



Marine Management Organisation

Scoping Opinion

Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (“the Regulations”)

Title: Everton Football Club Stadium, Bramley-Moore Dock

Applicant: Tom Wells, CBRE Ltd

MMO Reference: EIA/2017/00023

Contents

1. Proposal.....	2
2. Location.....	2
3. Environmental Impact Assessment (EIA).....	3
4. Scoping Opinion.....	3
5. Project Description	3
6. Nature Conservation	3
7. Coastal Processes	3
8. Benthic Ecology.....	4
9. Fish Ecology and Fisheries.....	5
10. Dredging and Disposal	5
11. Underwater Noise.....	6
12. Baseline Assessments	6
13. Cumulative Effects.....	6
14. Conclusion.....	6
References.....	6

1. Proposal

Everton Football Club Stadium, Bramley-Moore Dock

1.1 Project Background

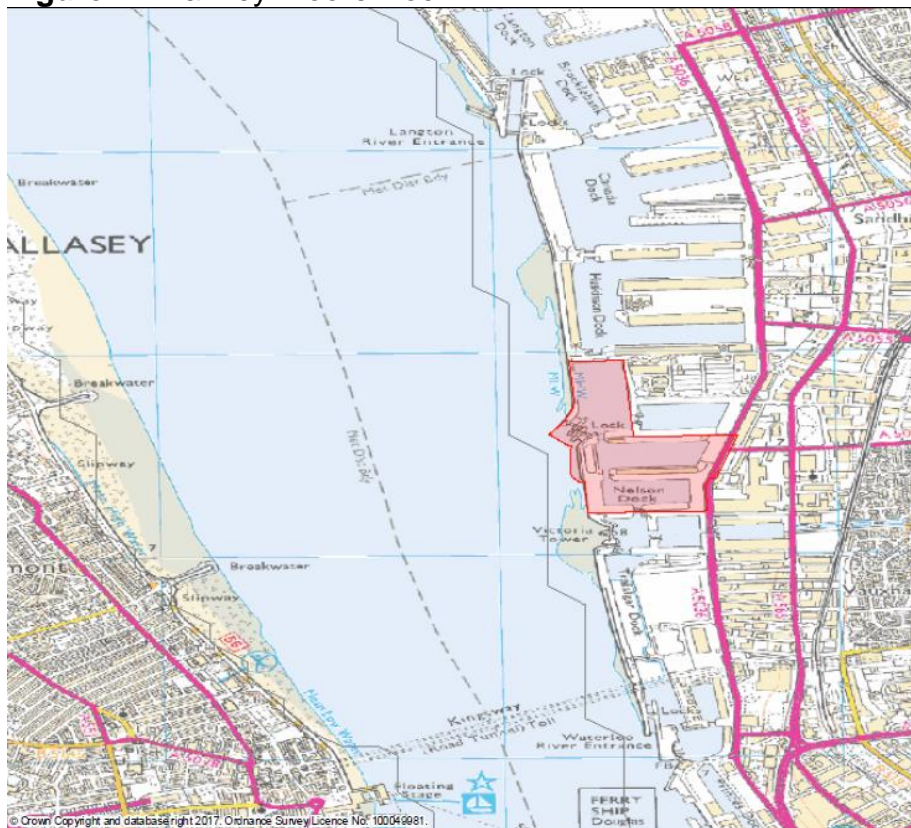
Everton Football Club (EFC) are seeking to relocate from Goodison Park to a proposed new stadium at Bramley-Moore Dock (BMD), Regent Road, Liverpool.

The proposed development comprises the demolition of non-listed structures; potential part-demolition of listed structures; potential infill/part infill of the listed dock; and the construction of a new stadium of up to 60,000 seats together with associated facilities.

2. Location

The EFC Stadium, BMD site is located to the west of Regent Road, Liverpool which is displayed in Figure 1 below.

Figure 1: Bramley-Moore Dock



3. Environmental Impact Assessment (EIA)

It is the understanding of the Marine Management Organisation (MMO) that, pursuant to Regulation 5 of the Regulations, it is agreed between the MMO and EFC that the proposed works constitute EIA development under Annex II 10 (b) - Urban development projects - of EU Directive 2011/92/EU COUNCIL (as amended).

The application required for the proposed works for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 ("the Act") will be accompanied by an Environmental Statement ("ES").

4. Scoping Opinion

EFC have prepared a Scoping Report entitled "Environmental Impact Assessment, Scoping Report, Everton FC Stadium, Bramley-Moore Dock" submitted to the MMO on 15 May 2017.

The MMO agrees with the topics outlined in the Scoping Report and, in addition, recommends that the following aspects are considered further during the EIA and should be included in any resulting ES.

5. Project Description

5.1 The ES should contain a detailed description of the proposed works.

6. Nature Conservation

6.1 The report states in the 'EIA Methodology' that the proposed development site lies in close proximity to the Mersey Narrows & North Wirral Foreshore Special Protected Area (SPA) and Ramsar Site; the Dee Estuary Special Area of Conservation (SAC); the Ribble and Alt Estuaries SPA and Ramsar Site; the Sefton Coast SAC; and the Mersey Estuary SPA and Ramsar Site. In assessing the effects of the proposed development on these receptors, the MMO expects the ES to include potential impacts on any benthic species and/or habitats that these sites are designated to protect (and any other designated features within these sites). The potential impacts of underwater noise arising from construction activities should also be assessed for any sensitive receptors.

7. Coastal Processes

7.1. The figures in Appendix A (document 1) display the footprint of the stadium, which is greater in extent than the BMD. The impact of building out into the River Mersey will need to be assessed within the ES, including consideration of how the new footprint (including construction work) might impact the local marine

environment (e.g. accretion and scouring of sediments, sediment transport and suspended sediment plumes).

7.2. The ES should consider the project in respect of storm surges and sea level rise.

8. Benthic Ecology

8.1. The possibility of releasing benthic non-native species present within Liverpool Docks (e.g. *Styela clava*, *Haliplanella lineata* and *Ficopotamus enigmaticus*) into the wider marine environment is a key issue that requires assessment within the ES.

8.2 While it is stated under the 'Aquatic Ecology' Baseline Conditions that dense populations of the blue mussel (*Mytilus edulis*) occur within a neighbouring dock, this species is not included in the section on 'Key Issues and Requirements for Assessment'. *M. edulis* populations are known to mediate water quality in Liverpool Docks (i.e. reduce algal blooms and prevent subsequent anoxia and release of foul odours) by filter-feeding on phytoplankton (Wilkinson et al. 1996). The potential impacts of the proposed development on *M. edulis* populations within the Liverpool Dock complex should therefore be included as a key issue within the EIA.

8.3 The MMO does not agree with the stated assumption that the sediment on the dock floor will be largely barren. Docks act as artificial lagoons and can therefore be useful for the conservation of lagoon specialist species. Indeed, several lagoon specialist benthic species have been recorded in Liverpool Docks (Allen et al. 1995). The impact of the proposed development on sediment-dwelling species in BMD and neighbouring docks should therefore be assessed in the ES.

8.4 The report states that BMD will be dredged prior to infilling and that this material will possibly be disposed of at sea. If this procedure is undertaken, then the potential impacts of disposal on benthic communities at the disposal site should be considered in the ES.

8.5 The report proposes both a Phase I and Phase II habitat survey will be conducted for the terrestrial component, but very little information is presented regarding how the aquatic ecology features are to be characterised. It is stated that "the assessment methodology will be based on the Guidelines for Ecological Impact Assessment in Britain and Ireland – Marine and Coastal (IEEM, 2010)". These surveys must also include the acquisition of suitable data upon which the benthic ecology of the region can be characterised.

9. Fish Ecology and Fisheries

9.1 Atlantic salmon (*Salmo salar*) are known to be recolonising the River Mersey (Ikediashi et al., 2012) and migratory fish should be considered within the ES if they transit past the BMD site.

9.2 Fish spawning and nursery grounds may be located proximal to the site. Sole (*Solea solea*), European sprat (*Sprattus sprattus*) and European plaice (*Pleuronectes platessa*) spawning grounds, as well as high intensity European herring nursery grounds (*Clupea harengus*) are all potentially found within the vicinity of the site (Ellis et al., 2012; Coull et al., 1998). Given the scale of the works the impacts on fish receptors may be limited, however consideration should be shown. The ES should describe fish habitat (including spawning and nursery grounds) and receptors in the proximity of the proposed works, followed by a concise assessment of the potential impacts on them. Where appropriate, justification and evidence that the works are unlikely to unfavourably affect these habitats, should be included in the ES.

9.3 The ES should include clarification on how any fish present within the BMD site prior to and during works: dock clearance; dredging and boundary clearance, will be dealt with. With details on the potential removal of fish, if present, prior to infilling works.

10. Dredging and Disposal

10.1 Mitigation measures and methodologies for reducing sediment disturbance and contamination issues should be provided in detail in the ES.

10.2 Details of dredge and disposal methodologies should be included within the ES and potential contaminant issues should be addressed.

10.3 The report states that environmentally harmful contaminants, such as Tributyltin (TBT), are likely to be present in the dock sediments, and that there is potential for these contaminants to be released into the Mersey estuary, and wider marine environment, during silt removal and disposal. The potential effects of these contaminants on fish species and benthic organisms should be assessed in the ES.

11. Underwater Noise

11.1 The underwater noise arising from the construction activities, and the potential impacts of the noise on sensitive marine receptors should be considered within the ES. Considering the location and nature of the works, potential impacts would be fairly localised.

12. Baseline Assessments

12.1 Appropriate references to support the aquatic ecology baseline assessments, and assessment of potential impacts on sensitive receptors, should be included within the ES.

13. Cumulative Effects

13.1 The cumulative effects on the marine environment must be considered within the ES.

14. Conclusion

The topics highlighted in this scoping opinion should be assessed during the EIA process and the outcome of these assessments should be documented in the ES in support of the marine licence application and the planning application. This statement, however, should not necessarily be seen as a definitive list of all EIA requirements. Given the scale and programme of these planned works other work may prove necessary.

Frances Edwards
Marine Case Officer



03/11/2017

References

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