessments.

We agree that, from a benthic perspective, Condition 3.25 can be discharged.

LBCCS response: Noted and thank you. Please, also see response to **PP1.1**, which identifies sandwaves are planned to be avoided through cable routing.

Receptor – Marine Mammals

MM 1.1. RAG = AMBER

Table 4-1 – Environmental management measures - Clarification / Mitigation required

The Marine Ecology and Fauna Protection row in the table mentions that Pre-Lay Grapnel Run (PLGR), Pre-Lay Boulder Relocation (PLBR), and mattress installation will be managed to minimise disturbance to marine fauna, including marine mammals and fish, in line with the MMMP. This is welcomed although pre-trenching has not been included. Could the reason for this be clarified? As pre-trenching is carried out with a vessel, we would expect this to fall under the measures set out in the MMMP.

LBCCS Response: The omission of pre-trenching was an editorial oversight by LBCCS. **Table 4-1** has been updated to include pre-trenching as one of the pre-lay activities.

LBCCS can confirm that pre-trenching will be:

- **fully governed** by the vessel-based mitigation measures,

- carried out under the broader requirement that ***all offshore construction vessels must comply with MMMP-aligned procedures***, and
- captured under the mitigation measures set out within the Combined Vessel Management & Navigation Safety Plan (VMP & NSP), and the MMMP.

Additionally, **Section 2.3.7** has been added to **CEMP#2** to ensure consistency with the environmental management measures presented in **Table 4-1** of **CEMP#2**.

Receptor – Marine Ornithology

Document Name (i.e. Environmental Statement Chapter 4 – Marine Fish)

NRW(A) notes that the pre-lay grapnel run element of the proposed works is scheduled to be undertaken through the month of April only, which is at the start of the little tern breeding period, at locations 1Km from the Gronant Dune colony. NRW(A) would like to reiterate previous advice to the applicant not to encroach further into the core little tern foraging area West of these proposed work locations and to commit to best vessel practices by reducing vessel speed and avoiding approaching aggregations of marine birds. As the work is scheduled for April, we don't anticipate any impacts to marine bird features of Liverpool Bay SPA. Due to the limited temporal and spatial scale of the works outlined in Construction Environmental Management Plan #2 (CEMP #2) with regards Ornithology we can agree to partially discharge condition 3.25 of Marine Licence CML2365.

LBCCS Response: LBCCS will be committed to NRW advice and will communicate it to its Contractors

Receptor – Marine Water Quality

Document Name (i.e. Water Framework Directive (WFD) Compliance Assessment)

NRW (A) have no objections regarding the suitability of CEMP #2 for the partial discharge of condition 3.25 for marine water and sediment quality.

LBCCS Response: Noted. Thank you

Rebekah Newstead
Marine Advisory Officer
Marine Area Advice and Management Team

ANNEX 1 – RAG status definitions

NB – The difference between RED and AMBER categories is the scale/magnitude of the request. If a significant amount of additional work is required then this should always be identified as RED.

RED

NRW (A) consider that major issues have been identified with a potential significant risk of environmental impact. In order to address this issue we may require provision of (no limited to):

- new baseline or survey data; and/or
- significant revisions to baseline characterisation and/or
- significant revisions to impact modelling and/or
- significant revisions to the environmental assessment and/or
- significant design changes; and/or
- significant mitigation

NRW (A) would expect all issues to be adequately resolved before being able to agree to the assessment. Please note that we may be unable to agree with the conclusion of the assessment even following the provision of additional information.

AMBER

NRW (A) consider that issues have been identified that could make a material difference to the outcome of the decision-making process for this project. NRW (A) considers that these matters may be resolved through:

- Provision of additional information, data or analysis to support conclusions; and/or
- Further justification or clarification to support conclusions; and/or
- Revisions to impact assessment methodology and/or assessment conclusions; and/or
- Minor to moderate revisions to impact modelling; and/or
- Suitable mitigation measures that are adequately secured through any consent or permission given.

NRW (A) would expect all issues to be adequately resolved before being able to agree to the assessment. Please note that we may be unable to agree with the conclusion of the assessment even following the provision of additional information.

YELLOW

NRW (A) consider that issues have been identified that would not make a material difference to the outcome of the decision-making process but that a lack of information has been provided and/or an inadequate assessment.

For future assessment we would expect these issues to be resolved. NRW (A) may not be of the same view with regards to significance or materiality in other cases or circumstances.

GREEN

NRW (A) has no significant outstanding concerns.

BLUE

NRW (A) has identified minor editorial errors with the information provided which would benefit from amendment but make no material difference to the conclusions.