

SCOPING OPINION:

Proposed A5036 Port of Liverpool Access Scheme

Case Reference: TR010033

Adopted by the Planning Inspectorate (on behalf of the Secretary of State for Housing, Communities and Local Government) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

March 2018

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1. INTRODUCTION

1.1 Background

- 1.1.1 On 25 January 2018, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from Highways England (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed A5036 Port of Liverpool Access Scheme (the Proposed Development).
- 1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion *'as to the scope, and level of detail, of the information to be provided in the environmental statement'*.
- 1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled 'A5036 Port of Liverpool Access Scheme Environmental Impact Assessment Scoping Report' (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.1.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.
- 1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:
- (a) *any information provided about the proposed development;*
 - (b) *the specific characteristics of the development;*
 - (c) *the likely significant effects of the development on the environment; and*
 - (d) *in the case of a subsequent application, the environmental statement submitted with the original application.*
- 1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.
- 1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).
- 1.1.8 The points addressed by the Applicant in the Scoping Report have been carefully considered and use has been made of professional judgement

and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

- 1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.
- 1.1.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) *a plan sufficient to identify the land;*
 - (b) *a description of the proposed development, including its location and technical capacity;*
 - (c) *an explanation of the likely significant effects of the development on the environment; and*
 - (d) *such other information or representations as the person making the request may wish to provide or make.*
- 1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.
- 1.1.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on '*the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)*'.

1.2 The Planning Inspectorate's Consultation

- 1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

- 1.2.2 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in undertaking the Environmental Impact Assessment (EIA).
- 1.2.3 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.2.4 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in carrying out the EIA.

1.3 Article 50 of the Treaty on European Union

- 1.3.1 On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 29 March 2017 the Prime Minister triggered Article 50 of the Treaty on European Union, which commenced a two year period of negotiations regarding the UK's exit from the EU. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament.

2. THE PROPOSED DEVELOPMENT

2.1 Introduction

2.1.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/resources.

2.2 Description of the Proposed Development

2.2.1 The Applicant provides a description of the Proposed Development, its location and technical capacity (where relevant) at section 2 of the Scoping Report, with the main elements summarised in section 2.3.

2.2.2 The Proposed Development intends to improve traffic conditions on the main link between the Port of Liverpool and the motorway network, as well as improve safety for all road users.

2.2.3 Paragraph 2.1.3 of the Scoping Report explains that the need for the Proposed Development largely relates to the expansion of the Port of Liverpool as a result of a new deep-water container terminal ('Liverpool2'). This will increase the volume of road traffic to and from the port, and therefore improved access is a priority for the Liverpool City Region due to the role of the port in supporting economic growth. The key objectives of the Proposed Development are set out in section 2.2 of the Scoping Report.

2.2.4 The proposed access improvements involve the creation of a new 2.8 mile offline bypass dual carriageway road through the Rimrose Valley, and the upgrading of the existing Broom's Cross Road single carriageway (A5036) to a dual carriageway for 1.1 miles, as depicted on Figure 1.2 of the Scoping Report. The proposals will include the construction of five new footbridges and two new structures, being the Edge Lane Bridge and Lydiate Lane Bridge, along with the conversion of a section of the existing A5036 to a de-trunked carriageway.

2.2.5 The location of the Proposed Development is shown on Figure 1.1 at Appendix B of the Scoping Report, and lies within the administrative boundary of Sefton Metropolitan Borough Council. In addition to the Rimrose Valley Country Park it will pass through green belt land, open farmland, playing fields and the historic Whabbs Tip landfill. The Brook Vale Local Nature Reserve is located at the southern end of the Scheme within Rimrose Valley Country Park, and the Sefton Coast Site of Special Scientific Interest (SSSI) is 1.3km to the west of the Proposed Development application site. Environmental constraints are shown on Figure 1.5 at Appendix B of the Scoping Report.

2.3 The Planning Inspectorate's Comments

Description of the Proposed Development

- 2.3.1 Chapter 2 of the Scoping Report provides a description of the Proposed Development, but lacks in-depth detail including dimensions for certain elements that are referred to, and does not include drawings to indicate chainage despite multiple references to sections of the route by chainage (eg table 2-1). The ES must include a detailed description of the physical characteristics of the Proposed Development, clearly explaining the design parameters and limits of deviation. The description should also explain the dimensions, locations and alignments of the Proposed Development including the access arrangements and bridges to be constructed.
- 2.3.2 The Scoping Report states that the Proposed Development is expected to require three construction compounds. The compounds will be located close to Edge Lane, Lydiate Lane and Brickwell Lane junctions. Associated works for temporary access, temporary lay-down, work areas and ancillary works, are also required but the Scoping Report does not provide further detail on these works at this stage. The Applicant should ensure that the ES provides specific information including the size, quantity and the location, of each of these elements. The ES should also identify the length of time for which each of these elements would be required. The ES should assess any potential significant effects from the use of construction compounds within relevant aspect assessments. Construction of the Proposed Development is anticipated to last approximately 3 years commencing from March 2020. An outline Construction Traffic Management Plan (CTMP) will be developed for submission with the ES. The ES should contain a general construction programme so that it is clear how and when works will take place, and how resulting effects on the road network are to be managed (including inter-related effects in terms of air quality and noise). It should provide details regarding proposed working hours, including for Sundays and bank holidays. The draft CTMP should be prepared in consultation with relevant consultees.
- 2.3.3 Figure 1.4 of the Scoping Report identifies areas of proposed permanent and temporary land take however there is very limited information as to what the land take would be used for. The Applicant should ensure that the ES contains a description and an assessment of impacts associated with areas of land take. The assessment should include an explanation of why these areas are needed, considering both temporary and permanent land take and explaining for how long the temporary land take would be required.
- 2.3.4 There are inconsistencies in the Scoping Report regarding specific elements of the Proposed Development. Paragraph 2.3.1 of the Scoping Report identifies there being five footbridges and two overbridges to be constructed as part of the Proposed Development. However, Figure 1.2 at Appendix B of the Scoping Report identifies there being four footbridges

and three overbridges to be constructed. The Applicant should ensure that the ES provides a consistent description of all elements of the Proposed Development, and that this is accurately reflected on any accompanying plans.

- 2.3.5 Paragraph 2.5.2 of the ES describes the alignment of the Proposed Development as having a combination of 2m high earthwork bunds with a 2 or 4m high 'environmental fence' on top. No further details are provided such as the location or total amount of bunds and fences required, and this has not been referenced in the description of the Proposed Development. The Inspectorate is also unclear as to the function of an 'environmental fence'. The ES should clearly explain the function that bunds and fences perform and the extent to which they are relied upon in the aspect assessments. The ES should describe and depict the locations where such bunds and fences will be sited as well as the timing of implementation, the relevant dimensions and finished height taking into account existing ground levels.
- 2.3.6 Section 2.12 of the Scoping Report explains that there may be a need for demolition associated with the Proposed Development. The type and extent of demolition will be explored as part of the design development. The ES should provide full details of the necessary demolition works and it should be clear at what point in the construction programme this would occur. Where relevant, the Applicant should ensure that the ES aspect chapters assess the likely significant effects resulting from demolition activities taking into account their extent and duration.
- 2.3.7 Section 15.7 of the Scoping Report also outlines the materials to be used and waste to be generated by the Proposed Development. The nature and volume of materials should also be included in the description of the Proposed Development. The ES should include a justification of any key assumptions used in the assessment for example those that relate to the re-use of materials that may be generated during the construction phase.
- 2.3.8 The Scoping Report states that the Proposed Development may require the diversion of major equipment belonging to statutory undertakers (beyond which there is limited information is provided as to the nature and extent of these diversions). The Applicant should ensure that the ES provides specific detailed information on this element of the Proposed Development, including plans that identify the diversions. The ES should ensure that the impacts associated with the implementation of powers and the extent of works described in the DCO are appropriately assessed.
- 2.3.9 Piling activities are discussed sporadically throughout the Scoping Report. However, there is limited information provided and these have not been referenced in the Scoping Report's description of the Proposed Development. Details of the proposed piling should be provided in the ES, including the anticipated number and sizes of piles, likely duration and locations.

- 2.3.10 The Scoping Report states that where the Proposed Development will affect existing public rights of way, a “network provision” would be made to ensure that the route remains open by providing suitable diversions. The ES should contain a full explanation of what is meant by “network provision” and all required diversions, whether these are temporary or permanent, and should ensure that the associated impacts are assessed in the relevant aspect chapters.
- 2.3.11 Section 2.8 of the Scoping Report explains that the lighting design is currently being developed and that the extent of new lighting is not yet confirmed. The ES should assess impacts associated with the final lighting design option. The assessment should take into account light spill as part of relevant aspect assessments, and should explain the need for lighting if it is required during the construction phase and in particular at construction compound locations. The description also explains that lighting would be required at junctions only. Whilst the Inspectorate notes reference to the lighting design being considered as part of the landscape and ecological assessments, there is no reference to it being considered as part of the assessment of people and communities which should be considered where relevant.
- 2.3.12 The Scoping Report identifies that a number of culverts will be required, and that attenuation ponds will be enlarged and relocated. The ES should describe in detail the culverts and attenuation ponds required together with their locations as depicted on plans to aid the reader.
- 2.3.13 The Scoping Report states at paragraph 5.9.3 that decommissioning will happen several decades into the future and that the uncertainty about the future decommissioning process and associated emissions is sufficient to scope this lifecycle stage out of the emissions assessment. Paragraph 2.3.5 of the Scoping Report also states that the Proposed Development would have a design life of 40 years. The Inspectorate considers that any decommissioning associated with dismantling and replacing particular elements of the Proposed Development once they reach the end of their design life (to the extent that these are known at this stage) should be assessed where significant effects are likely to occur.

Alternatives

- 2.3.14 The EIA Regulations require that the ES provides ‘*A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects*’.
- 2.3.15 Section 3 of the Applicant’s Scoping Report briefly sets out that their ES will include a description of alternatives (as relevant to the Proposed Development) and an indication of the main reasons for the option chosen, taking into account environmental effects. The Inspectorate would expect to see this presented in a discrete section in the ES.

2.3.16 No further information on alternatives is provided at this stage.

Flexibility

2.3.17 The Applicant makes reference to Advice Note Nine 'Using the Rochdale Envelope'¹ at section 2.18 of the Scoping Report which provides additional details on the recommended approach.

2.3.18 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters will need to be clearly defined in the draft DCO (dDCO) and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.

2.3.19 It should be noted that if the Proposed Development changes substantially during the EIA process and prior to submission of the DCO application the Applicant may wish to consider requesting a new scoping opinion.

¹ Advice Note nine: Using the Rochdale Envelope. 2012. Available at:
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

3. EIA APPROACH

3.1 Introduction

- 3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'² and associated appendices.
- 3.1.2 Aspects/ matters are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report. The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that this should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such aspects/ matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 3.1.3 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

3.2 Relevant National Policy Statements (NPSs)

- 3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.
- 3.2.2 The designated NPS relevant to the Proposed Development is the National Networks NPS (NPSNN).

² Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

3.3 Scope of Assessment

General

- 3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:
- to demonstrate how the assessment has taken account of this Opinion;
 - to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
 - to set out the proposed mitigation and/or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement);
 - to describe any remedial measures that are identified as being necessary following monitoring; and
 - to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.
- 3.3.2 The Inspectorate considers that where a DCO application includes works described as 'associated development', that could themselves be defined as an improvement of a highway, the Applicant should ensure that the ES accompanying that application distinguishes between; effects that primarily derive from the integral works which form the proposed (or part of the proposed) NSIP and those that primarily derive from the works described as associated development, for example through a suitably compiled summary table. This will have the benefit of giving greater confidence to the Inspectorate that what is proposed is not in fact an additional NSIP defined in accordance with s22 of the PA2008.

Baseline Scenario

- 3.3.3 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

Forecasting methods or evidence

- 3.3.4 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.
- 3.3.5 The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly states which

effects are 'significant' and 'non-significant' for the purposes of the EIA Regulations. Any departure from that methodology should be described in individual aspect assessment chapters.

- 3.3.6 Section 2.16 of the Scoping Report explains the importance that traffic modelling has to the design and the assessment of environmental impacts. The ES should include sufficient detail on the traffic model (with cross reference to any Transport Assessment) to ensure that the reader can understand how traffic forecasts have informed the assessment within in each aspect chapter of the ES.
- 3.3.7 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered in compiling the required information and the main uncertainties involved.

Residues and emissions

- 3.3.8 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.

Mitigation

- 3.3.9 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, ideally with reference to specific DCO requirements or other legally binding agreements.
- 3.3.10 The Inspectorate generally welcomes the intention of the Applicant to produce a Construction Environmental Management Plan (CEMP), Site Waste Management Plan (SWMP), Materials Management Plan (MMP), CTMP and Environmental Masterplan for the Proposed Development. Drafts of these plans should be provided with the DCO application and, where the ES relies upon mitigation measures which would be secured through them, it should be demonstrated (with clear cross-referencing) where such measures are set out in the plans. The inter-relationship between these various plans should be clearly set out (for example if MMP's and SWMP's are to be component parts of the CEMP)

Vulnerability of the development to risks of major accidents and/or disasters

- 3.3.11 The ES should include a description of the potential vulnerability of the Proposed Development to risks of major accidents and/or disasters, including vulnerability to climate change, which are relevant to the Proposed Development. Relevant information available and obtained

through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

- 3.3.12 Section 5.14 of the Scoping Report briefly explains how the Applicant intends to approach the assessment of major accidents and disasters in the ES. The Inspectorate welcomes that both man-made and naturally occurring major accidents and disasters would be identified and considered in the ES.
- 3.3.13 The potential for major accidents and disasters to occur as a consequence of the Proposed Development (such as the collapse of structures) should also be assessed where relevant and where likely significant effects would occur.
- 3.3.14 The Inspectorate understands that qualitative assessment is proposed and commentary would be reported in the relevant environmental aspect chapters to describe how the Proposed Development responds to the risks identified. The ES should clearly set out the approach to the assessment and explain how the conclusions have been reached in respect of major accidents and disasters.

Transboundary effects

- 3.3.15 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The Inspectorate notes that the Applicant has indicated in the Scoping Report whether the Proposed Development is likely to have significant impacts on another European Economic Area (EEA) State.
- 3.3.16 Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of another EEA state, and where relevant, to consult with the EEA state affected.
- 3.3.17 The Inspectorate notes that the Applicant has provided information to inform the determination of potentially significant transboundary effects (to the extent that they are understood by the Applicant at this stage) at Appendix C of the Scoping Report.
- 3.3.18 The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

A reference list

- 3.3.19 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

3.4 Confidential Information

- 3.4.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2004.

4. ASPECT BASED SCOPING TABLES

4.1 Population and Human Health

(Scoping Report section 5.13 and Insert 5-1)

The Scoping Report proposes that human health will be addressed in the following aspect assessments of the ES:

- Air Quality;
- Noise and Vibration;
- Road Drainage and the Water Environment;
- People and Communities; and
- Geology and Contaminated Land.

The reporting of population effects would be provided within the People and Communities ES chapter.

A qualitative description of the overall population/community and human health effects would be provided within the Cumulative Effects ES chapter (see Section 4.13 of this Scoping Opinion)

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	14.6.4	Impacts on construction/maintenance worker	<p>Paragraph 14.6.4 of the Scoping Report explains that construction and maintenance workers will not be considered as receptors in the Geology and Contaminated Land aspect assessment, as they are governed by other Health and Safety legislation.</p> <p>The Inspectorate considers that there is insufficient evidence at this stage to confirm that there would not be significant effects on the health of construction/maintenance workers.</p> <p>Therefore, the Inspectorate does not agree that this matter can be scoped out and considers that construction/maintenance workers should be assessed as receptors in the ES. The Inspectorate notes paragraph 4.81 of the NPSNN in this regard.</p>
ID	Para	Other points	Inspectorate's comments
2	5.13.1 – 5.13.2	Assessment of health effects	The Applicant should ensure the survey methodologies relevant to the assessment of health impacts are clearly defined in the

	and Insert 5-1		<p>relevant aspect chapters.</p> <p>For clarity, the introductory section of the ES should contain a table which provides a clear cross-reference to where the relevant information on human health is located in the ES.</p>
3	Insert 5-1	Human health and the water environment	<p>Chapter 13 of the Scoping Report (Road Drainage and the Water Environment) does not specifically refer to impacts on human health or how they will be assessed.</p> <p>The Inspectorate considers that the Road Drainage and the Water Environment chapter of the ES should consider impacts on human health resulting from emissions to water where significant effects are likely to occur. The assessment should consider how impacts to water, groundwater including flood risk and drinking water supplies may be relevant.</p> <p>The assessment should assess impacts during both construction and operation of the Proposed Development and it should be clear how all necessary mitigation measures are secured through the DCO or other legally binding mechanisms.</p>
4	Insert 5-1	Human health and air quality	<p>The Inspectorate advises that the assessment of impacts on human health should include consideration of impacts from construction dust and should also consider impacts from PM_{2.5} more generally.</p> <p>Further comments on these matters are presented in Table 4.2 of this Scoping Opinion.</p>

4.2 Heat and Radiation

(Scoping Report Table 6-1)

<p>The Scoping Report states that the Proposed Development would not introduce any sources of radiation and would generate only limited amounts of heat (from minor elements such as lighting).</p>			
ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	Table 6-1	Heat and radiation emissions	The Applicant proposes to scope out aspect chapter addressing impacts from heat and radiation emissions. The Inspectorate does not anticipate significant effects from heat and radiation and is content that this matter can be scoped out of the ES.

4.3 Air Quality

(Scoping Report section 7)

The study area will be based on traffic change criteria which will be used to define the affected road network (ARN) for local air quality assessment (based on DMRB HA 207/07), and will consist of an area identified within 200m of the ARN.

The assessment will follow the Design Manual for Roads and Bridges (DMRB), the associated Interim Advice Notes (IANs) and Defra's Local Air Quality Management Technical Guidance. The significance criteria contained in IAN 174/13 will be used for the assessment. Atmospheric Dispersion Modelling System (ADMS) Roads will be used for the local assessment to calculate pollutant concentrations at sensitive receptor locations in the study area using traffic data. The Defra Emission Factor Toolkit will be used to inform regional assessment calculations.

The Scoping Report identifies six Air Quality Management Areas (AQMAs) in the study area, four of which are for annual mean NO₂ only, and two of which are for both NO₂ and 24 hour mean PM₁₀ (see Figure 7.1 of the Scoping Report).

Potential impacts from the construction phase have been identified from increased dust generation due to onsite activities and construction traffic emissions. Potential impacts from the operational phase have been identified from changes in vehicle activity and changes to the distance between sources of emissions and sensitive receptors.

The Inspectorate has provided comments on matters that the Applicant has proposed to scope out of the ES.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	7.6.4	Fine particulate matter	The Scoping Report proposes to scope out an assessment of impacts associated with increased fine particulate matter (PM _{2.5}). The Inspectorate does not consider that there is sufficient evidence provided in the Scoping Report to support a decision to scope this matter out of the assessment. The Inspectorate considers that the ES should include an assessment of impacts associated with all relevant pollutants under the EU ambient air quality directive, including increased particulate matter PM _{2.5} , resulting from the Proposed Development. In determining significance the assessment should take into account performance against relevant target/limit values.
2	7.8	Impacts during	The Scoping Report proposes to scope out an assessment of air quality impacts during

		construction	<p>construction due to the temporary nature of such effects, which will be managed by the application of standard mitigation measures. The Inspectorate does not consider that there is sufficient evidence provided in the Scoping Report to support a decision to scope this matter out of the assessment. The Applicant proposes to apply the DMRB HA 207/07 methodology to the assessment, which requires an assessment of air quality impacts from construction traffic if the activity is anticipated to last for more than 6 months. Therefore the Inspectorate considers that an assessment of the impacts to air quality from construction traffic and construction dust (including the duration) should be assessed and reported in the ES. The baseline conditions should take into account construction traffic routes, final construction compound locations and any diversionary routes required. The effectiveness of mitigation measures in reducing the significance of effects should be documented within the ES.</p>
ID	Para	Other points	Inspectorate's comments
3	5.13.1	Human health impacts	<p>Paragraph 5.3.1 of the Scoping Report acknowledges that human health is to be assessed in the ES, and at Insert 5-1 the Scoping Report identifies sensitive receptors such as homes and schools as being linked with human health. It should therefore be clear in the ES that these matters relevant to the air quality aspect assessment are also being assessed and reviewed from in relation to human health.</p> <p>See comments in Section 4.1 of this Scoping Opinion.</p>
4	7.2.1	Study area	<p>The extent of the study area should be sufficient to include any consequential air quality impacts arising from the Proposed Development, and should be agreed with the relevant local planning authorities. The ES should include a plan or figure to depict the extent of the study area, including the ARN and AQMAs.</p>

5	7.2.1, 7.9.1	Regional air quality assessment	<p>The Scoping Report provides the study area for the local air quality assessment only. The ES should also provide an in depth description of the defined study area to be applied for the regional air quality assessment, which should also be included on a plan or figure.</p> <p>The Scoping Report provides limited reference to the relevant methodology/guidance documents for the regional air quality assessment, which should be detailed in the ES.</p>
6	7.5	Local authority baseline data	<p>The Inspectorate notes that local planning authority data and diffusion tube monitoring will be used to establish the baseline information. Reference is made to a 12-month 'scheme specific' NO₂ diffusion tube survey being undertaken from April 2015 to May 2016 (Figure 7.2). The locations of these surveys should be replicated in the ES, along with justification of why the locations were selected. No reference is made to the need for updated or further supplementary surveys being undertaken.</p> <p>The assessment in the ES should be undertaken on the basis of relevant and up to date baseline information, should detail the dates on which monitoring was undertaken, and should depict the monitoring locations on an accompanying plan.</p> <p>The Applicant should discuss and agree with relevant consultees the need for additional diffusion tube monitoring to inform the baseline assessment.</p>
7	7.5.2, 7.7.4	AQMAS	<p>The Scoping Report indicates that six AQMAS are likely to be affected by the Proposed Development. The Scoping Report does not clearly explain how the impacts to the AQMAS will be assessed. The assessment in the ES should be explicit in assessing impacts to the AQMAS and explain if/ how the Proposed Development would contribute to the need for new AQMAS or alterations to existing AQMAS.</p>

8	7.7.4	Compliance with EU Directive on ambient air quality	<p>The ES should also assess how the Proposed Development would result in changes to exceedances of the limit values or deterioration in air quality in a zone/agglomeration. In particular the Inspectorate notes the Applicants prediction that there is a <i>“low risk of the Scheme affecting compliance with the EU Directive on ambient air quality (2008/50/EC)”</i>. The Applicant’s attention is drawn specifically to paragraphs 5.6 – 5.13 of the NPSNN in this respect.</p>
9	7.5.7	Effects on ecological receptors	<p>The Scoping Report identifies the Stanley Bank Meadows SSSI as a site where air quality critical loads have already been exceeded for certain pollutants relevant to the most sensitive habitats present at the site. The Applicant should ensure that in addition to designated sites which may be impacted by changes in air quality, the ES should additionally assess locally and non-designated sites and species that could be affected by the Proposed Development in line with the DMRB HA207/07 methodology.</p> <p>Table 9-3 of the Scoping Report identifies both statutory and non-statutory designated sites to be scoped in to the ecological assessment. The Inspectorate requires specific cross reference and justification to be made in the air quality assessment as to the inclusion/ exclusion of those sites in terms of potential significant air quality effects.</p> <p>The need to consider other sensitive nature conservation sites should be established through consultation with the relevant statutory consultees. The ES should assess the impacts to identified ecologically designated sites from the Proposed Development alone and cumulatively with other developments where they are likely to be significant. Any specific mitigation measures required to address the effects on these sites from pollutants should be clearly identified and secured.</p>
10	7.6.5	Baseline and receptors	<p>The Scoping Report does not identify any specific receptors which may be affected by the Proposed Development. The ES should</p>

			<p>clearly set out the type and quantity of both human and ecological receptors which could be affected by the Proposed Development, and identify such receptors by reference to a plan. The Applicant's attention is drawn to DMRB HA 207/07 which states that particular attention should be paid to the location of the young, elderly and other susceptible populations as sensitive receptors.</p> <p>The Inspectorate also considers that the Leeds & Liverpool canal (and its recreational users) should be identified as a sensitive receptor with regards to potential dust emissions during construction and the future operation of the Proposed Development.</p>
11	7.7	Monitoring	<p>The Scoping Report at present does not reference the need for monitoring or remedial measure for air quality impacts during construction or operation. Such measures may be required to ensure efficacy of proposed mitigation. The need for and scope of monitoring and remedial measures during construction and operation of the Proposed Development should be considered in the ES where significant effects are anticipated.</p> <p>The Inspectorate notes the Applicant's intention that a Scheme Air Quality Action Plan (SAQAP) would be prepared where significant effects are identified. The Inspectorate would expect the need for such a plan to clearly set out in the context of the identified effects. The plan should also be specific as to how it will achieve "targeted" reductions in traffic increases and the reliance placed on its effectiveness in terms of the residual effects conclusions (including monitoring requirements).</p>
12	7.7.2	Construction Environmental Management Plan (CEMP)	<p>The Scoping Report states that mitigation measures will be secured through the CEMP. These measures should also be detailed in the ES and appropriately secured.</p>
13	7.7.6	Mitigation	<p>The Scoping Report outlines potential mitigation measures that may be</p>

			implemented. The Applicant should ensure that any proposed mitigation is agreed with the relevant local planning authorities and consultees, and that the effectiveness of any proposed mitigation measures is thoroughly assessed in the ES.
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4.4 Cultural Heritage

(Scoping Report section 8)

Section 8.2 of the Scoping Report defines a 1km corridor study area around the Proposed Development for designated heritage assets and a 500m corridor for non-designated assets, as outlined on Figures 8.1, 8.2 and 8.3. These are defined in accordance DMRB HA208/07.

Within the study area there is stated to be one Scheduled Monument and 27 Listed Buildings, as set out in Tables D1 and D3 and shown on Figure 8.1 of the Scoping Report. There are also numerous non-designated heritage assets on site, identified in Table D4 and Figure 8.2.

Section 8.9 of the Scoping Report describes the criteria used to define the significance of effects (see Tables 8.3 – 8.7) which is based on guidance in DMRB HA 2008/07. Paragraph 8.9.3 of the Scoping Report states that it may be necessary to undertake site based intrusive and non-intrusive investigations to aid in the identification and assessment of known and unknown heritage assets.

Section 8.7 of the Scoping Report identifies the types of impact that could result from the Proposed Development. During the construction phase these impacts include direct physical changes to heritage assets such as partial or total removal by construction activity and compaction of archaeological deposits by construction traffic and structures. During the operational phase these impacts include changes to the surroundings of heritage assets or the general character of their setting and changes to the viability of heritage assets.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	Table 6-1	Historic Landscape assessment of the Rimrose Valley.	<p>The Inspectorate does not agree that this matter can be entirely scoped out of the assessment given the presence of undisturbed peat and the potential for palaeoenvironmental remains (a non-designated heritage asset in the Merseyside Historic Environment Record) as identified by Sefton Council (and at table 8-1 of the Scoping Report). On this basis, the Inspectorate considers that the landscape within which the Proposed Development would be located is largely without modern intervention and could have historic landscape character value relating to the designated and non-designated heritage assets identified in Appendix D of the Scoping Report.</p> <p>The Applicant should note the requirements of the NPSNN, which sets out at paragraph 5.145 that the Applicant's assessment</p>

			should include any significant effects on landscape components and landscape character (including historic landscape characterisation). The Inspectorate therefore expects the ES to include an assessment of significant effects associated with this matter and as part of the overall cultural heritage assessment.
ID	Para	Other points	Inspectorate's comments
2	8.1.2	Interrelationships	The Applicant has identified that there may be interrelationships related to the potential effects on cultural heritage and other aspects, but does not provide further detail on this. The Inspectorate expects the ES to specifically address the potential for significant interrelated effects as identified by the Applicant, and for them to be clearly and separately reported in the ES.
3	8.2	Study Area	<p>The study area has been defined as a 1km corridor (500m either side of the 'scheme boundary') for designated heritage assets and a 500m corridor (250m either side) for non-designated heritage assets. DMRB HA 208/07 does not specify particular distances for study areas. The study area should be sufficient to allow an understanding of the archaeological context of the site and should be established having regard to the extent of likely impacts.</p> <p>Paragraph 10.2.3 of the Scoping Report states that the Zone of Visual Influence (ZVI) will be utilised in the cultural heritage assessment but it is unclear how the 500m/250m boundaries either side of the scheme for the study areas (set out in paragraph 8.2.1) correspond to the 1km boundary either side of the scheme as set out in the ZVI.</p> <p>The Applicant should justify the study area adopted, with reference to the ZVI, and seek to agree this with Historic England and Sefton Council's own conservation/archaeological services. The study area(s) should be illustrated in the ES by reference to a plan including identification of specific sensitive receptors.</p>

4	8.5	Baseline	The Scoping Report does not list a Sites and Monuments Record of the relevant local planning authority as being used to inform the baseline. The ES should take into account available information contained in relevant Sites and Monuments Records. The Applicant should ensure that information used for the purposes of establishing the baseline is accurate and up to date.
5	8.5.2	Watching brief for pre-application ground investigation	The Inspectorate understands that, during the pre-application ground investigation works, additional archaeological baseline data will be recorded (where relevant) via a watching brief. The outcomes of the watching brief should be clearly described within the ES. The extent to which this information influences the assessment (eg study areas, significance of effects, mitigation measures) should also be presented in the ES.
6	8.6	Sensitive receptors	The Scoping Report refers to other baseline information that is yet to be obtained. Once all of this information has been collated the Applicant should ensure that an up to date baseline is prepared and used to inform the assessment, including the provision of up to date plans and figures within the ES.
7	8.6.2	Sensitive receptors	The Scoping Report lists various categories of designated assets by reference to Figure 8.1. However, there are inconsistencies in the information provided in the text of the Scoping Report and that illustrated on the plan. For example, while paragraph 8.6.2 refers to one Grade II* Listed Building, there appears to be three such buildings on Figure 8.1 of the Scoping Report. The Applicant should ensure that the information provided in the ES is correct, up to date and consistent.
8	8.7.4 – 8.7.7	Potential effects	The Scoping Report lists potential adverse impacts during both the construction and operational phases of the Proposed Development. The Inspectorate also considers the operational phases could result in significant adverse effects on the setting of Sefton Village Conservation Area. The Applicant should ensure that the ES

			assesses any such impacts identified.
9	8.7.6	Potential operational effects	Potential risks to buried archaeological remains have been excluded from the assessment of operational effects in the Scoping Report. However, the Inspectorate notes that the walkover survey to determine the effects of the Proposed Development on such remains is to be undertaken. Once this survey is complete, the ES should thoroughly assess the potential for significant effects on buried archaeological remains including effects (and interrelated effects) on their setting.
10	8.7.9	Mitigation	The Scoping Report outlines potential mitigation measures that may be implemented. The Applicant should attempt to agree the proposed mitigation with the relevant local planning authorities and Historic England. The effectiveness of any proposed mitigation measures should be taken into account in the assessment and presented in terms of the residual effects conclusions.
11	8.8.1	Simple level assessment	<p>The Applicant explains that a “<i>simple</i>” DMRB assessment will be undertaken, comprising a desk-based assessment (DBA). The Applicant also states that assessment “<i>will include targeted archaeological investigations and if the desk-based assessment alone is deemed insufficient to determine the impacts of the Scheme</i>”. Such investigations could include</p> <ul style="list-style-type: none"> • archaeological field-walking; • geophysical survey; • geoarchaeological sampling; and • archaeological evaluation trenching <p>The Inspectorate considers that, in the absence of the identified need for further surveys beyond the DBA, and on the basis that there are potential impacts on designated and non-designated cultural heritage assets during construction and operation as identified in section 8.7, the Inspectorate considers that the need for a ‘detailed’ level of assessment cannot be ruled out at this stage.</p>

12	8.9.1	Assessment guidance	The Applicant does not make reference to industry standard guidance in the form of the Chartered Institute for Archaeologists (CIfA) Standard and Guidance for Historic Environment Desk-based Assessment and the CIfA Code of Conduct. The Applicant should consider the applicability of this guidance to the assessment.
13	8.9.2 – 8.9.3	Assessment methodology	The Scoping Report provides a broad description of the methods to be used in carrying out the assessment and it is noted that the requirement for certain works such as evaluation trenching is yet to be finalised. The ES must thoroughly explain the methods used in the assessment and which guidance has been used. The Applicant should make efforts to agree the assessment methodology with the relevant consultees.
14	8.9.11 – 8.9.13	Assessment methodology	The ES should expand upon the information provided in the Scoping Report to clearly explain how the magnitude of impact and overall significance of effects has been determined, with reference to the relevant guidance. In accordance with DMRB HA 208/07, the completed Proposed Development must be compared against a 'do nothing' scenario, taking into account any relevant mitigation.

4.5 Biodiversity

(Scoping Report section 9)

The study area is described in section 9.2 of the Scoping Report. It comprises the footprint of the Proposed Development plus a 1km buffer for non-statutory designated sites and where records indicate presence of protected/notable species and habitats which may support protected/notable species. The study area extends to 2km for statutory designated sites.

Table 9-3 of the Scoping Report identifies the statutory and non-statutory designated sites located within the study area. Table 9-4 of the Scoping Report also provides a summary of the existing baseline knowledge for habitats and protected/notable species.

The guidance to be used in the ecological impact assessment is described in paragraph 9.3.3 and 9.9.1 – 9.9.4 of the Scoping Report and comprises the DMRB, Volume 11, Section 3, Part 4, IAN 130/10, IAN 141/11 and the Chartered Institute for Ecology and Environmental Management (CIEEM) guidelines.

Section 9.7 of the Scoping Report identifies the types of impact that could result from the Proposed Development. During the construction phase this includes impacts such as direct loss of wildlife habitat and disruption of local water courses. During the operational phase this includes impacts such as direct mortality through traffic collisions and indirect impacts on species e.g. through light spill from road lighting.

The Inspectorate has provided comments on matters that the Applicant proposes to scope out of the ES.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	Table 6-1, 9.8.2	Liverpool Bay SPA and Sefton Coast SSSI	<p>Table 9-3 of the Scoping Report identifies both Liverpool Bay SPA and Sefton Coast SSSI as falling within the study area and yet Table 6-1 of the Scoping Report seeks to scope them out of further assessment on the basis that survey efforts to date have not identifying any of the qualifying features of the two sites within the Proposed Development site boundary. The Inspectorate does not consider that there is sufficient evidence provided in the Scoping Report to support a decision to scope this matter out of the assessment.</p> <p>Furthermore the Inspectorate notes that Table 6-1 of the Scoping Report includes the Sefton Coast SAC as being scoped in to the assessment. On the basis that the SAC and SSSI have similar qualifying features</p>

			<p>and are similar distances from the Proposed Development, the Inspectorate does not see why one should be scoped out but not the other.</p> <p>The Inspectorate notes the potential inter-relationship between the ecological and air quality assessment in terms of sensitive ecological receptors (see section 4.3 of this Scoping Opinion). The Inspectorate would expect to see a direct comparison between those sites scoped into the two differing assessments, and rationale as to any differences between these.</p>
2	Table 6-1, 9.8.2	Badgers and Otters	<p>Tables 6-1 and 9-4 of the Scoping Report identify badgers and otters as ecological receptors, but state that no evidence of such receptors was recorded during surveys. Paragraph 9.8.2 does not therefore include reference to badgers and otters in the list of ecological features to be assessed. The information in the Scoping Report is not sufficient on the conclusions about the absence of these species in the study area. In the absence of such evidence the Inspectorate does not consider that a decision to scope these matters out of the assessment can be supported at this stage.</p> <p>Furthermore, the Canal and River Trust notes the interaction of the River Alt with the Leeds & Liverpool Canal and the potential presence of otters because they tend to use canals more frequently when in proximity to rivers (and that further survey is recommended).</p>
ID	Para	Other points	Inspectorate's comments
3	9.2.1	Study area	<p>The Scoping Report states that in accordance with DMRB Volume 11, Section 3, Part 4 the study area extends to 1km for non-statutory designated sites and protected/ notable species and habitats, and to 2km for statutory designated sites. It does not provide any justification as to why this reflects the likely zone of influence and, in any event, DMRB Volume 11, Section 3, Part 4 does not specify any particular distances applied to establish</p>

			study areas. The study area should be sufficient to allow an understanding of the context of the site and be established having regard to the extent of likely impacts. Effort should be made to agree the study area with the relevant local planning authorities. The ES should include a plan or figure to depict the extent of the study area and should take into account the extent of any likely changes within the study area.
4	9.5	Baseline surveys	<p>The Scoping Report refers to ecological assessment work undertaken as part of the options development from 2015 – 2017, and an ecological walkover survey carried out in March 2015 and February 2016, but no plans or figures are provided.</p> <p>The Applicant states that no further surveys are proposed for habitats, terrestrial and aquatic invertebrates, amphibians, reptiles, breeding/wintering birds, otter, badger, red squirrel and fish. The assessment in the ES should be undertaken on the basis of relevant and up to date baseline information and should include the outputs of all the ecological survey work, describing the methods used, the timing of surveys and where relevant the location of monitoring. The ES should provide relevant plans and figures illustrating the location of all valuable ecological receptors within the correct zone of influence for the Proposed Development. The Applicant should consider appending the survey reports to the ES as appropriate.</p>
5	9.5.3	Statutory and Non-Statutory Designated Sites	<p>The Scoping Report lists the statutory and non-statutory designated sites at Table 9-3, but does not include reference to a plan. The ES must include plans or figures which show the locations of designated statutory and non-statutory wildlife sites and habitats of principal importance within the study area.</p>
6	9.6	Value of environmental resources and receptors	<p>Table 9-5 of the Scoping Report assigns a value of importance to each important ecological feature but no explanation or methodology is provided to justify the approach taken. The ES must clearly</p>

			explain how value has been attributed to ecological receptors.
7	9.7.15	Mitigation	The Scoping Report outlines potential mitigation measures that may be implemented as part of the Proposed Development. The Applicant should ensure that effort is made to agree proposed mitigation with the relevant local planning authorities and Natural England. Assumptions made regarding the efficacy of any proposed mitigation measures should be clearly explained in the ES. The ES should also distinguish between mitigation which is inherent as part of the design and that which is additional and proposed in response to identified effects. Where enhancement measures are proposed (ie further to any mitigation measures which are identified as being required), these should be clearly differentiated and described.
8	9.8.2	Scope of Assessment	The Scoping Report lists various ecological features that will be assessed in the ES, but refers to certain features in categories such as LWSs, Habitats, Priority Habitats, and Local BAP Species and Habitats rather than specific references. The Applicant should ensure that the ES clearly identifies and thoroughly examines all such features likely to be affected by the Proposed Development. For the avoidance of doubt, and given the absence of any justification for the scoping out of specific sites, species or habitats, the assessment in the ES should at least cover all LWSs, Habitats, Priority Habitats, and Local BAP Species and Habitats identified in Tables 9-3 and 9-4 of the Scoping Report.
9	9.8.2	Water Vole	In light of the potential for impacts on water vole, the Applicant should ensure that culvert and bridge designs give appropriate consideration to the need for animal passes.
10	9.9	Significance of effects	Table 9-6 of the Scoping Report refers to the guidance of CIEEM and IAN 130/10 in assessing the significance of effects. The ES must clearly explain how significance of

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			effects has been determined, clarifying and explaining which methodology has been used.
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4.6 Landscape

(Scoping Report section 10)

The study area is defined in section 10.2 of the Scoping Report as consisting of a 1km corridor either side of the boundary of the Proposed Development based on the criteria set out in IAN 135/10 on Landscape and Visual Assessment.

Section 10.9.1 of the Scoping Report describes the methods and guidance that will be used to carry out the assessment of landscape and visual impacts. The methodology will be based on IAN 135/10, DMRB HA 205/08, the Guidelines for Landscape and Visual Impact Assessment Third Edition, and Advice Note 01/11 on Photography and Photomontage in LVIA. Tables 10.4 – 10.7 list the categories of magnitude and sensitivity and the criteria used to define them.

Sections 10.9.3 – 10.9.6 identify potential impacts from the Proposed Development during both the construction and operational phases. Impacts during construction could be caused by the location of demolition and other construction activity and vegetation clearance, and works such as site compounds, borrow pits access routes and number of construction vehicles. Impacts during operation are identified as being the extent of the proposed land-take vegetation clearance and location of various elements of the works, as well as the impact of traffic lighting, and changes to the economic viability of the surrounding area.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	N/A	N/A	No matters are proposed to be scoped out from the assessment on landscape.
ID	Para	Other points	Inspectorate's comments
2	10.2	Study Area	The Scoping Report states that the study area has been based on a 1km corridor either side of the scheme boundary but it does not include any evidence that this would be adequate to capture the extent of the impacts and therefore likely significant effects. The Inspectorate is of the view that landscape and visual impacts could occur beyond 1km. The ES should clearly evidence and justify the extent of the study area used in the assessment of landscape and visual impacts, as agreed with relevant consultees. In line with IAN 135/10 the study area should contain all likely significant effects of the Proposed Development on any component of landscape and visual resource. This is likely to extend beyond the physical limits of the

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			Proposed Development but should be limited to what is necessary in order to assess the potential significance of effects. Paragraph 10.2.3 states that a ZVI will be produced. The Inspectorate expects that the definition of the study area taking into account the ZVI should be set out in the ES. Relevant long distance views should also be identified and assessed where significant effects may occur.
3	10.4	Consultation	The Scoping Report states that the Applicant intends to consult the local planning authority on the extent of the study area and the receptors to be assessed. The Applicant should also seek to agree its methodology and representative viewpoints with the local planning authority and, in accordance with IAN 135/10, should consider the appropriateness of consultation with other stakeholders such as statutory environmental bodies, local residents or local interest groups in order to obtain supplementary data and identification of key issues.
4	10.5	Baseline	The Applicant sets out various consultations and desk studies undertaken to inform the baseline information. In accordance with IAN 135/10 the Applicant should ensure that a field survey and site visit have been undertaken to supplement the desk study data with current information. Photographic records of the baseline should be provided; be numbered and cross-referenced to accurately plotted locations on an OS map of appropriate scale, which should also show the angle of view. For the purposes of the visual baseline, a map should be provided setting out the potential ZVI, determined from mapping and/or computer generation and by observation. The importance of local landmarks and viewpoints, and the assessment of the extent and direction of views from properties should be recorded. The assessment should also take into consideration any committed development.
5	10.6	Environmental receptors	The Scoping Report refers to other baseline information that is yet to be obtained. Once all of this information has been collated the

			Applicant should ensure that an up to date baseline is prepared and thoroughly examined as part of the assessment.
6	10.6	Value of environmental receptors	Table 10.2 and 10.3 set out the sensitivity of landscape resource and visual amenity receptors respectively. However, it is not clear what methodology has been implemented in defining the sensitivity of these receptors. The Applicant should ensure that the ES clarifies the assessment methods used in establishing the sensitivity of relevant receptors.
7	n/a	Design	The ES should provide details of the design and materials of the new structures (identified in Table 2-3). It should be explained how the design and materials have been selected with the aim of minimising the potential landscape and visual impacts.
8	10.7.3 – 10.7.4	Mitigation	The Scoping Report states that appropriate mitigation will be determined once detailed assessments have been undertaken. The Applicant should ensure that the effectiveness of any proposed mitigation measures are thoroughly assessed in the ES, describing the likely significant effects both prior to mitigation and residually so that it is possible to understand efficacy. Interactions with other ES aspects, for example impacts on local ecology, should be explained and assessed.
9	10.7.3 – 10.7.4	Monitoring	The Scoping Report at present does not reference monitoring of landscape and visual impacts during construction or operation to ensure the appropriateness of mitigation. The need for and scope of monitoring during construction and operation of the Proposed Development should be presented in the ES. The ES should include clear proposals for the reinstatement of land which may be temporarily required following construction, with reference to accompanying plan(s).
10	10.7.4	Night time lighting strategy	In the event the Proposed Development requires night time lighting, the visual impact on residential receptors should be

			assessed. The Applicant should discuss the need for night time photomontages where appropriate with the relevant local authority.
11	10.9	Recording visual effects	The assessment of visual effects within the ES should be recorded by means of the ZVI map, together with a Visual Effects Drawing and accompanying Visual Effects Schedule as set out in IAN 135/10 showing the effects of the proposed project on residential properties and other important receptors and viewpoints, demonstrating the location of the properties affected and the degree to which they may be affected.
12	10.9.14	Professional judgement	The Scoping Report refers to the use of professional judgement as part of the assessment methodology. The Applicant should clearly present and justify their assessment methods in the ES. The extent to which professional judgement has been utilised should be confirmed and justified in the ES.

4.7 Noise and Vibration

(Scoping Report section 11)

DMRB HD 213/11 will be used as the basis of the assessment and to define the ARN which will comprise the study area for the purposes of operational noise. Section 11.2.2 states that the study area for the construction noise assessment will comprise an area up to 300m from the boundary of the Proposed Development, with the study area for construction vehicle movement considering road traffic noise changes within 300m of the ARN.

Effects from construction noise and vibration will be assessed using the methodology in British Standard BS5228:2009+A1:2014. The assessment will also identify the Significant Observed Adverse Effect Level (SOAEL) and Lowest Observed Adverse Effect Level (LOAEL) and will use this threshold to determine the significance of noise levels.

Eight Noise Important Areas (NIAs) have been identified within 1km of the Proposed Development, as outlined in Paragraph 11.5.10 and depicted on Figure 11.1.

Noise impacts during construction could be caused by operation of construction plant and noise from HGV movements on the public highways moving to and from the Proposed Development. Vibration impacts during construction could be caused by percussive and vibratory piling activities. Noise impacts during operation are identified as being due to an increase in road traffic levels at sensitive receptors within close proximity to the Proposed Development, and potential positive or negative effects due to changes in vehicle flow.

The Inspectorate has provided comments on matters that the Applicant has proposed to scope out of the ES.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	11.9.3	Ground borne vibration from road traffic	The Scoping Report proposes to scope out an assessment of noise impacts due to ground borne vibration from road traffic. The Inspectorate does not consider that there is sufficient evidence provided in the Scoping Report to support a decision to scope this matter out of the assessment. In particular the Inspectorate considers that ground borne vibration from road traffic associated with the Proposed Development has the potential to impact on sensitive receptors identified in proximity to the application site. The ES should either include further evidence and justification that ground borne vibration from road traffic would not result in significant effects on sensitive receptors or provide an

ID	Para	Other points	Inspectorate's comments
			assessment.
2	5.13.1	Impacts on human health	Paragraph 5.3.1 of the Scoping Report acknowledges that human health is to be considered within the ES, and at Insert 5-1 identifies driver stress, private property journey amenity and severance as being linked with human health. It should therefore be clear in the ES that these elements of the people and communities chapter are also being assessed and reviewed from a health perspective.
3	11.2	Study area	The extent of the study area should be sufficient to include any consequential noise and vibration impacts arising from the Proposed Development, and should be agreed with the relevant local planning authorities. The ES should depict both the study area and the separately defined 'calculation area' on a suitable plan. The assessment in the ES should take into account the extent of any likely changes within the study area.
4	11.2.2 – 11.2.8	Sensitive receptors	The Scoping Report lists various general categories of noise-sensitive receptors and states that sensitive receptors will be defined once the ARN is available. The ES should clearly identify, and include assessment of, impacts to sensitive ecological and human receptors. It should be clearly explained how these receptors have been identified and chosen.
5	11.4.1	Local Authority baseline data	The Scoping Report does not list any specific noise monitoring undertaken by the relevant local planning authorities, and instead references "relevant background" that has been provided. The ES should set out this information and explain how it has been taken into account. In the event that such information is to be taken into account in the ES, the Applicant should ensure that it is up to date and accurate for the purposes of calculating the baseline.
6	11.5	Applicant baseline data	The Scoping Report provides information on the noise measurement surveys undertaken

			<p>to establish the baseline.</p> <p>The ES should also provide details on the surveys undertaken, identifying the locations where monitoring has taken place with reference to a plan, explaining how these locations were selected, confirming when the monitoring was undertaken, highlighting the time period covered and the weather conditions at the time. The Inspectorate expects these details to have been discussed and ideally agreed with the relevant local planning authorities. The ES should include a justification to support the extent of the survey effort.</p>
7	11.5.9	Noise Important Areas (NIAs)	<p>The NIAs located in the study area should be taken into account for the purposes of the assessment in the ES (in terms of modelled receptor points), with design and mitigation measures in relation to the NIAs clearly set out. The Scoping Report includes a plan detailing the locations of the NIAs, and this should also be included in the ES.</p>
8	11.6	Receptors	<p>There is limited reference to the identification of noise sensitive ecological receptors. The applicant should seek to agree the approach to these receptors with Natural England and Sefton Council. Where relevant the ES should assess the impacts of noise to these receptors.</p>
9	11.7.1	Potential effects	<p>The Scoping Report does not provide details of the likely construction activities. The ES should contain such information, providing details on the construction programme and anticipated working hours, including any night time working that may be required. Details including; estimations/assumptions regarding the type, number and location of plant and equipment should also be provided. If simultaneous working is necessary this should be taken into account alongside the length of time plant and equipment is due to be switched on. This information should be incorporated into the assessment of likely significant effects, and any working hours assessed should be consistent with those in the DCO application.</p>

10	11.8	Monitoring	The Scoping Report at present does not reference monitoring of noise levels during construction or operation to ensure the appropriateness of mitigation. The need for and scope of monitoring during construction and operation of the Proposed Development should be presented in the ES.
11	11.10.1	Predicted vibration levels	While the Scoping Report states that the assessment of vibration will be undertaken in accordance with BS5228:2009 + A1:2014, it does not stipulate the calculation methodology according to which vibration levels during construction and operation are to be predicted. The ES should provide information on the methodology used to calculate predicted vibration levels for the purposes of the assessment.
12	11.10.1	Assessment of construction effects	The Scoping report refers to BS5228:2009+A1:29014 for the assessment of potential noise and vibration during construction. BS5228 provides two methodologies for the prediction of significance during construction. Method 1 applies only for residential properties. The Applicant should therefore ensure that consideration is given to Method 2 for the purposes of the assessment, which takes account of both residential properties and other sensitive receptors.
13	11.11.1	Assumptions and limitations	The ES should clearly explain any assumptions made as relevant to the assessment, particularly those that relate to the traffic model and the inclusion of other development.

4.8 People and Communities

(Scoping Report section 12)

The study area varies depending on the receptor being considered, as explained in section 12.2 of the Scoping Report:

- land use: the footprint of the Proposed Development;
- journey length, patterns and amenity: 500m corridor either side of the Proposed Development;
- community severance: PRoW affected by the Proposed Development and select roads outlined at paragraph 12.2.3; and
- vehicle travellers: the general extent of views from new sections of carriageway.

The methods of assessment will follow the topic structure contained within IAN 125/15, which combines the published guidance within DMRB Volume 11, Section 3, Part 6 (Land Use); Section 3, Part 8 (Pedestrians, Cyclists, Equestrians and Community Effects) and Section 3, Part 9 (Vehicle Travellers) into on chapter – ‘People and Communities’.

Each potential effect will be assessed against individual assessment criteria, which have been formulated using DMRB guidance and professional judgement.

The Scoping Report considers the potential effects from construction of the Proposed Development on land use and changes to journey length and pattern. The Scoping Report considers the potential effects from operation of the Proposed Development on changes to journey length and pattern; changes to journey amenity; new severance; relief from existing severance; view from the road; and driver stress.

The Inspectorate has provided comments below on matters that the Applicant proposes scope out of the ES.

ID	Para	Applicant’s proposed matters to scope out	Inspectorate’s comments
1	12.8, Table 12-3	Operational phase – land use	<p>The Inspectorate notes that in Table 12-3 of the Scoping Report land use during the operational phase has not been identified as a potential impact. Table 6-1 of the Scoping Report does not seek to scope any matters out of the people and communities assessment.</p> <p>In the absence of a justification or evidence to demonstrate that operation of the Proposed Development would not result in significant effects due to land use, the Inspectorate cannot agree to scope this matter out of the ES. Accordingly the ES</p>

			should include an assessment of the matter.
2	12.8, Table 12-3	Construction phase – journey pattern, amenity, new severance, relief from existing severance or driver stress	The Inspectorate notes that in Table 12-3 of the Scoping Report journey pattern, amenity, new severance, relief from existing severance or driver stress during the construction phase have not been identified as potential impacts. In the absence of a justification or evidence to demonstrate that construction of the Proposed Development would not result in significant effects due to impacts on journey pattern, amenity, new severance, relief from existing severance or driver stress, the Inspectorate does not agree to scope out these matters. Accordingly the ES should include an assessment of these matters.
ID	Para	Other points	Inspectorate’s comments
3	5.13.1	Impacts on human health	Paragraph 5.3.1 of the Scoping Report acknowledges that human health is to be considered in the ES. Insert 5-1 of the Scoping Report identifies driver stress, private property journey amenity and severance as being linked with human health. It should therefore be clear in the ES that these matters relevant to the people and communities aspect chapter are also being assessed and reviewed from a health perspective.
4	12.2	Study area	The extent of the study area should be sufficient to include any consequential impacts on people and communities arising from the Proposed Development, and should be agreed with the relevant local planning authorities. The ES should depict the study area on a suitable plan. The assessment in the ES should take into account the extent of any likely changes within the study area. The Inspectorate notes that DMRB Volume 11, Section 3, Part 8, Para 2.2 states that community facilities ‘and their catchment areas’ should be addressed by the assessment. The ES should clearly explain how this requirement has been taken into account in the selection of appropriate study areas. Figure 12-2 of

			the Scoping Report
5	12.2.1, Figure 12.3	Agricultural Land	The Applicant identifies potential impacts on agricultural land within the Proposed Development boundary (Figure 12.3 shows ALC grades 1 and 2 within this boundary) The Inspectorate advises that the guidance within Natural England's TIN04915 should be followed and that the ES should quantify the agricultural land which would be temporarily and permanently lost as a result of the Proposed Development (by ALC grade) and assess any impacts that may result in likely significant effects.
6	12.5.10	Non-motorised user (NMU) counts	The Scoping Report states that some early NMU counts are available which show the frequency of use of the PRoW within the study area. The details of the counts should be provided within the ES including the number, date, time and duration of counts undertaken and the weather conditions during the counts. Given the lack of information in the Scoping Report beyond reference to "some early counts", the Inspectorate advises that the need for further counts be considered for the purposes of the assessment.
7	12.5.11	Identification of community facilities	The Scoping Report does not refer to the methodology or approach used by the Applicant in identifying community facilities. The Applicant should ensure its approach is thoroughly explained in the ES, and the Inspectorate draws the Applicant's attention to DMRB Volume 11, Section 3, Part 8, Para 2.2 , which assists in identifying community facilities.
8	12.6.3	Value of receptors	The Inspectorate notes from Table 12-2 that PRoW have been valued as 'low' and National and Regional recreational routes have been valued as 'medium'. Given the important function of such routes, the Inspectorate considers that these receptors may have been undervalued. The Inspectorate also notes the apparent recreational value of the Rimrose Valley Country Park (locally designated as a Countryside Recreation Area) at paragraph 12.5.3 and the fact that the Proposed

			<p>Development will result in the loss of recreational land. The Inspectorate will expect to see specific justification as to the defined value and sensitivity of this receptor and quantification of the proportion of this loss in terms of the wider area of recreational resource.</p> <p>Paragraphs 10.5.2 and 12.5.4 of the Scoping Report acknowledge the Leeds & Liverpool canal as an important recreational feature, but this is not reflected in Table 12-2 of the Scoping Report. The Inspectorate considers the canal is an important recreational, leisure and commuting resource and the assessment in the ES should specifically consider changes to its recreational value as a result of the Proposed Development.</p> <p>The ES should then clearly set out how significance of effects for each identified receptor has been determined.</p>
9	12.6.3 and 12.9.8	Approach to assessment of value of receptors and magnitude of impact	<p>The application of professional judgement to assess the value of receptors and magnitude of impact should be fully justified in the ES. The Inspectorate recognises that this aspect includes a number of distinct matters requiring a selective methodology for each. It is therefore essential that the methodology and relevant criteria for assessing significance of each matter should be presented and explained in the ES.</p>
10	12.7	Mitigation	<p>Section 12.7 of the Scoping Report refers to "potential effects including mitigation measures" but does not then provide any examples of mitigation in the accompanying text. It should be clear in the ES which design parameters and embedded mitigation measures have informed the assessment, and which mitigation measures have informed the residual effects assessment.</p>
11	12.7.9	PRoW diversions	<p>The Scoping Report states that the Proposed Development will involve the temporary diversion of PRoW. The ES should clearly set out the details and duration of any such diversions, along with</p>

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			how these are to be secured in the DCO.
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4.9 Road Drainage and the Water Environment

(Scoping Report section 13)

The study area is defined to include the site of the Proposed Development as well as all surface water features within 500m of the site boundary and all groundwater features within 1km of the site boundary.

The study area does contain three Water Framework Directive (WFD) assessed waterbodies, being the River Alt (both upstream and downstream of Bull Bridge) and the Ditton Brook at the Halewood to Mersey Estuary. The study area does not contain any Source Protection Zones.

The methodology will be undertaken in accordance with guidance from DMRB, Volume 11, Section 3, Part 10, IAN 125/15 and HD45/09A Flood Risk Assessment (FRA) will also be produced in accordance with guidance in the NN NPS.

The potential impacts during the construction phase include deterioration in water quality of nearby surface water or groundwater receptors and loss of integrity to existing abstractions and discharges. The potential impacts during the operational phase include alteration of existing catchment hydrology and drainage patterns and derogation of water supplies.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	N/A	N/A	No matters are proposed to be scoped out from the assessment on road drainage and the water environment.
ID	Para	Other points	Inspectorate's comments
2	13.2	Study areas	The Scoping Report does not provide sufficient justification as to why 500m and 1km study areas have been used. The extent of the study area should be sufficient to include any consequential impacts on road drainage and the water environment arising from the Proposed Development, and the Applicant should seek to agree the approach with the relevant local planning authorities and the Environment Agency (EA). The ES should provide a clear justification as to why the proposed buffer zone is sufficient to capture the zone of influence of the Proposed Development on the water environment, and should depict the study area on a suitable plan. The assessment in the ES should take into account the extent of any

			likely changes within the study area.
3	13.2.2	Professional judgement	The Scoping Report refers to the use of professional judgement in calculating the study area. The Applicant should clearly present and justify their approach in the ES. The extent to which professional judgement has been utilised should be confirmed and justified in the ES.
4	13.5	Baseline condition	The ES should contain a figure that clearly shows the locations of groundwater features, or labels the medium to high value receptors identified.
5	2.5.5	Baseline conditions (water table)	<p>Paragraph 2.5.5 of the ES refers to 'buildability review' being undertaken due to the high water table in the area, and that additional geotechnical investigations are required to determine ground conditions. Other than Table 13-4, there is minimal reference to the water table in Chapter 13 of the Scoping Report.</p> <p>The ES should present specific consideration of the high water table and the potential direct and indirect effects thereon of the Proposed Development, including the effectiveness of the proposed mitigation measures (eg attenuation ponds).</p>
6	13.5.22	WFD	If the Proposed Development has the potential to impact upon the WFD waterbodies identified in the Scoping Report these should be assessed in the ES, including impacts during construction and operation, as well as any maintenance activities. The Inspectorate welcomes the intention of the Applicant to present a WFD Compliance Assessment and their attention is drawn to the Inspectorate's Advice Note Eighteen in this regard.
7	13.5.43	Drainage strategy	The Scoping Report states that the drainage strategy is currently prepared in outline only. The Inspectorate considers that the drainage strategy should be sufficiently developed at the point of application to support a robust assessment of likely significant effects. Where the Applicant places reliance on the drainage

			<p>strategy in mitigating potential adverse effects, the ES should include sufficient information on these matters and there should be evidence that any mitigation required is secured and deliverable as part of the DCO or other legally binding mechanism.</p> <p>Given the nature and scale of the Proposed Development providing a new road link (and the Applicant's assumption that the existing highway drainage system would have capacity to accommodate additional drainage), the Inspectorate would expect to see detailed information provided as to the capacity of the existing system and the impact from and to the Proposed Development.</p> <p>The Applicant should discuss and seek to agree the details of the drainage strategy with the relevant consultees. The ES should include a figure showing the location of proposed attenuation ponds (and/or expansion of existing ponds), tanks, pumping stations, culverts and minor watercourse diversions.</p>
8	13.7	Monitoring	<p>The Scoping Report at present does not reference monitoring of water/drainage impacts during construction or operation to ensure the appropriateness of mitigation (other than a minor reference to the CEMP at section 13.7.7). The need for and scope of monitoring during construction and operation of the Proposed Development should be presented in the ES.</p>
9	13.7.9	Sustainable Drainage Systems (SuDS) and Green Infrastructure	<p>The Scoping Report lacks sufficient detail on the proposed SuDS and Green Infrastructure to attenuate rates of surface water discharge and manage surface water runoff. The ES should provide in-depth explanations on these proposals to assess the effectiveness of this mitigation, and ensure that these measures will be implemented in the Proposed Development.</p>

4.10 Geology and Soils

(Scoping Report section 14)

The study area for the assessment of geology and geotechnical matters is confined to the boundary of the Proposed Development. For contaminated land and soils, the study area will include a 250m buffer around the site boundary. The hydrogeology study area will be defined to reflect the surrounding hydrogeological features and the distance over which significant effects can potentially occur.

Professional judgement in conjunction with the guidance listed in section 14.9 of the Scoping Report will be used to assess the potential environmental affects that may impact geology and soils. The assessment methodology is outlined within Table 14-4, Table 14-5 and Table 14-6 of the Scoping Report.

The potential impacts include the creation and exacerbation of contamination pathways, contaminating watercourses from spillages and impacting human health from the creation of airborne dust particles.

The Inspectorate has provided comments below on matters that the Applicant proposes to scope out of the ES.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	14.8.4	Effects on Geologically Protected Sites	The Inspectorate agrees this matter can be scoped out of the assessment as no geologically protected sites have been identified within proximity of the Proposed Development and therefore no likely significant effects are anticipated.
2	Table 6-1, 14.8.5	Operational Effects	<p>The Applicant states that, during operation, the road will act as a barrier to underlying ground conditions and that there will be no significant effects to or from ground conditions and contamination during the operational phase of the Proposed Development.</p> <p>The Scoping Report explains that any potential operational impacts (primarily contaminated land and effects on hydrogeology) would be addressed via mitigation measures designed and implemented during the construction phase. Subject to suitable mitigation (and monitoring) measures being demonstrably delivered and secured through the CEMP (or other legal mechanism), the Inspectorate agrees that significant effects</p>

			<p>during operation are unlikely to occur and that this matter can be scoped out of the assessment.</p> <p>The Inspectorate would also expect to see any specific measures incorporated into the design in addressing the potential sources of contamination at paragraphs 14.5.23 – 14.5.26 (in particular the Whabbs Tip).</p>
ID	Para	Other points	Inspectorate's comments
3	14.2.3	Study Area	<p>At present, the Applicant describes that the hydrogeological assessment study area "<i>will be defined to reflect the surrounding hydrogeological features and the distance over which significant effects can reasonably be considered to have the potential to occur</i>".</p> <p>The defined study area should be justified in accordance with established criteria and guidance and should clearly reflect the anticipated extent of potential impacts with particular reference to identified sources of potential contamination.</p>
4	14.5	Baseline Information	<p>The Proposed Development is within a Minerals Safeguarding Area. The ES should therefore contain consideration and/or an assessment of mineral safeguarding during the construction and operational phase (including appropriate mitigation as per paragraphs 5.169 and 5.182 of the NPSNN).</p>
5	14.6.4	Value of Environmental Resources	<p>The ES should include a discussion of how the values of possible environmental receptors are determined. In particular, the Inspectorate considers that the 'low' receptor value assigned to superficial geology should be reviewed and potentially increased within the ES.</p> <p>In particular, the Inspectorate notes the presence of the Whabbs Tip which, in the view of the EA, presents a high risk of contamination that could be mobilised during construction to pollute controlled waters.</p>
6	14.8.3	Proposed Level and	<p>It is stated that the ES will not include a geotechnical assessment, but paragraph</p>

		Scope of Assessment	<p>2.5.5 of the Scoping Report refers to 'additional geotechnical investigations' being required to determine the condition of the land.</p> <p>The Inspectorate expects sufficient detail on ground conditions during construction must be presented in the ES including a description of the geotechnical investigations undertaken (noting that the Inspectorate has agreed to scope out matters in relation to operational geology and soils).</p>
7	14.8.6	Proposed level and Scope of Assessment	<p>It is stated that major accidents will be assessed within a separate chapter of the ES but no other references to this separate chapter is provided. It is also worthy of note that, Section 5.14 of the Scoping Report suggests that the assessment of major accidents and disasters will not be presented in a stand-alone aspect chapter to the ES. For the avoidance of doubt, the ES should assess impacts resulting from major accidents and disasters treating this as a matter to aspect chapters (where relevant).</p> <p>The Inspectorate has commented on the assessment of major accidents and disasters in section 3.3 of this Scoping Opinion.</p>
8	14.9.1	Significance Criteria	<p>The Scoping Report states that significance will be determined by professional judgement but lacks sufficient detail to explain this approach. The ES should contain a full methodology and explanation as to how significance is determined (including the application of professional judgement).</p>
9	14.9.4	Hydrogeology	<p>The ES should include a methodology outlining how the hydrogeology assessment will be undertaken as limited information is provided in the Scoping Report in this regard. In particular, the methodology should give specific consideration to the assessment of potential sources of contamination as identified in paragraphs 14.5.23 -14.5.26 of the Scoping Report.</p>

4.11 Materials

(Scoping Report section 15)

A 'whole market' approach will be used as the study area for the assessment of material resources. For the assessment of waste arising, any receptor that receives Construction Development and Excavation (CD&E) waste is within the study area but the assessment will focus on waste infrastructure within the counties of Merseyside and Halton, Lancashire and Cheshire.

A 'simple' level quantitative assessment will be undertaken in accordance with IAN 153/11 and other guidance listed within section 15.9.1. The proposed methodology considers value of resource (Table 15-7) and magnitude of impact (Table 15-8) in determining significance of effect (Table 15-10).

The potential impacts include the reduction in hazardous and non-hazardous waste infrastructure capacity, the reduction in available resources and the environmental effects of transporting materials and waste to and from the Proposed Development.

The Inspectorate has provided comments below on matters that the Applicant proposes to scope out of the ES.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	15.1.2	Environmental Effects of the Offsite Extraction and Manufacturing of Primary Resources	The Inspectorate agrees that significant effects associated with offsite extraction and manufacturing are unlikely and this matter can be scoped out. However, impacts associated with activities such as, management and production of materials (eg borrow pits paragraph 10.9.5 of the Scoping Report) which may be authorised through the DCO should be assessed in the ES.
2	15.1.3, Table 6-1	Operational and Maintenance Environmental Effects	The Inspectorate agrees this matter can be scoped out due to the relatively 'low level of material resources use and associated waste' during operation and therefore no significant environmental effects are anticipated to occur during the Proposed Development's operation.
3	Table 6-1	Waste policy and strategy, and materials resources	Table 6-1 of the Scoping Report seeks to scope out the assessment of effects on waste policy and strategy, materials and resources to be used. The Inspectorate is unclear as to precisely

			what matter the Applicant is seeking to scope out and therefore does not agree that this matter can be scoped out.
ID	Para	Other points	Inspectorate's comments
4	15.2.3	Study Area	The study area omits reference to hazardous waste. The ES should include a justified description of the defined study area for the assessment of hazardous waste effects.
5	15.5	Baseline Information	The ES should include a future baseline that states the capacity of the waste infrastructure from the first year of construction.
6	15.5.7	Waste Capacity	Due to the potential large quantity of hazardous waste arising (paragraph 15.7.5 of the Scoping Report), the capacity of the hazardous waste infrastructure and an estimation of hazardous waste arising should be included within the ES. The capacity of soil treatment facilities should also be included within the ES.
7	15.7.5	Potential Effects Including Mitigation during the Construction Phase	Due to the history of the Whabbs Tip and further information provided by the Environment Agency and Sefton Council, there is a high probability that hazardous waste and contaminated soils are within the site boundary. The ES should include an assessment of how hazardous waste and contaminated soil will be treated, stored, transported and disposed of.
8	15.7.6	Potential Effects Including Mitigation during the Construction Phase	The ES should clarify if a treatment plant will be constructed on site. If a treatment plant is constructed on site an assessment of the plant's environmental impacts (including interrelated effects on other aspect chapters) and the proposed location should be presented within the ES.
9	15.7.7	Potential Effects Including Mitigation during the Construction Phase	The Inspectorate notes that there is no discussion of the proposed transport routes to off-site waste facilities this point was also raised by Public Health England and Sefton Parish Council. There is also a lack of sufficient justification

			<p>demonstrating that no significant effects will occur from the transportation of waste to the off-site waste infrastructure facilities.</p> <p>The ES should include an assessment of impacts associated with the likely waste transportation route and an assessment of the environmental effects of transporting hazardous waste to off-site facilities more generally as it relates to the Proposed Development.</p>
10	15.7.9	Material Resources	<p>The Scoping Report states that 'Key Scheme sustainability targets would be embedded within all relevant procurement documents, along with the methodology for monitoring and reporting'. The ES should include a description of the 'key scheme sustainability targets', how the methodology for monitoring and reporting will be implemented and the extent to which reliance is placed on these as mitigation measures for potentially significant effects.</p>

4.12 Climate

(Scoping Report section 16)

The proposed climate assessment considers climate resilience and adaptation in the context of the north west region and greenhouse gas (GHG) effects based on the extent of the traffic model for the Proposed Development.

GHG emissions from construction are proposed to be calculated using a methodology consistent with PAS2080:2016 Carbon Management in Infrastructure and applying professional judgement. No specific methodology is stated in relation to climate change adaption and resilience, although the requirements of the NPSNN and the DEFRA Climate Change Risk Assessment process are referenced and the Applicant proposes to consider the UK Climate Projection 2009 (UKCP09) high emissions scenario against the 2080 projections at the 50% probability level. Transport related GHG emissions are proposed to be calculated using WebTAG.

A number of potential construction and operation adaptation effects are identified but their significance is not assessed at this stage. The construction and operation of the Proposed Development is predicted to give rise to GHG emissions.

The Inspectorate has provided comments on matters that the Applicant proposes to scope out of the ES.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	16.8.5, Table 6-1	Product manufacturing, preliminary desk studies and transport of construction plant and equipment to site	Table 16-5 of the Scoping Report proposes to scope out consideration of impacts associated with product manufacturing and transport of plant and equipment to site. This appears to contradict the assessment methodology set out in paragraph 16.9.13 of the Scoping Report, which states that the assessment will consider embodied CO ₂ equivalent emissions (CO ₂ e).The Inspectorate considers that these matters are already in the proposed scope of the ES and should be assessed.
2	16.8.5, Table 6-1	Operational water use	Table 16-5 of the Scoping Report proposes to scope out consideration of impacts associated with operational water use. Considering the nature of the scheme, the Inspectorate considers that significant effects in respect to GHG emissions are unlikely to occur from operational water use. This matter can be scoped out from further assessment.

3	16.8.5	Other operational processes	Table 16-5 of the Scoping Report proposes to scope out consideration of impacts associated with 'other operational processes' but does not define what the other processes are (except for management of operational waste). Based on the current level of detail, the Inspectorate does not consider that it has sufficient information to understand what the other processes are and therefore whether it is appropriate to scope them out or not. The Inspectorate considers that this matter cannot therefore be scoped out.
4	16.8.5, Table 6-1	Post-operational effects	Table 16-5 of the Scoping Report proposes to scope out an assessment of GHG emissions associated with post-operation effects (e.g. deconstruction, demolition and decommissioning). On the basis that road schemes are intended to be permanent infrastructure and that effects associated with replacement of the proposed road (such as resurfacing) would be addressed under the assessment of operational effects, the Inspectorate considers that significant effects post operation are unlikely to occur. The Inspectorate agrees that this matter can be scoped out from further assessment.
ID	Para	Other points	Inspectorate's comments
5	16.2	Study area	The Scoping Report lacks a concise and justified study area, referring only to the "North West". The Applicant should justify and utilise a study area that is based on the extent of the likely impacts, and make effort to agree the approach with the relevant consultees.
6	16.3.1	UKCP09 projections	As set out in the NPSNN the assessment of potential impacts of climate change should use the latest UK Climate Projections, this should include the anticipated UKCP18 projections.
7	16.5	Baseline information	The Scoping Report does not provide sources or justifications for the baseline information presented in section 16.5. The Applicant should ensure that the ES clearly sets out the nature and relevance of

			specifically cited information sources.
8	16.7.13	CEMP	The Scoping Report states that mitigation measures will be secured through the CEMP. This should also be detailed in the ES and secured through the DCO.
9	16.8.1	Numerically quantified or employ a qualitative judgement	The Scoping Report states that impacts on receptors would be 'numerically quantified or employ a qualitative judgement'. The Inspectorate considers that this wording introduces uncertainty regarding the final assessment method. Any use of professional judgement to assess significance should be fully justified within the Applicant's ES, including where qualitative judgements have been made in the absence of quantifiable data.
10	16.9.15	GHG emissions coefficients	Coefficients used to calculate GHG emissions should be set out in the ES and fully justified.
11	16.9.18	Carbon sequestration	The Applicant should set out how variations in the sequestration capability of landscape planting as it matures will be taken into account in the assessment.
12	16.9.21	No recognised significance criteria	The Scoping Report states that there are no significance criteria for climate change adaptation or GHG emissions. Whilst the Inspectorate considers that climate change adaptation effects may be inherently assessed as part of the other aspect chapters, it considers that the Applicant must set out its basis for assessment of significant GHG emissions (e.g. is this based on comparison with regional or national carbon budgets)
13	N/A	Monitoring	The Scoping Report does not make reference to the potential need for monitoring of GHG emissions during construction and/or operation that may be necessary, depending on the outcome of the assessment. The need for and scope of any such monitoring should be considered as part of the ES.

4.13 Cumulative Effects

(Scoping Report section 17)

Zones of Influence (ZoI) have been used to identify 'other developments' for inclusion in the Cumulative Effects Assessment, as detailed in Table 17-1 of the Scoping Report. The list of other developments (Figure 17.1 of the Scoping Report) would be reviewed periodically to ensure that the most up to date information is utilised in the assessment.

The Scoping Report proposes to assess:

- Intra-scheme effects: the combined effects on a receptor from the Proposed Development; and
- Inter-scheme effects: cumulative effects on a receptor from different projects.

The assessment would cover both construction and operation of the Proposed Development and would follow the guidance in the Inspectorate's Advice Note Seventeen: Cumulative Effects Assessment.

ID	Para	Applicant's proposed matters to scope out	Inspectorate's comments
1	N/A	N/A	No matters are proposed to be scoped out from the assessment on cumulative effects.
ID	Para	Other points	Inspectorate's comments
2	17.2.6	ZoI for environmental topics	<p>The Inspectorate advises that the ZoI for each environmental aspect should be defined in the ES with reference to the extent of the likely impact and the sensitivity of the relevant receptors.</p> <p>Where reference is made to the traffic modelling when defining the ZoI, it should be clear whether this relates to the fully modelled area or the area of detailed modelling.</p> <p>The extent to which cumulative effects associated with traffic growth are already considered as part of the traffic modelling (on a cumulative scheme by scheme basis) should also be presented.</p>
3	17.2.8	Method	The Inspectorate expects the ES to clearly define the sources of information utilised in the desk study for the assessment.

5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus³
- Planning Inspectorate advice notes⁴:
 - Advice Note Three: EIA Notification and Consultation;
 - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
 - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
 - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
 - Advice Note Nine: Using the 'Rochdale Envelope';
 - Advice Note Ten: Habitat Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
 - Advice Note Twelve: Transboundary Impacts
 - Advice Note Seventeen: Cumulative Effects Assessment; and
 - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (as amended).

³ The Planning Inspectorate's pre-application services for applicants. Available from: <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

⁴ The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES⁵

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	South Sefton Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Merseyside Fire and Rescue Service
The relevant police and crime commissioner	Mersey Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Sefton Parish Council
	Aintree Village Parish Council
The Environment Agency	The Environment Agency
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Sefton Council
The relevant strategic highways company	Highways England
The Canal and River Trust	The Canal and River Trust
Public Health England, an executive agency of the Department of Health	Public Health England

⁵ Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	The Forestry Commission
The Secretary of State for Defence	Ministry of Defence

TABLE A2: RELEVANT STATUTORY UNDERTAKERS⁶

STATUTORY UNDERTAKER	ORGANISATION
The relevant Clinical Commissioning Group	South Sefton Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	North West Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
Dock and Harbour authority	Port of Liverpool
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes and Communities Agency
The relevant Environment Agency	Environment Agency
The relevant water and sewage	United Utilities

⁶ 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (as amended)

STATUTORY UNDERTAKER	ORGANISATION
undertaker	
The relevant public gas transporter	Cadent Gas Limited
	Energetics Gas Limited
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Quadrant Pipelines Limited
	National Grid Gas Plc
	National Grid Gas Plc
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
Wales and West Utilities Ltd	
The relevant electricity distributor with CPO Powers	Energetics Electricity Limited
	Energy Assets Power Networks
	ESP Electricity Limited
	G2 Energy IDNO Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Leep Electricity Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Utility Distribution Networks Limited
	SP Distribution Plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc

TABLE A3: SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(1)(B))⁷

LOCAL AUTHORITY⁸
Sefton Council
West Lancashire Borough Council
Lancashire County Council
Knowsley Council
Liverpool City Council
Wirral Council

TABLE A4: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
Liverpool City Region Combined Authority

⁷ Sections 43 and 42(B) of the PA2008

⁸ As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

Consultation bodies who replied by the statutory deadline:

Canal and River Trust
Environment Agency
ES Pipelines Limited
Health and Safety Executive
National Grid
Natural England
Public Health England
Royal Mail Group
Sefton Council
Sefton Parish Council
Southern Gas Networks Plc



Canal &
River Trust

Keeping people, nature & history connected

23rd February 2018

Richard Kent
Senior EIA and Land Rights Advisor

Our Ref 2018-PoL-NSIP
Your Ref TR010033-000006

EMAIL ONLY

Dear Mr Kent

RE: Scoping opinion consultation to inform an application by Highways England for an Order granting Development Consent for the A5036 Port of Liverpool Access Scheme

Thank you for your letter dated 26th January 2018 in respect of the above

The Canal & River Trust (the Trust) is a charity entrusted with the care of over 2000 miles of canals, rivers, docks and reservoirs in England and Wales. We are a prescribed consultee on Nationally Significant Infrastructure Projects (NSIPs).

As set out at paragraph 1.1.4 of the applicants EIA Scoping Report the proposed 'Scheme' consists of the following:

- A new bypass solution through the Rimrose Valley area linking the Princess Way section of the A5036 to the south and Broom's Cross Road to the north, including new junctions, bridges and footbridges; and
- An upgrade to dual carriageway on Broom's Cross Road between the new bypass and the Switch Island Interchange.
- De-trunking of the existing A5036 between the Switch Island Interchange and the Princess Way section of the A5036.

The Leeds & Liverpool canal which is owned and managed by the Trust forms part of the eastern boundary of the proposed scheme development boundary. The line of the new dual carriageway, shown in Figure 1.1, would run roughly parallel with the canal.

The Trust would wish to see any potential impacts on; our waterway users (boaters, towpath users and wildlife); infrastructure (the canal, bridges, culverts, towpaths, embankments etc); or the habitats that our waterway support; fully identified and addressed within the Environmental Statement and supporting application documents. It is extremely important that our waterways and navigational safety along the canals both during construction and operation of the development are maintained.

Canal & River Trust, Red Bull Wharf, Congleton Road South, Church Lawton, Stoke-on-Trent, Staffordshire, ST7 3AP

T 0303 040 4040 E customer.services@canalrivertrust.org.uk www.canalrivertrust.org.uk

Patron: H.R.H. The Prince of Wales. Canal & River Trust is a company limited by guarantee registered in England & Wales under number 7807276; and a charity registered with the Charity Commission under number 1146792.

The Trust consider that it is necessary that the following matters should be considered within the Environmental Statement. These are ordered to reflect the chapters within the Scoping Report.

Air Quality

The Trust agree that air quality should be scoped into the Environmental Statement. The canal should be identified as sensitive receptors particularly with regards to dust emissions during construction and the *significant excavations* (para 2.11.3) that would be required. Mitigation measures should be set out to ensure that regular checks of the waterways are undertaken during construction and for a period following completion of the works.

The waterway users should be identified as sensitive receptors that may be affected. It should be clarified that users of the waterway for recreation, boaters, both leisure users and residential, along with pedestrians and cyclists on the towpaths as well as wildlife are all sensitive receptors both during construction and future operation of the road.

Cultural Heritage

The Trust agree that cultural heritage should be scoped into the Environmental Statement. The Leeds & Liverpool canal is over 200 years old and should be considered as a non-designated heritage asset (para 8.6.3) for the purposes of the assessment. The canal is within the 500m study area which could experience significant impacts to its setting and significance from the scheme both temporarily during construction and permanently once completed. The Trust consider that the canal, which is listed as asset 152, should be specifically referenced at paragraph 8.6.3 as a non-designated heritage asset so that the proposed impact assessment referred to in section 8.8/8.9 would also include the canal.

The report does consider the potential impact on the heritage value of the canal during the operational phase at paragraph 8.7.7. This recognises the potential for the operation of the road to have a permanent adverse impact on the canal (asset 152) and notes landscaping and planting may mitigate the impacts (para 8.7.9). As set out below, any comprehensive planting should be of a mix of native species and be subject to a comprehensive ongoing management and maintenance regime.

Biodiversity

The Trust agree that biodiversity should be scoped into the Environmental Statement. The waterways potentially support rich biodiversity and the development could have an adverse impact on the ecology of the waterway. As detailed below water quality must be protected during and post works, with consideration given to protecting the wildlife corridors along and to the canal from, water pollution, air pollution and light pollution during construction and during the operation of the development. The potential impacts on the waterway corridor should be fully considered within the environmental statement and detail appropriate and proportionate mitigation.

We are pleased that the canal has been considered within Table 9-3 as a non-statutory designated site. The Environmental Impact Assessment lists which protected species surveys have been undertaken at paragraph 9.5.9. In terms of water voles, the proposed route could impact water vole movement between ponds/ditches within Rimrose Valley and the canal. Mitigation could consist of extending and enhancing the remaining habitat, particularly within the canal corridor for example with coir roll and/or reed planting in soft bank areas.

With regards to bats, the existing trees and hedgerows within the site, play an important role for bat foraging and commuting as well as potentially for bat roosts. Bats would also be particularly sensitive to the lighting that would be provided within the scheme.

Page 44 of the document scopes out otters and badgers from further assessment. The Trust does not have any records of either otters or badgers in this location. However, as the River Alt intercepts the canal to the east of the proposed site (south-east of Aintree) and because otters tend to use canals more frequently when in proximity to rivers, we consider that otters should not be ruled out at this stage. They also cover large territories and note the survey was undertaken in August 2016, so further survey may be advisable.

The proposed route of the scheme would cut the Local Nature Reserve and Rimrose Valley Park in two. The canal corridor would therefore become the only remaining local natural wildlife corridor and so it would be even more important to protect this important resource. Possible mitigation could be a comprehensive, robust, vegetation buffer of native planting between the canal corridor and proposed route which would help to protect this corridor. Any planting/landscaping should be subject to a comprehensive management and maintenance plan to ensure it establishes and thrives.

Landscape

The Trust agree that landscape should be scoped into the Environmental Statement. Paragraph 10.7 considers visual amenity and at table 10.3 considers the canal to be of high sensitivity. The Trust would agree with this assessment. The waterway and its users (boaters and towpath users) should be recognised as visual receptors with high sensitivity within the Landscape and Visual Impact Assessment (LVIA). The current canal corridor is predominantly within an open setting and any new development should seek to enhance the corridor and its visual envelope. There are potentially significant temporary effects during the 3-year construction (para 2.11.1)) and permanent visual effects to the area following completion which would affect the current character, tranquillity and experience of the waterways. This should be fully considered and addressed within the Environmental Statement and mitigated appropriately. The suggested potential mitigation includes 'visual screening' (using landform and/or vegetation). The details of any 'visual screening' would need to be carefully detailed and as outlined above any planting should be native species and subject to management.

The impact of lighting (temporary and permanent) within the development site should also be considered as part of the LVIA. This should cross-cut with the biodiversity chapter in terms of the impact on protected species and other waterway users which would be particularly susceptible to lighting.

Noise and Vibration

The Trust agree that noise and vibration should be scoped into the Environmental Statement. The proposal both during construction and future operation has the potential to impact on users of the waterway users from noise and vibration. This includes boaters (both residential and leisure users) and recreational users along the canal towpaths, as well as wildlife. We consider that boaters/canal users/wildlife should be considered as specific receptors in terms of noise at table 11-6 and mitigated accordingly

In terms of vibration, it would be important that the structural integrity of the canal is safeguarded. At this stage, it is unclear how close construction traffic, plant and machinery would get to the waterway corridor. However, given that the red line of the development scheme borders the canal there is the potential for the structural integrity to be impacted. An appropriate buffer should be provided to the canal where no plant, machinery or construction traffic should track, or indeed materials be stored.

Any trees to be removed in the vicinity of the canals or supporting infrastructure should include a methodology for removing trees and roots whilst ensuring that the integrity of the canal is maintained and protected.

People and Communities

The Trust agree that people and communities should be scoped into the Environmental Statement. At paragraph 10.5.2 and 12.5.4 the Leeds & Liverpool canal is acknowledged as an important recreational feature. We consider the canal should be listed as a receptor in table 12-2 and assessed appropriately.

As outlined above the importance of this route for recreational, leisure and commuting purposes would increase both during and following completion of the development and a significant uplift in terms of towpath usage along the canal. Especially given that the Scheme would cross Rimrose Park and in turn its recreational value would be diminished. This is likely to increase recreational and leisure pressure on the canal towpath. Although we welcome increased usage of our towpaths this would also increase our maintenance liability. The towpath would need to be fit for purpose and the surface of the towpath may require to be upgraded to support the level of usage envisaged as a consequence of the development and the increased ongoing pressure upon it.

The section of towpath bounding Rimrose Park is generally tarmac, however its condition is variable and sufficient for current usage. The assessment should consider the cumulative impact of development on the canal corridor and towpath and provide appropriate mitigation.

Road Drainage and the Water Environment

The Trust agree that road drainage and water environment should be scoped into the Environmental Statement. The Leeds & Liverpool canal would be between 150-1200m to the east of the main carriageway (as outlined in the report). Our records indicate that there are a lot of culverts in this area, many of which may be sewers or combined sewers and which may cross the proposed route of the road. These may need to be located and/or sealed to ensure the potential for silty waters or contaminants entering the canal is mitigated. It should be noted however that the Trust is not a land drainage authority and any surface water discharge to the waterway will require prior consent from the Trust. Such discharges are not granted as of right and when and if they are granted they will usually be subject to completion of a commercial agreement prior to the commencement of any development

The documents set out that drainage would be to Netherton Brook and Moor Hey attenuation ponds. Existing linkages to the canal should be fully explored. Depending on the final drainage methods of the new development, this could have a significant impact on water quality and the biodiversity of waterways. It is important to ensure that no contaminants enter the waterway from surface water drainage. In the event that any discharge is proposed to the canal then details on mitigation would be required with the highest level of protection and include attenuation of the peak flow rate and removal of pollutants to ensure watercourses are fully protected.

Geology and Soil

The Trust agree that geology and soil should be scoped into the Environmental Statement. The contamination reports should consider the canals as receptors as part of any assessment which would be susceptible to pollution. The location and sealing of any existing drainage across the site to the canal should also be considered and addressed. Potential pollution of watercourses during construction would also need to be addressed.

Carefully mitigation measures will be required during any excavation or earth movements etc around Whabbs Tip, which is located approximately 500m from the start of the route and is relatively close to the canal corridor.

We look forward to working with you further on this scheme as it progresses.

Should you have any queries please contact.

Yours sincerely

Tim Bettany-Simmons (MRTPI)
Area Planner North West & North Wales
Telephone: 07342057926
E-Mail: Tim.Bettany-Simmons@canalrivertrust.org.uk

Planning Inspectorate
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: SO/2018/117945/02-L01
Your ref: TR010033-000006
Date: 14 February 2018

FAO Mr Richard Kent

Dear Mr Kent

PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017(THE EIA REGULATIONS) – REGULATIONS 10 AND 11 APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE A5036 PORT OF LIVERPOOL ACCESS SCHEME

Thank you for consulting us with the A5036 Port of Liverpool Access Scheme Environmental Impact Assessment Scoping Report (Highways England, Version 5.0, January 2018).

Environment Agency position

We agree with the proposed EIA structure, methodology and scope with regards to matters within our remit. In consideration to the technical matters, our principle areas of interest will be linked to;

- Biodiversity;
- Road Drainage and the Water Environment;
- Geology and Soils;
- Climate;
- Cumulative Effects.

Biodiversity

The Rimrose Country Park Wildlife Site forms part of the Liverpool Green Infrastructure Plan, and Liverpool City Region Ecological Network. These are two relevant plans and as such, compensation for the loss of open space forming part of Liverpool's Green Infrastructure must be provided.

The 'Liverpool City Region Ecological Network' vision is aspirational and sits within the context of England's Biodiversity Strategy (Defra, 2011), which has at its heart;

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

“... This strategy will guide our conservation efforts in England over the next decade, including setting our ambition to halt overall loss of England’s biodiversity by 2020.”
A further national aspiration is that *“In the longer term, our ambition is to move progressively from a position of net biodiversity loss to net gain.”*

There is a commitment to monitor progress towards achieving its priorities and key actions through annual reporting to government. It also recognises delivery of the strategy will take longer than the end of the decade and establishes priorities for delivery by 2020.

We note desk studies and surveys have been undertaken prior to this scoping report. As we have not seen these we are unable to comment on their content. As such we recommend an ecological assessment is required prior to the development of detailed plans, to enable an assessment of the level of risk posed by the development. The detailed design, construction, mitigation and compensation measures should be based on the results of a survey carried out by a suitably experienced surveyor using recognised survey methodology.

The survey and risk assessment should:

- identify any rare, declining, protected or otherwise important flora, fauna or habitats within the site;
- assess the importance of the above features at a local, regional and national level;
- identify the impacts of the scheme on those features;
- demonstrate how the development will avoid adverse impacts
- propose mitigation for any adverse ecological impacts or compensation for loss;
- propose wildlife/ habitat enhancement measures;
- propose post-project appraisal, management plans and management responsibilities with details of how biodiversity enhancement will be incorporated into the development and maintained over the long term.

We would wish to be consulted on the results of any survey submitted in connection with this application, on any design changes, additional mitigation, compensation or enhancement measures that might subsequently be proposed.

Road Drainage and the Water Environment

For the avoidance of doubt, for a proposal of this significance we will be expecting the EIA/application to be supported by a Water Framework Directive (compliance) assessment

To clarify paragraph 13.5.32, the Environment Agency has not notified a Critical Drainage Area (CDA) in Bootle. The designation of the CDA was made by Sefton Council.

Geology and Soils

The previous use of part of the proposed development site as a landfill site (Whabbs Tip, which should be noted was a pre-licensing site) presents a high risk of

contamination that could be mobilised during construction to pollute controlled waters.

Further Work

We are able to provide detailed and bespoke advice and answer technical questions for a charged fee which equates to £84 per hour (from 1st April 2018 this will increase to £100.00 per hour).

If the applicant is interested in finding out more about this service, they should email:

SPPlanning.RFH@environment-agency.gov.uk

We can explain this service and provide them with a bespoke quote for further pre-application advice that they may require.

Please forward a copy of this letter to the applicant.

Yours sincerely

Mr Stephen Sayce
Sustainable Places Planning Advisor

Direct e-mail stephen.sayce@environment-agency.gov.uk

From: [ESP Utilities Group Ltd](#)
To: [A5036 Port of Liverpool](#)
Subject: Your Ref: TR010033-000006. Our Reference: PE134169. Plant Affected Notice from ES Pipelines
Date: 29 January 2018 11:32:08
Attachments: [AffectedPlantEnquiryGuidelinesGas.pdf](#)
[AffectedPlantEnquiryGuidelinesElectricity.pdf](#)
[ESN3680.pdf](#)

A5036 Port of Liverpool
The Planning Inspectorate

29 January 2018

Our Ref: PE134169
Your Ref: TR010033-000006

A5036 Port of Liverpool Access Scheme, Liverpool L21 1ES, UK

Dear Sir/Madam,

Further to your enquiry received on 26/01/2018, I can confirm that ES Pipelines Ltd may be affected by the proposed works in the area of A5036 Port of Liverpool Access Scheme, Liverpool L21 1ES, UK. ES Pipelines Ltd has a low pressure gas main serving the area in question (Reference **ESN3680**) at grid reference E332575, N396913 and security of supply is vitally important.

Project drawing as laid extracts for these sites are enclosed (not to scale) for your information which show the approximate location of the ES Pipelines Ltd gas network close to the area of interest off A5036 Port of Liverpool Access Scheme, Liverpool L21 1ES, UK.

As your plans for the proposed work develop you are required to keep ES Pipelines Ltd regularly updated about the extent and nature of your proposed works in order for us to fully establish whether any additional precautionary or diversionary works are necessary to protect our gas network.

Arrangements can be set in place so that one of our representatives can meet on site (date to be agreed) and we will be happy to discuss the impact of your proposals on the gas network once we have received the details.

A list of precautionary measures is attached for your information. This must be passed on to the appointed contractors carrying out the work and any other associated parties.

ESP are continually constructing new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

If you wish to discuss the matter further please contact myself or the team on 01372 587500, alternatively you can email us at PlantResponses@espug.com.

Yours faithfully,

Alan Slee
Operations Manager



Bluebird House
Mole Business Park
Leatherhead
KT22 7BA
☎ 01372 587500 📠 01372 377996

<http://www.espug.com>

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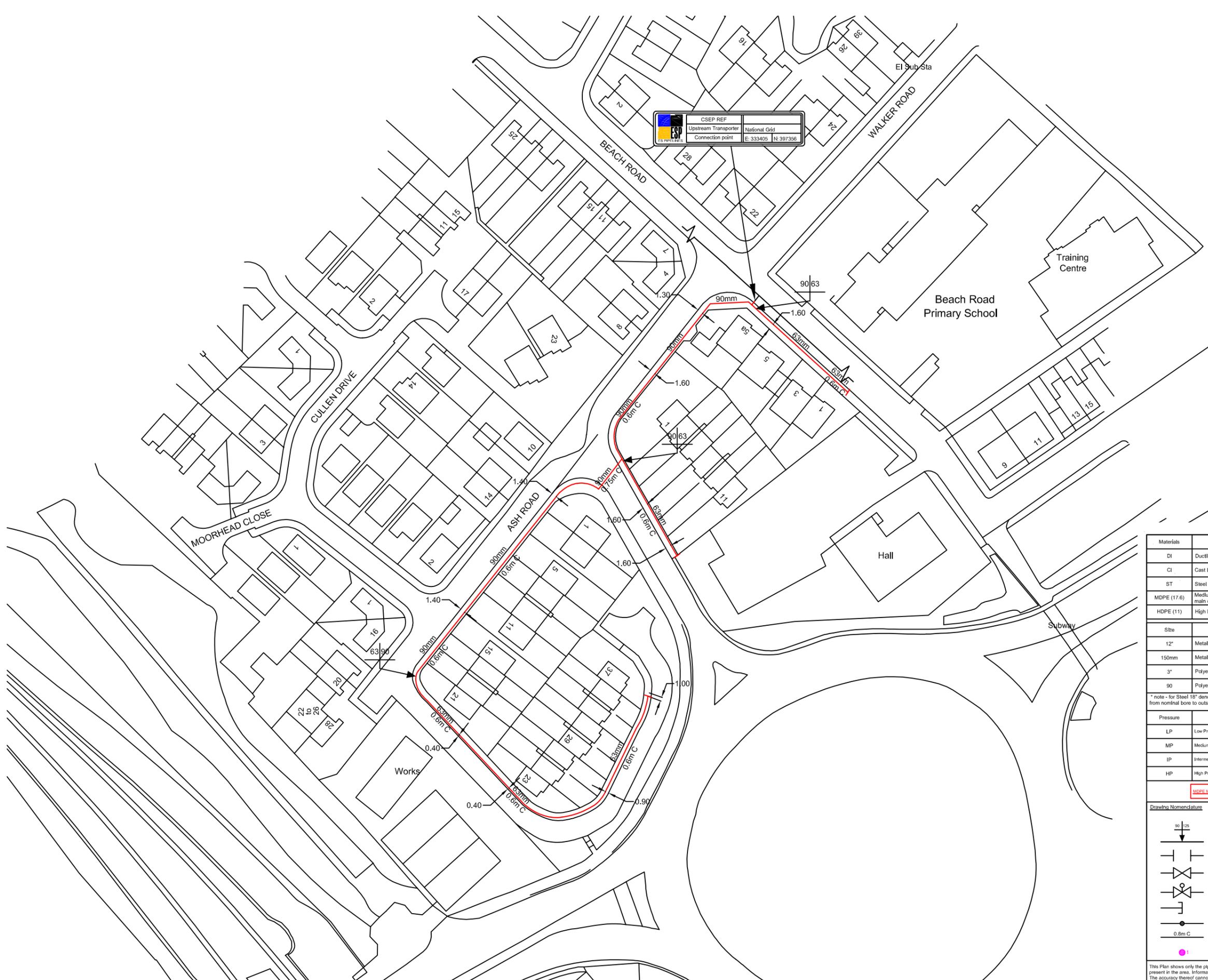


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	CSEEP REF	National Grid
	Upstream Transporter	E: 333405 N: 397356
	Connection point	



Materials	Description
DI	Ductile Iron Main
CI	Cast Iron Main
ST	Steel main or service
MDPE (17.6)	Medium Density Polyethylene (SDR Rating) main or service
HDPE (11)	High Density Polyethylene (SDR Rating) main or service

Size	Description
12"	Metallic main or service - Imperial (nominal bore)*
150mm	Metallic main or service - Metric (nominal bore)
3"	Polyethylene main or service - Imperial (nominal bore)
90	Polyethylene main or service - Metric (outsidediameter)

Pressure	Description
LP	Low Pressure - up to 75 millibar gauge
MP	Medium Pressure - between 75 millibar and 2 bar gauge
IP	Intermediate Pressure - between 2 bar and 7 bar gauge
HP	High Pressure - above 7 bar gauge

MDPE Mains 90mm & above SDR 17.6
63mm SDR 11

Drawing Nomenclature	
	Change in diameter nominal bore
	Mains not connected
	Valve
	Pressure Regulator
	Cap End
	Pressure / Purge point
	Depth of Cover main or service
	Node

Key for Mains & Service Pipework	
	Existing LP mains or services operating up to 75 millibar gauge
	Proposed LP mains or services operating up to 75 millibar gauge
	Existing MP mains or services operating between 75 millibar and 2 bar gauge
	Proposed MP mains or services operating between 75 millibar and 2 bar gauge
	Existing IP mains or services operating between 2 bar and 7 bar gauge
	Proposed IP mains or services operating between 2 bar and 7 bar gauge



Drawn by	Scale	Date created
T. Spencer	1:500	October '12
DRAWING TITLE		
Ash Road Litherland Liverpool L21		
Drawing No	ESN3680	REV:
Issue Number:	SHEET: 1 of 1	Printed:
Pipe Lengths (mm)		
LP	63mm 90mm 125mm 180mm 250mm 315mm 355mm	
MP		
IP		
REV	DETAILS OF REVISION	Date

This Plan shows only the pipes owned by E S Pipelines Ltd in its role as a licensed Gas Transporter (GT). Gas pipes owned by other GT's, and also privately owned, may be present in the area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty. The accuracy thereof cannot be guaranteed. All service pipes are not necessarily shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by E S Pipelines Ltd, its agents or servants, for any error or omission. Safe digging practices, as detailed in Health and Safety booklet HSG67 'Avoiding danger from underground services', must be used to verify and establish the actual position of mains, services and other plant on site before any Mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct or contract labour) working for you on or near gas apparatus. The information on this plan should not be referred to beyond 28 days following the date of issue. DATE OF ISSUE

REPRODUCED FROM THE ORDNANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF HER MAJESTY'S STATIONARY OFFICE © CROWN COPYRIGHT RESERVED.
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PRECAUTIONS TO BE TAKEN WHEN CARRYING OUT WORK IN THE VICINITY OF ELECTRICITY CABLES

ADVICE TO SITE PERSONNEL

MANAGEMENT NOTE

Please ensure that a copy of this note is read by your site management and to your site operatives.

Early consultation with ESP Electricity Ltd prior to excavation is recommended to obtain the location of plant and precautions to be taken when working nearby.

This has been produced after consultation with and at the request of the Health and Safety Executive, the construction industry and the electricity companies.

1.0 Introduction

This procedure should be read in conjunction with the ESP Electricity Distribution Safety Rules and other relevant procedures. The object of this procedure is:

- a) To lay down the rules for the location of cable before work is started.
- b) To specify the safe working procedure to be adopted by persons who have to work on or in the vicinity of cables.

2.0 Reference

ESP Electricity G81 – Design and Planning
ESP Electricity G81 – Installation and Records
National Joint Utilities Group (NJUG) Guidance Notes
Avoiding danger from underground services HSG47 HSE Advice Booklet.

3.0 Work

- 3.1 All cables and apparatus to which the cables are connected shall be treated as being live, until they have been proved dead and all points of isolation have been established and controlled.
- 3.2 All work carried out under this procedure shall also be carried out in strict accordance with the ESP Electricity Distribution Safety Rules and other relevant procedures.
- 3.3 For the purpose of this procedure:
 - a) Work on a cable includes the intentional cutting or removal of its Sheath or Armour, cutting of its core(s) or conductor(s) and the removal of a spiking gun.
 - b) Work in the vicinity of a cable includes digging or any activity carried out at any work location where cables are or may be present, whether or not for the specific purpose of preparation for work on a cable.

4.0 Cable Locating Devices

- 4.1 An approved cable locating device is to be used on every occasion before any surface is removed or any digging is started. It must also be used during the course of any digging work.
- 4.2 Cable location devices provide information on the position of cables. They must not be used as the only means of cable location.
- 4.3 Cable locating devices must be regularly checked for correct operation.

All persons using cable locating devices must be adequately trained in their use and must be Competent Persons.

5.0 Location of Cables

- 5.1 The depth of underground cables varies greatly. It is essential that a site specific risk assessment is undertaken for the proposed work you are planning this must include obtaining an up-to-date map of the electricity cables in the area and to make use of it. The electricity cable records must be checked before any work is started. Changes in surface level or reference points, and work carried out by other people may affect the reliability of these records. Anybody excavating must be told of these possibilities.
- 5.2 Before the start of any excavation work, a cable locating device shall be used to establish the run of live cables. Reasonable steps should be taken to establish the runs of cables both along and across the length of the intended area of digging. The cable avoidance tool shall be used together with mains records and where provided, service records.

5.3 All cable runs either confirmed by use of the cable locating device or indicated on the mains records must be marked out on the surface using a waterproof marker. Marked cable runs must be extended 300mm beyond either end or side of the intended digging area, and must stay visible while the digging is going on. The trial hole dig method can be used to identify the run of cables using hand dig tools only.

6.0 Precautions to be Taken while Working in Vicinity of Cables

- 6.1 Work in the vicinity of cables must be carried out as if the cables are live and all excavation work must be personally supervised by a Competent Person. All persons shall wear a minimum of safety footwear, Safety Glasses, hard hat, Task Specific Gloves flame retardant overalls.
- 6.2 Approved hand tools should always be used in preference to power tools in the vicinity of cables, unless site conditions make this impracticable. Spades should always be used in preference to forks. Extreme care must always be taken when using a fork or pick. Forks must be of approved type with shortened chisel ended tines. Spades must have sharp corners of the blade rounded. The selection of a fork or pick will be assessed on a Task Specific Risk Assessment.
- 6.3 A proprietary air digging tool, which removes soil with a high-velocity jet of air, can be used to expose buried services without damage to the service. However, it will not penetrate asphalt, concrete or frozen ground. Also precautions need to be taken that will prevent injury to the operator and members of the public from ejected soil and other materials.
- 6.4 When site conditions require the use of hand held power tools they must be fitted with a short bit. The following method of work must be used:
- a) Using all the information provided, together with an approved cable locating device, the line of all known cables must be marked out at least 300mm past the hole that will be dug using waterproof marker.
 - b) Encroachment lines must be drawn 300mm parallel to and away from the outer and innermost cable marker lines. And as in (a) above these must be drawn to extend at least 300mm beyond the edge of the hole that will be dug.
 - c) Hand held power tools must not be used below ground level in between the encroachment lines. Hand tools must be used for progressive and careful undermining from outside the encroachment lines towards the cable(s). Hand power tools must only be used to break up any hard surface, keeping pace with, but not going past the undermining. Extreme care must, in particular, be exercised when using power tools above cables already exposed by undermining. The use of power tools must stop if at any time the cutting rate quickens, indicating softer ground. At all times, attention must be paid to the cable run marker lines outside the edges of the holes.
 - d) The safe digging procedure in (c) above must be followed until all cable(s) required for work or for identification have been located.
 - e) If all recorded or detected cables inside the digging area have been located then hand held power tools may be used below ground level to break up concrete or similar structures, but even then only when site conditions render the use of hand tools impractical.
- 6.5 During excavation, full use must be made of cable locating devices which must be used to assist in establishing the exact location of live cables.
- 6.6 Where exposed cables are likely to be damaged in any way they shall be adequately protected and/or supported. Where in the opinion of the person in charge on site it is appropriate, warning notices must be attached to cables e.g. 'live cable exposed above ground level' or 'live coiled cables'.
- 6.7 Irrespective of the color of the electricity cable it shall be considered as being in a 'live' status unless it has been confirmed and proven that the cable has been physically isolated or turned off.

If damage is caused or suspected the following action should be taken at once:

- ❖ Remove all personnel from the immediate vicinity
- ❖ Contact ESP Electricity 01372 227560 or out of hours Emergency contact Number 0800 731 6945
- ❖ Prevent any approach by the public.
- ❖ Assist electricity personnel, Police or Fire Service as requested.

REMEMBER - IF IN DOUBT, SEEK ADVICE FROM ESP Electricity Ltd.

ESP Electricity Ltd can be contacted at:

Office Address: Hazeldean, Station Road, Leatherhead, Surrey, KT22 7AA

Office Tel: 01372 227560; **Fax:** 01372 377996; **email:** plantresponses@espipelines .com

PRECAUTIONS TO BE TAKEN WHEN CARRYING OUT WORK IN THE VICINITY OF UNDERGROUND GAS PIPES

ADVICE TO SITE PERSONNEL

MANAGEMENT NOTE

Please ensure that a copy of this note is read by your site management and to your site operatives.

Early consultation with ES Pipelines Ltd prior to excavation is recommended to obtain the location of plant and precautions to be taken when working nearby.

This note has been produced after consultation with and at the request of the Health and Safety Executive, the construction industry and the local authorities as an interim measure pending the issue of an HSE Guidance Note.

Introduction

Damage to ES Pipelines Ltd's plant can result in uncontrolled gas escapes which may be dangerous. In addition these occurrences can cause expense, disruption of work and inconvenience to the public.

Various materials are used for gas mains and services. Cast Iron, Ductile Iron, Steel and Plastic pipes are the most widely found. Modern Plastic pipes are either bright yellow or orange in colour.

Cast Iron and Ductile Iron water pipes are very similar in appearance to Cast Iron and Ductile Iron gas pipes and if any Cast Iron or Ductile Iron pipe is uncovered, it should be treated as a gas pipe. ES Pipelines Ltd do not own any metallic gas pipes but their gas network infrastructures may be connected to Cast Iron, Ductile Iron or Steel pipes owned by Transco.

The following general precautions apply to Intermediate Pressure (2-7barg MOP), Medium Pressure (75mbarg-2barg MOP), Low Pressure (up to 75mbarg MOP) and other gas mains and services likely to be encountered in general site works and are referred to within this document as 'pipes'.

Locating Gas Pipes

It should be assumed when working in urban and residential areas that gas mains and services are likely to be present. On request, E S Pipelines Ltd will give approximate locations of pipes derived from their records. The records do not normally show the position of service pipes but their probable line can be deducted from the gas meter position. E S Pipelines Ltd's staff will be pleased to assist in the location of gas plant and provide advice on any precautions that may be required. The records and advice are given in good faith but cannot be guaranteed until hand excavation has taken place. Proprietary pipe and cable locators are available although generally these will not locate plastic pipes.

Safe working Practices

To achieve safe working conditions adjacent to gas plant the following must be observed:

Observe any specific request made by E S Pipelines Ltd's staff.

Gas pipes must be located by hand digging before mechanical excavation. Once a gas pipe has been located, mechanical excavation must proceed **with care**. A mechanical excavator must not in any case be used within 0.5 metre of a gas pipe and greater safety distances may be advised by E S Pipelines Ltd depending on the mains maximum operating pressure (MOP).

Where heavy plant may have to cross the line of a gas pipe during construction work, the number of crossing points should be kept to a minimum. Crossing points should be clearly indicated and crossings at other places along the line of the pipe should be prevented.

Where the pipe is not adequately protected by an existing road, crossing points should be suitably reinforced with sleepers, steel plates or a specially constructed reinforced concrete raft as necessary. E S Pipelines Ltd staff will advise on the type of reinforcement necessary.

No explosives should be used within 30 metres of any gas pipe without prior consultation with E S Pipelines Ltd.

E S Pipelines Ltd must be consulted prior to carrying out excavation work within 10 metres of any above ground gas installation.

Where it is proposed to carry out piling or boring within 15 metres of any gas pipe, E S Pipelines Ltd should be consulted prior to the commencement of the works.

Access to gas plant must be maintained at all times during on site works.

Proximity of Other Plant

A minimum clearance of 300 millimetres (mm) should be allowed between any plant being installed and an existing gas main to facilitate repair, whether the adjacent plant be parallel to or crossing the gas pipe. No apparatus should be laid over and along the line of a gas pipe irrespective of clearance.

No manhole or chambers shall be built over or around a gas pipe and no work should be carried out which results in a reduction of cover or protection over a pipe, without consultation with E S Pipelines Ltd.

Support and Backfill

Where excavation of trenches adjacent to any pipe affects its support, the pipe must be supported to the satisfaction of E S Pipelines Ltd and must not be used as an anchor or support in any way. In some cases, it may be necessary to divert the gas pipe before work commences.

Where a trench is excavated crossing or parallel to the line of the gas pipe, the backfill should be adequately compacted, particularly beneath the pipe, to prevent any settlement which could subsequently cause damage to the pipe.

In special cases it may be necessary to provide permanent support to the gas pipe, before backfilling and reinstatement is carried out. Backfill material adjacent to gas plant must be selected fine material or sand, containing no stones, bricks or lumps of concrete, etc., placed to a minimum depth of 150mm around the pipes and well compacted by hand. No power compaction should take place until 300 mm of selected fine fill has been suitably compacted.

If the road construction is in close proximity to the top of the gas pipe, a "cushion" of selected fine material such as sand must be used to prevent the traffic shock being transmitted to the gas pipe. The road construction depth must not be reduced without permission from the local Highway Authority.

No concrete or other hard material must be placed or left under or adjacent to any Cast Iron pipe as this may cause fracture of the pipe at a later date.

Concrete backfill should not be used closer than 300 mm to the pipe.

Damage to Coating

Where a gas pipe is coated with special wrapping and this is damaged, even to a minor extent E S Pipelines Ltd must be notified so that repairs can be made to prevent future corrosion and subsequent leakage.

Welding or "Hot Works"

When welding or other "hot works" involving naked flames are to be carried out in close proximity to gas plant and the presence of gas is suspected, E S Pipelines Ltd must be contacted before work commences to check the atmosphere. Even when a gas free atmosphere exists care must be taken when carrying out hot works in close proximity to gas plant in order to ensure that no damage occurs.

Particular care must be taken to avoid damage by heat or naked flame to plastic gas pipes or to the protective coating on other gas pipes.

Leakage from Gas Mains or Services

If damage or leakage is caused or an escape of gas is smelt or suspected the following action should be taken at once:

- ❖ Remove all personnel from the immediate vicinity of the escape;
- ❖ Contact Transco's National Gas Escape Call Centre, on: **0800 111 999**;
- ❖ Prevent any approach by the public, prohibit smoking, extinguish all naked flames or other source of ignition for at least 15 metres from the leakage;
- ❖ Assist gas personnel, Police or Fire Service as requested.

REMEMBER - IF IN DOUBT, SEEK ADVICE FROM E S PIPELINES LTD.

ES Pipelines Ltd can be contacted at:

Office Address: Hazeldean, Station Road, Leatherhead, Surrey, KT22 7AA

Office Tel: 01372 227560; **Fax:** 01372 377996; **email:** plantresponses@espipelines.com

CEMHD Policy - Land Use Planning
NSIP Consultations
Building 2.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: TR010033
Our ref: 4.2.1.6269

HSE email: NSIP.applications@hse.gov.uk

FAO Richard Kent
The Planning Inspectorate
Temple Quay House
Temple Quay,
Bristol
BS1 6PN

16/02/18

Dear Mr Kent

**PROPOSED A5036 Port of Liverpool Access Scheme (the project)
PROPOSAL BY HIGHWAYS ENGLAND (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) – Regulations 10 and 11**

Thank you for your letter of 26th January 2018 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

With reference to drawings in document 'A5036 Port of Liverpool Access Scheme, Environmental Impact Assessment Scoping Report, January 2018, Highways England the Scheme Overview', the proposed development passes over a Major Accident Hazard Pipeline (MAHP) in the vicinity of the M57. This Major Accident Hazard Pipeline is a Cadent Gas Ltd, Natural Gas High Pressure Pipeline [Ormskirk/Maghull].

There are currently no Major Hazard Installations in the vicinity of the proposed road.

HSE is unable to provide specific LUP advice regarding this proposal until details of any proposed alterations/upgrade to the Major Accident Hazard Pipeline are made available by the Developer / Pipeline Operator. On receipt of this information, HSE will be in a position to provide case specific LUP advice.

HSE strongly recommends that, at the earliest opportunity, the developer liaises with the Pipeline Operator (Cadent Gas Ltd) to establish the necessary measures required to alter/upgrade the Major Accident Hazard Pipeline.

Although there are currently no Major Hazard Installations in the vicinity of the proposed road, should a Hazardous Substances Consent be granted prior to the determination of the present application, then HSE reserves the right to revise its advice.

Explosives sites

There is a licensed berth at Seaforth Dock (Mersey Docks and Harbour Company Ltd). There are residential properties between the berth and the proposed development and the proposed development will fall outside the separation distance 'SD2' (inhabited building distance). If the Applicant requires any further advice, Highways England should contact David.Myrtle@hse.gov.uk

Electrical Safety

No comment from a planning perspective

Waste

In respect of waste management the applicant should take account of and adhere to relevant health and safety requirements. Particular attention should be paid in respect of risks created from historical landfill sites. More details can be found on HSE's website at: <http://www.hse.gov.uk/waste/index.htm>

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)
NSIP Consultations
2.2 Redgrave Court
Merton Road, Bootle,
Merseyside L20 7HS

Yours sincerely,



Dave Adams
(CEMHD4 Policy)

Sent electronically to:

A5036PortofLiverpool@pins.gsi.gov.uk

Nick Dexter
DCO Liaison Officer
Land & Business Support

Nicholas.dexter@nationalgrid.com

Tel: +44 (0)7917 791925

www.nationalgrid.com

23rd February 2018

Dear Sir / Madam,

Ref: TR010033 - A5036 Port of Liverpool Access Scheme - Scoping Consultation

I refer to your letter dated 26th January 2018 in relation to the above proposed application for a Development Consent Order for the proposed A5036 port of Liverpool Access Scheme. Having reviewed the Scoping Report, I would like to make the following comments:

National Grid infrastructure within / in close proximity to the order boundary

Electricity Transmission

National Grid Electricity Transmission has no apparatus within or in close proximity to the proposed order limits.

Gas Transmission

National Grid Gas has no apparatus within or in close proximity to the proposed order limits.

If you require any further information please do not hesitate to contact me.

Yours Faithfully



Nick Dexter.

Date: 20 February 2018
Our ref: 237420
Your ref: TR010033000006



Hornbeam House
Electra Way
Crewe
Cheshire
CW1 6GJ
T 0300 060 3900

FAO Richard Kent
Planning Inspectorate
A5036PortofLiverpool@pins.gsi.gov.uk

BY EMAIL ONLY

Dear Richard,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by Highways England for an Order granting Development Consent for the A5036 Port of Liverpool Access Scheme- Scoping consultation

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated and received on 26 January 2018. Natural England have already been involved with pre-application discussions with the applicant regarding this scheme and the scope for the Environmental Statement.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Amanda Yeomans on 020 802 68311.

For any new consultations, or to provide further information on this consultation please send all your correspondence to consultations@naturalengland.org.uk.

Yours sincerely,

Amanda Yeomans

Lead Adviser (Coast and Marine Team)
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team

¹Harrison, J in R. v. Cornwall County Council ex parte Hardy (2001) ²Note on Environmental Impact Assessment Directive for Local Planning Authorities Office of the Deputy Prime Minister (April 2004) available from: <http://webarchive.nationalarchives.gov.uk/http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/>

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Special Protection Areas (SPAs) are classified for rare and vulnerable birds, and for regularly occurring migratory species. The birds for which SPAs are designated may also rely on areas outside of the SPA boundary (known as functionally linked land). These supporting habitats may be used by SPA populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA bird populations, and proposals affecting them may therefore have the potential to affect the SPA.

It should be noted that some of the potential impacts that may arise from the proposal relate to the presence of SPA interest features that are located outside the site boundary. It is advised that the potential for offsite impacts needs to be considered in assessing what, if any, potential impacts the proposal may have on European sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 an appropriate assessment needs to be undertaken in respect of any plan or project which is a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

The ES should include all Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites) including land which is functionally linked to the designated sites.

The development site is within 2km of the following designated nature conservation sites and is contained within land which may provide functionally linked habitat for the features of the designated nature conservation sites:

- Ribble and Alt Estuaries Special Protection Area (SPA)
- Ribble and Alt Estuaries Wetland of International Importance under the Ramsar Convention (Ramsar)
- Mersey Narrows and North Wirral Foreshore SPA
- Mersey Narrows and North Wirral Foreshore Ramsar
- Liverpool Bay / Bae Lerpwl SPA
- Sefton Coast Special Area of Conservation (SAC)
- Sefton Coast Site of Special Scientific Interest (SSSI)
- Mersey Narrows SSSI

Further information on the designated sites as listed above can be found at <https://designatedsites.naturalengland.org.uk/>. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects. The applicant should ensure to use the site citations available through the Designated Sites System and ensure that all features are listed. Natural England notes that the information provided for Liverpool Bay / Bae Lerpwl SPA within the Scoping Document (page 65) is not up to date following classification of the extension to the site on 31 October 2017.

Natural England has published Conservation Advice packages which may provide useful information to aid the assessment for the Mersey Narrows and North Wirral Foreshore SPA / Ramsar and the Ribble and Alt Estuaries SPA / Ramsar. The Liverpool City Region packages and supporting information documents are also available via the Designated Sites System:

<https://designatedsites.naturalengland.org.uk/>. The conservation objectives for the Natura sites are also available at: <http://publications.naturalengland.org.uk/category/6490068894089216>

Recreational disturbance is a recognised pressure to the coastal designated sites. Natural England notes that here will be the loss of open greenspace through development of the proposed scheme and this may indirectly lead to an increase in recreational pressure on Sefton Coast SAC and the Ribble and Alt Estuaries SPA. Natural England would expect to see full consideration of this potential impact within any subsequent assessment for the chosen scheme.

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation. Natural England has also provided additional pre-application advice to the applicants regarding methodology and species survey requirements.

2.5 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here: <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
 - Additional surveys carried out as part of this proposal;
 - The habitats and species present;
 - The status of these habitats and species (e.g. whether priority species or habitat);
 - The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain (see comments under 8.1).

The record centre for the relevant Local Authority should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend the applicant seeks further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

3. Landscape Character

3.1 Landscape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

3.2 Heritage Landscapes

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm.

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

4.1 Rights of Way, Access land, Coastal access and National Trails

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the nearby public rights of way. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify further details of the public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Soil and Agricultural Land Quality

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

Our records indicate there is a high likelihood of BMV land within the area encompassed by this proposal. This information is accessible from the Strategic Map which can be accessed via a link (Regional Agricultural Land Classification Maps > Likelihood of BMV Agricultural Land Strategic Scale Maps) at [Technical Information Note 049](#).

The applicant should consider the following issues as part of the Environmental Statement:

1. The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved. This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see www.magic.gov.uk. Natural England Technical Information Note 049 - [Agricultural Land Classification: protecting the best and most versatile agricultural land](#) also contains useful background information.
2. If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2m.
3. The Environmental Statement should provide details of how any adverse impacts on soils can be minimised. Further guidance is contained in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#).

Additional guidance is available at:

<https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

6. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land.

The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 109), which should be demonstrated through the ES.

8. Contribution to local environmental initiatives and priorities

8.1 Biodiversity enhancements (Net Gain and Green Infrastructure)

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats, the installation of bird nest boxes, the use of native species in the landscape planting or the use of green infrastructure.

Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development and encourage the developer to ensure that open greenspaces will continue to be made available, particularly with the proposed loss of greenspace through the Rimrose Valley Country Park. We acknowledge the applicants state that at this early stage the location and types of replacement land have yet to be identified and discussions will continue and proposals will be considered as part of the EIA (S2.17.8. pg. 13).

We recommend that the ES should explore the inclusion of measures to enhance the biodiversity of the site. This is in accordance with NPPF Paragraph 118 which states that 'opportunities to incorporate biodiversity in and around developments should be encouraged; Section 40(3) of the Natural Environment and Rural Communities Act (2006) which states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process. Furthermore, the Government's 25 Year Environment Plan advocates environmental net gain for development (including infrastructure).

Natural England encourages consideration of net gain to be included within the ES along with details on any strategic mechanisms to deliver and measure environmental improvements. This should be described in association with Highways England's commitment to no net loss in biodiversity and environmental net gain.

9. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment. The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;

- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effect.

Natural England encourages all mitigation measures to be outlined within the ES and any measures provided should ensure to not undermine any other proposed mitigation in the vicinity of the development.



Public Health
England

NSIP Consultations
CRCE
Chilton, Didcot
Oxon OX11 0RQ

T +44 (0)1235 831600

www.gov.uk/phe

Mr Richard Kent
Senior EIA and Land Rights Advisor
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
BRISTOL BS1 6PN

Your Ref: TR010033-000006
Our Ref: CIRIS 43073

14th February 2018

Dear Mr Kent,

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) –
Regulations 10 and 11**

**Application by Highways England for an Order granting Development Consent
for the A5036 Port of Liverpool Access Scheme**

Thank you for your letter of 29th January 2018, inviting Public Health England (PHE) to provide comments on the scoping opinion for the Environmental Statement (ES) relating to the above Nationally Significant Infrastructure Project (NSIP).

The comments below are provided on the basis that this stage is a precursor to an intensive and detailed assessment of the potential health impacts of the proposed development.

Our response focuses on health protection issues relating to chemicals, poisons and radiation. The advice offered is impartial and independent. In order to ensure that public health is comprehensively considered the ES should provide sufficient information to allow the potential impacts of the development on public health to be fully assessed.

We have reviewed the A5036 Port of Liverpool Access Scheme Environmental Impact Assessment Scoping Report (dated January 2018) and accept the general approach proposed for assessing potential impacts on human health.

In order to assist the production of an ES, we have included an appendix which outlines the generic considerations that we advise should be addressed by all promoters when they are preparing an ES for an NSIP.

We note that a separate section summarising the public health impacts of the proposed development on public health is not proposed but is to be included within the Peoples and Communities chapter; we ask that a clear section on public health be included, in line with the recommendations in the appendix that follows.

We note that assessment of PM₁₀ and NO₂ will be carried out, but assessment of fine particulate matter (PM_{2.5}) within the air quality section is not proposed and further justification for this is not provided. PM_{2.5} is of particular interest with regard to transport emissions and the impact of air quality upon public health. We would therefore request that this be considered in the air quality assessment.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. Our view is that the assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal. Where a promoter determines that it is not necessary to undertake detailed assessment(s) (e.g. undertakes qualitative rather than quantitative assessments), if the rationale for this is fully explained and justified within the application documents, we consider this to be an acceptable approach.

We will provide further comments when the ES becomes available.

Yours sincerely

Dr Manjit Singh
Environmental Public Health Scientist
nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Appendix: PHE recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA¹. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the proposal. Assessment should consider the development, operational, and decommissioning phases.

The EIA Directive² requires that ESs include a description of the aspects of the environment likely to be significantly affected by the development, including "population". The EIA should provide sufficient information for PHE to fully assess the potential impact of the development on public health. **PHE will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health:** summarising risk assessments, proposed mitigation measures, and residual impacts. This section should summarise key information and conclusions relating to human health impacts contained in other sections of the application (e.g. in the separate sections dealing with: air quality, emissions to water, waste, contaminated land etc.) without undue duplication. Compliance with the requirements of National Policy Statements and relevant guidance and standards should be highlighted.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, the EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES³.

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

Receptors

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial and

¹ Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from: <http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/documents/planningandbuilding/pdf/151087>

² Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment. Available from: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1985L0337:20090625:EN:PDF>

³ DCLG guidance, 1999 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf>

industrial premises; and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land; surface and groundwater; and drinking water supplies, such as wells, boreholes and water abstraction points.

Impacts arising from construction and decommissioning

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on public health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should also ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

Emissions to air and water

Significant impacts are unlikely to arise from sites which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the development in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases, as appropriate
- should consider the typical operational emissions, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts

- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data
- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)
 - If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1
 - This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the development, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed development on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

Additional points specific to emissions to air

When considering a baseline (of existing air quality) and in the assessment and when considering future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling taking into account local topography

Additional points specific to emissions to water

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc.) alongside assessment of potential exposure via drinking water

Land quality

We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed⁴ and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

⁴ Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the development the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

Other aspects

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report⁵, jointly published by Liverpool John Moores University and PHE, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: “Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible.” PHE supports the inclusion of this information within EIAs as good practice.

Electric and magnetic fields (EMF)

This statement is intended to support planning proposals involving electrical installations such as substations, underground cables and overhead lines. PHE

⁵ Available from: <http://www.cph.org.uk/publication/health-risk-perception-and-environmental-problems/>

advice on the health effects of power frequency electric and magnetic fields is available in the following link:

<https://www.gov.uk/government/collections/electromagnetic-fields#low-frequency-electric-and-magnetic-fields>

There is a potential health impact associated with exposure to the electric and magnetic fields produced around substations, power lines and cables. The following information provides a framework for considering the health impact, including the direct and indirect effects of exposure.

Policy Measures for the Electricity Industry

In 2004, the Government adopted the exposure guidelines published in 1998 by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) within the framework of the 1999 EU Council Recommendation on limiting exposure of the general public (1999/519/EC). In 2009, one additional precautionary policy was introduced relating to the optimum phasing of high-voltage power lines. The National Policy Statement for Electricity Network Infrastructure EN-5 confirms these policies, and the Department of Energy and Climate Change (DECC) has published two accompanying Codes of Practice, agreed between the Energy Network Association and the Government, which specify how the guideline compliance and the optimum phasing requirements are implemented:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf

A companion code of practice dealing with indirect effects of exposure to power frequency electric fields is also available:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224766/powerlines_vcop_microshocks.pdf

Exposure Guidelines

PHE recommends the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP). Formal advice to this effect was published by one of PHE's predecessor organisations (NRPB) in 2004 based on an accompanying comprehensive review of the scientific evidence:

<http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/>

Updates to the ICNIRP guidelines for static fields have been issued in 2009 and for low frequency fields in 2010. However, the Government policy is that the ICNIRP

guidelines are implemented in line with the terms of the 1999 EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/PublicHealth/HealthProtection/DH_4089500

Static magnetic fields

For static magnetic fields, the ICNIRP guidelines published in 2009 recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT.

Power frequency electric and magnetic fields

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines published in 1998 give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively 5 kV m⁻¹ (kilovolts per metre) and 100 µT (microtesla). The reference level for magnetic fields changes to 200 µT in the revised (ICNIRP 2010) guidelines because of new basic restrictions based on induced electric fields inside the body, rather than induced current density. If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects.

Long term effects

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE)

SAGE was set up to explore the implications for implementing precautionary measures for extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government:

<http://www.emfs.info/policy/sage/>

SAGE published its First Interim Assessment in 2007, recommending various low cost measures aimed at reducing exposure. One of the recommendations was the introduction of optimal phasing of dual circuit high voltage power lines, which the Government supported in its response published in 2009. Government was also asked to consider the option to create corridors adjacent to high voltage power lines on health grounds; however, this was not supported as it was regarded to be disproportionate given the evidence base on the potential health risks arising from exposure. The full Government response to SAGE's First Interim Assessment is available here:

http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124

SAGE also called for more information to be made available to the public on the possible health consequences of power frequency electric and magnetic fields, and the Health Protection Agency developed new web material, which is available here:

<http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Topics/Radiation/UnderstandingRadiation/UnderstandingRadiationTopics/ElectromagneticFields/ElectricAndMagneticFields/>

Liaison with other stakeholders, comments should be sought from:

- the local authority for matters relating to noise, odour, vermin and dust nuisance;
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act 1990;
- the local authority regarding any impacts on existing or proposed Air Quality Management Areas;
- the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops;
- the Environment Agency for matters relating to flood risk and releases with the potential to impact on surface and groundwaters;
- the Environment Agency for matters relating to waste characterisation and acceptance; and,
- The relevant local authority Directors of Public of Public Health for Tameside, and Sheffield for matters relating to wider public health.

Environmental Permitting

Amongst other permits and consents, the development may require an environmental permit from the Environment Agency to operate (under the Environmental Permitting (England and Wales) Regulations 2010). If so, any permitted activity will need to comply with the requirements of best available techniques (BAT). PHE is a consultee for bespoke environmental permit applications and will respond separately to any such consultation.

Annex 1

Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used
- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account
- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach⁶ is used

⁶ Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24



A5036 Port of Liverpool Access Scheme

Royal Mail Group Limited comments on information to be provided in applicant's Environmental Statement

Introduction

Reference the letter from PINS to Royal Mail dated 26 January 2018 requesting Royal Mail's comments on the information that should be provided in Highways England's Environmental Statement for the proposed A5036 Port of Liverpool Access Scheme.

Royal Mail's consultants BNP Paribas Real Estate have reviewed the applicant's Scoping Report as submitted to the Secretary of State on 25 January 2018.

Royal Mail– relevant information

Royal Mail is responsible for providing efficient mail sorting and delivery nationally. As the Universal Service Provider under the Postal Services Act 2011, Royal Mail has a statutory duty to deliver mail to every residential and business address in the country as well as collecting mail from all Post Offices and post boxes six days a week.

Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network.

Royal Mail is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting a significant risk to Royal Mail's business.

Royal Mail therefore wishes to ensure the protection of its future ability to provide an efficient mail sorting and delivery service to the public in accordance with its statutory obligations which may potentially be adversely affected by the construction of this proposed road scheme.

Royal Mail has three Delivery Office within 3 miles of the proposed scheme:

1. Crosby DO, Brighton Road, Liverpool L22 2AA
2. Maghull DO, 12 Liverpool Rd North, Liverpool L31 1AA
3. Bootle and Seaford DO, Orrell Lane, Bootle L20 6JH

In exercising its statutory duties Royal Mail vehicles use on a daily basis all of the local roads that may potentially be affected by additional traffic arising from the construction of the proposed scheme.

It is envisaged that the proposed scheme will, once constructed, have benefits for Royal Mail operational traffic movements. However, Royal Mail is concerned about the potential for disruption to its operations during the construction phase. In particular, Royal Mail requires more information and certainty about traffic management measures that will be put in place to mitigate construction impacts on traffic flows on the surrounding local highway network.



Royal Mail's comments on information that should be provided in Highways England's Environmental Statement

In view of the above, Royal Mail has the following comments / requests:

1. The ES should include information on the needs of major road users (such as Royal Mail) and acknowledge the requirement to ensure that major road users are not disrupted through full advance consultation by the applicant at the appropriate time in the DCO and development process.
2. The ES and DCO application should include detailed information on the construction traffic mitigation measures that are proposed to be implemented by Highways England / its contractor, including a draft Construction Traffic Management Plan (CTMP).
3. Royal Mail is fully pre-consulted by Highways England / its contractor on any proposed road closures / diversions/ alternative access arrangements, hours of working and the content of the CTMP. The ES should acknowledge the need for this consultation with Royal Mail and other relevant major road users.

Royal Mail is able to supply Highways England with information on its road usage / trips if required.

Should PINS or Highways England have any queries in relation to the above then in the first instance please contact Joe Walsh (joseph.walsh@royalmail.com) of Royal Mail's Legal Services Team or Daniel Parry-Jones (daniel.parry-jones@bnpparibas.com) of BNP Paribas Real Estate.

**Application by Highways England for an Order granting Development Consent
for the A5036 Port of Liverpool Access Scheme**

Scoping consultation

**Response from Sefton Council
February 2018**

Introduction

Sefton Council welcomes the opportunity to respond to the Planning Inspectorate's invitation of the 26th January 2018 to comment on the A5036 Port of Liverpool Access Scheme Environmental Impact Assessment Scoping Report. The Council confirms that it is a consultation body within the definition of the EIA Regulations.

Sefton Council is the local authority within which the scheme proposals are located and as such, we recognise our role as a key stakeholder. We also recognise our significant responsibility for advocating for the prospects and well-being of our communities and this is foremost in the provision of this response. Our response is detailed below, but we wish to make it clear from the outset that we do not support this scheme option. We believe that it would have significant negative impacts on our communities and does not balance the positive benefits of economic growth with the environmental, health and well-being and social impacts.

The Council is acutely aware of the potential opportunities for economic growth associated with the growth in the Port of Liverpool and associated businesses and this is particularly welcome in an area that has and continues to experience significant economic challenges. The Council also recognises the importance of providing good, multi-modal transport links to the Port and the surrounding area to enable those opportunities to be realised.

The A5036 already suffers from peak hour congestion, junction capacity being exceeded, unreliable journey times, a poor safety record, poor air quality and community severance. We want to see an outcome that provides for the needs of all users of the corridor, supports Sefton businesses and protects and improves the environment for local communities.

The Council acknowledges that there are major difficulties and challenges in developing a highway improvement scheme in the A5036 corridor. Nevertheless, it is our responsibility to support the interests of our local communities and to try and secure an option that both provides sufficient highway capacity to address existing problems and provides for future demand whilst at the same time protecting, and where possible improving, the health and well-being of our communities. Whilst we accept that this is a difficult balance to achieve, we believe that it is both possible and essential. Our concern with the current proposal, however, is that we do not consider that it will achieve that balance.

The Planning Inspectorate should also be aware that the Council has challenged the public consultation carried out by Highways England in 2017. The Council believes that Highways England did not provide sufficient information about all the options considered and, specifically, failed to give the public the opportunity to comment on the option of a tunnel solution. The Council has recently been granted permission to proceed to a judicial review of the consultation process and the decision on the preferred option that followed.



Key issues for Sefton

As described above, the Council is seeking to achieve the best possible balance between providing sufficient highway capacity for the future whilst at the same time protecting the health and well-being of our communities.

The issues that are particularly important for us are :

- Economic growth, jobs, regeneration and development potential
- Delivery of the Sefton Local Plan – housing and employment sites
- Community health and well-being, health inequalities and safety
- Local environmental conditions, particularly air quality
- Landscape, recreation and amenity
- Quality and resilience of transport and other infrastructure

We consider that there are concerns over the scheme being presented in relation to several of the key issues listed above and that it would not deliver the Council's priorities and aspirations for the area. Where appropriate and relevant to the EIA scoping, we have identified these concerns in the comments provided below.

The Council's response will be provided in two parts, strategic comments about the EIA process and scope (mainly related to Chapters 1-6 of the report) and specific comments on the content and accuracy of the EIA scoping report (mainly related to Chapters 7-16). Both parts of our response will follow the structure of the EIA Scoping Report.

The Council's specialist advisors, Merseyside Environmental Advisory Service (MEAS) have provided comments on the scoping report, primarily in relation to Biodiversity. Their comments have been incorporated into the following response where appropriate and are also provided as an Annex to the Council's response. The comments from MEAS should be considered an integral part of the Council's response.

Strategic comments

These comments relate to the A5036 Port of Liverpool Access Scheme Environmental Impact Assessment Scoping Report submitted to the Secretary of State in January 2018. The Scoping Report has set out the basis on which the proposed development is EIA development and we agree with that reasoning. Paragraph 1.4.1 states that 'significant effects on the environment cannot be ruled out at this time'. The Council believes that significant effects on the environment are very likely and an EIA is therefore required.

Overall, the EIA Scoping Report describes the methods that will be used to assess environmental impact and evaluate significant effects and for the most part these are based on current guidance and standards and are appropriate. Where we consider that additional elements should be included or where updated guidance or policy is available to inform that evaluation it has been referred to below.

Chapter 1 : Introduction

There is only limited information included in the report to explain the role of the EIA within the context of the Development Consent Order (DCO) process. The EIA scoping report states that an Environmental Statement (ES) will be submitted along with the application



for DCO. However, the scope of the EIA and ES needs to be understood in the context of the other information that will be submitted. For example, the Council expects that a detailed statement of strategic policy and planning issues, a separate transport assessment and a social and distributional impact assessment will be submitted as part of the DCO application, but there is no reference to the other elements of the DCO submission that would be directly relevant to the EIA.

The Sefton Local Plan was adopted in 2017 and, as such, must be given full weight in the decision making process on any DCO application (see www.sefton.gov.uk/localplan). However, the EIA scoping report makes little or no reference to either national or local planning policies relevant to the topics covered by the EIA. The Council needs to know that its Local Plan will be taken into account in the process, whether as part of the EIA or as part of a separate Planning Statement. If planning issues are being addressed through a separate document, this should be acknowledged and identified in the EIA scoping report. The report should not only state clearly the scope that it is covering, but also identify those issues that are being dealt with through a different mechanism. The Sefton Local Plan policies relevant to the EIA are provided in the Specific Comments section below.

Similarly, many of the issues in the EIA, particularly air quality and noise, are dependent on the results of the transport assessment and traffic modelling, yet there is only limited reference to this in the EIA scoping report (in Section 2.16) and no reference to the preparation and submission of a separate transport assessment.

An overview of the other components of the DCO submission should be included, to better demonstrate the context of the EIA within the whole process.

Chapter 2 : Description of the scheme

As described above, the Council has particular concerns over the balance between the positive benefits of economic growth with the environmental, health and well-being and social impacts. The Council believes that health and social considerations should be reflected in the scheme objectives, for example, by adding the phrase ‘and quality of life’ to the fourth objective.

Section 2.11 refers to the preparation of a Construction Traffic Management Plan (CTMP) and Section 2.15 refers to a Site Waste Management Plan (SWMP) and a Materials Management Plan (MMP). The Council expects that there will be a requirement for a Construction Environmental Management Plan (CEMP) that would provide an overarching system for managing the construction processes to minimise their environmental impact. The CTMP, SWMP and MMP should all form key elements of the CEMP and the report needs to confirm the commitment to prepare and implement a CEMP. We note that a CEMP is referred to in later sections of the report (e.g. Chapter 7) but is not mentioned in this section.

The Council assumes that there will be a full and detailed transport assessment (TA) for the scheme (see comment above). Given the importance of that assessment for the identification and assessment of environmental impacts, the transport impacts should be included in the scope of the EIA. A summary of the TA and its relevance for the EIA should be included in the ES.



Chapter 3 : Alternatives

The Council would expect the alternatives that will be presented to at least be listed in this section of the Scoping Report. The text includes the phrase ‘reasonable alternatives’, so it would be helpful to see which alternatives will be presented. As indicated previously, the Council has challenged the previous consultation on the basis of the alternatives presented so it is important to ensure that the alternative options are adequately addressed.

Chapter 4 : Consultation

As described above, the Council has challenged the scope of the previous consultation and has been granted leave to proceed to a judicial review. It is imperative that our local communities are given a voice in the process and have the opportunity to raise the issues that are of concern to them.

The Council notes that a Preliminary Environmental Information Report (PEIR) will be prepared and that the Council will be consulted on the PEIR.

Chapter 5 : EIA Methodology

The Council accepts that the proposed methodology is, for the most part, based on current guidance and standards in DMRB (and Interim Advice Notes) and PINS Advice Notes and are appropriate. Where we consider that additional elements should be included or where updated guidance or policy is available to inform that evaluation it has been referred to below in the specific comments.

As stated previously, the health and well-being of our communities is a high priority for the Council and we wish to ensure that the full range of potential social and health impacts are addressed. The population and human health aspect of the EIA has been described at Section 5.13 and an explanation given that it is dispersed throughout other sections. However, this has meant that a narrow consideration has been given that focuses on the health protection elements of air, water and noise, i.e. environmental hazards. The ‘people and communities’ section has started to take a wider perspective, but this should be extended to include the importance of access to open space and leisure opportunities and the socio-economic aspects, such as the potential to improve health in the construction phase through local people and businesses benefiting from jobs. The diagram at page 25 should also include ‘Landscape’ as human health is mentioned a number of times in that section, especially in relation to visual impact.

Little reference is made to inequalities or inequity, yet we know that the geographical area surrounding the scheme has high levels of deprivation and has poorer levels of health. Hence impacts on human health will be greater than on an ‘average’ population. We would expect to see that this would be addressed in a Social and Distributional Impact Assessment (SDI), but there is no reference to a separate SDI assessment in the scoping report.

The outcomes that would be measured when assessing impacts for population and human health are not clear. The report should provide a description of predicted health and wellbeing outcomes, for example changes in mental wellbeing, changes in respiratory health. Given the reliance on determinants of health, the outcome measures should go further than just changes in air quality, noise levels etc.



The Council's view is that the best way of fully addressing the issue of human health and social and community aspects is through a separate Health Impact Assessment (HIA). This will also enable the concerns of local communities to be taken more fully into account because HIA uses participatory tools that incorporate both 'professional' judgement and the responses of local people. This would be relevant to a number of sections where tables show categorisation of values, magnitude of impacts and level of significance that could be tested out with local stakeholders.

Chapter 6 : Topics to be Scoped In and Out

As indicated previously, the Council considers that a summary of the TA and its relevance for the EIA should be included in the ES. Given the importance of that assessment for the identification and assessment of environmental impacts, the transport impacts should be included in the scope of the EIA.

The Council does not agree that the effects of construction on air quality should be scoped out. Given the existing air quality issues in the area, the scale and length of the construction period, the potential traffic disruption resulting from construction, the amount of construction plant likely to be operating on site and the potential number of vehicles travelling to and from the site, the Council believes that it will be essential to assess the impacts on air quality through the construction phase as well as operation.

In addition, we are concerned that only 2 pollutants are to be assessed as part of the air quality assessment (PM₁₀ and NO₂). These pollutants are indeed of concern and there are specific National Air Quality Standard objectives in place for these emissions, however Local Authorities under the Environment Act's Local Air Quality Management regime have new duties to assess levels of PM_{2.5} in their areas and work towards reducing this particulate emission. As with PM₁₀ and NO₂ the Council believes that the proposed scheme will impact on levels of PM_{2.5} in the study area and as such, this pollutant should also be assessed as part of the EIA.

The report proposes to exclude historic landscape from the EIA. This seems to ignore the fact that there are several listed farmhouses in the vicinity of the route, especially along the Broom's Cross Road section. It also ignores the presence of deep peat layers at the southern end of Rimrose Valley and their historic landscape importance. The Council believes that those elements of historic landscape should be considered in the EIA.

The Council acknowledges that evidence related to traffic induced vibration is limited. Nevertheless, the experience of the Council in relation to its own scheme, Broom's Cross Road, is that vibration from the road will be a matter of concern for local communities, particularly given the prevalence of heavy vehicles expected on the road. There may also be concerns about the response of the made ground in parts of the site to vibration. The Council considers that traffic induced vibration should be included in the EIA so that the range of concerns of the local community can be adequately addressed.

The People and Communities section makes reference to land use and agricultural land classification. The impact on agricultural land is expected to be addressed in that section. However, the potential impacts on soils in the agricultural areas at the northern end of the scheme should be considered, particularly if there are changes expected in land drainage characteristics.

As described above, the Council also considers that the scope of the health elements of the People and Communities section should include socio-economic factors. In addition, consideration of the impacts on land use, both agricultural and amenity, should include operational effects as well as construction effects.



Chapters 7-16 : Topic based chapters

Comments on the topic based chapters are mainly provided in the specific comments section below. Comments more strategic in nature are provided in the following table.

Chapter	Comment
7: Air Quality	A detailed air quality assessment is proposed and is to be carried out in accordance with recognised national standards and guidelines. As described above, the Council believes that impacts on PM _{2.5} and construction impacts on air quality should be assessed as part of the EIA.
8: Cultural Heritage	The Council accepts the methodology proposed, though we reserve the right to comment on the criteria for determining magnitude of impact and relative weightings for impact on heritage assets as the assessment proceeds.
9: Biodiversity	<p>Standard approaches and methodology are proposed for the Biodiversity assessment. The Council's specialist advisors, Merseyside Environmental Advisory Service (MEAS) have provided comments on the scoping report, primarily in relation to Biodiversity and their comments are provided as an Annex to the Council's response, but should be considered an integral part of the Council's response.</p> <p>MEAS notes that in parts the Scoping Report does not represent the current characteristics of the proposed route sufficiently well. One area of particular concern is Brookvale Local Nature Reserve and how that is treated differently across the proposed topic chapters – in some it is not mentioned and in others it is referred to incorrectly. The read-across between Cultural Heritage, Biodiversity, Road Drainage and The Water Environment, Geology and Soils is poor. The EIA process should be an integrated process and used to help inform the design of the scheme to avoid and minimise adverse impacts on the environment in line with the mitigation hierarchy.</p>
10: Landscape	<p>Standard approaches and methodology are proposed for the Landscape assessment. However, the EIA must take account of Sefton Local Plan policy NH7 'Rural landscape character' and Sefton's 'Landscape Character' Supplementary Planning Guidance (SPG) which was approved in 2003. Further details are provided in the specific comments section below.</p> <p>The impact of earthworks, structures, signage, lighting and street furniture on the landscape character of the red line area and its surroundings must be considered.</p>
11: Noise and Vibration	Detailed noise and vibration assessments are proposed both through the construction phase and to assess noise and vibration from the proposed scheme when in operation. The proposed assessment methodology accords with recognised national standards and guidelines and should be sufficient to assess the impact of the scheme on sensitive receptors. Note previous comments relating to the inclusion of traffic induced ground borne vibration in the EIA.
12: People and Communities	<p>As described previously, the potential impacts on Sefton's communities is a top priority for the Council and this part of the EIA is crucial to understanding the impacts of the scheme. Comments on land use and health and well-being have been provided above and need to be taken into account.</p> <p>The Council wants to see greater emphasis given to the importance of</p>



Chapter	Comment
	<p>recreational uses of the proposed routes and the associated social networks. As well as the PROW, there are several permissive routes that supplement the PROW network that appear not to have been considered. Although they are not highways the permissive paths are vital in the network and in particular the spine path along the main axis of the Valley, which is the busiest route in the Country Park.</p> <p>The accessibility of any new structures or crossing points also needs to be included to ensure that people with mobility limitations are provided for.</p>
<p>13: Road Drainage and the Water Environment</p>	<p>The Council has significant concerns relating to drainage and flood risk in the area of the scheme. The scheme must take account of Local Plan policy EQ8 'Flood risk and surface water' and the National Planning Policy Framework.</p> <p>The Council is extremely concerned about the potential for increasing surface water flood risk, including in areas already subject to high risk of surface water flooding (1 in 30 year) (EA online, 5-2-2018), both within the red line and off-site, downstream. These are areas in Critical Drainage Area 10 in the Surface Water Management Plan 20111: the natural catchment of the Rimrose Brook. As part of the site is at high risk of surface water flooding, a flood risk sequential test is required.</p> <p>The commitment to prepare a site specific Flood Risk Assessment (FRA) is noted. The FRA must include an assessment of the impact on local sources of flood risk, notably surface water, groundwater and canal flooding. Both the FRA and Drainage Strategy must demonstrate that flood risk from all sources is managed, that existing flood risk within the site and elsewhere is reduced (notably surface water flood risks) and that Sustainable Drainage Systems will be used.</p> <p>Any new road should be drained by sustainable drainage (SuDS) principles, and the SuDS should reduce flood risk within the envelope and elsewhere, in line with Local Plan policy EQ8 'Flood Risk and surface water' and paragraph 100 of the National Planning Policy Framework.</p>
<p>14: Geology and Soils</p>	<p>Much of the study area is in a Minerals Safeguarding Area, as designated by policy NH8 'Minerals' in the Sefton Local Plan. Any development should provide a Minerals Statement, and the EIA must consider Minerals. The previous comments regarding the potential impacts on soils in the agricultural areas at the northern end of the scheme should also be taken into account.</p>
<p>15: Materials</p>	<p>The proposed assessment methodology is noted and should identify the main impacts relating to materials. The Council is particularly concerned about the potential for removal and disposal of potentially large amounts of contaminated materials from the former Whabbs Tip site and the corresponding import of inert fill material for the road foundation and noise bunds and embankments.</p>
<p>16: Climate</p>	<p>The proposed assessment methodology is noted and should identify the main impacts relating to climate change. The potential for release of greenhouse gases from the disturbance of Whabbs Tip and the removal of peat deposits should be considered.</p>

Specific comments

There are some inaccuracies in the report that need to be corrected. Where these have been identified, they have been recorded in the specific comments below and we request that amendments are made to Scoping Report and subsequent EIA to ensure that the EIA is robust and accurate.

The Scoping Report includes a preliminary evaluation of the significance of receptors based on a mix of factual survey, third party data and maps, topic guidance and professional judgement. Concerns regarding a number of those values of significance are provided below. Where we consider that the Scoping Report does not represent the current characteristics of the proposed route sufficiently well, suggested amendments are proposed.

Sefton Local Plan

The Sefton Local Plan was adopted in 2017, and as such must be given full weight in the EIA and in the decision-making process on any Development Consent Order. See www.sefton.gov.uk/localplan.

A list of the most relevant Sefton Local Plan policies is set out below:

- SD1 Presumption in favour of sustainable development
- SD2 Principles of sustainable development
- MN7 The Green Belt
- ED1 The Port and Maritime Zone
- ED6 Regeneration Areas [*especially in relation to Seaforth Centre*]
- HC3 Residential development and Primarily Residential Areas
- HC6 Assets of Community Value
- IN1 Infrastructure and developer contributions
- IN2 Transport
- EQ1 Healthy Sefton
- EQ2 Design
- EQ3 Accessibility
- EQ4 Pollution and hazards
- EQ5 Air quality
- EQ6 Contaminated Land
- EQ7 Energy efficient and low carbon design
- EQ8 Flood risk and surface water
- EQ9 Provision of public open space, strategic paths and trees
- NH1 Natural assets
- NH2 Nature
- NH5 Protection of open space and Countryside Recreation Areas
- NH7 Rural Landscape Character
- NH8 Minerals
- NH9 Heritage assets
- NH10 Demolition or substantial harm to designated Heritage Assets
- NH11 Works affecting Listed buildings
- NH12 Conservation Areas
- NH14 Scheduled Monuments and non-designated archaeology
- NH15 Non-designated Heritage Assets
- PIM1 Planning enforcement.

The Council's adopted Supplementary Planning Documents and Supplementary Planning Guidance Notes must also be considered, as should emerging Supplementary Planning Documents and Information Notes. See www.sefton.gov.uk/spd and www.sefton.gov.uk/newspd.

We endorse the comments made by MEAS, which relate to the above nature policies.



EIA Scoping Report comments

Paragraph	Comment
2.5.2 2.5.4	<p>The Council is concerned about the scale of proposed earthworks (para 2.5.2) including “2m high earthwork bunds with a 2m high environmental fence on top, or 4m high environmental fences” and structures (para 2.5.4) adjacent to allocated housing sites and Listed Buildings; and the “... visual intrusion of potentially 8m high structures” by Edge Lane and Lydiate Lane Bridges.</p> <p>The Council’s main concerns relate to:</p> <ul style="list-style-type: none"> • The impact on the setting of Listed Buildings, Conservation Areas and other heritage assets • The impact on allocated housing sites MN2.26, MN2.27 and MN2.36 and hence the implementation of the Local Plan / housing targets, due to potential effects on housing layout and site capacities • Residential amenity, outlook, noise and air pollution, for the future occupiers of these allocated sites and the adjacent site in the Primarily Residential Area. • In relation to the allocated housing site MN2.36 ‘Former Z Blocks Sites, Buckley Hill Lane, Netherton’, it appears that the red line includes land within the northern and central parcels of this allocation. Planning permission has been granted (DC/2016/02302) for the development of the central site and development is well underway. <p>The Lydiate Lane Bridge is adjacent to the two allocated housing sites:</p> <ul style="list-style-type: none"> • MN2.26 ‘Land at Lydiate Lane, Thornton’, for which an outline application has been submitted (DC/2017/00434) for “up to 268 no. dwelling houses with some matters reserved in respect of: (Appearance, Landscaping, Layout and Scale) with Access applied for at this stage.” • MN2.27 ‘Land south of Runnell’s Lane, Thornton’, where the developers are understood to be looking to submit a planning application at an early stage. <p>The Edge Lane Bridge is adjacent to:</p> <ul style="list-style-type: none"> • Rushton’s Garden Centre. This site includes Tanhouse Farm which is a Grade II Listed Building. Planning Committee resolved (on 7th February 2018) to refuse the recent planning application for the erection of 36 dwellings and provision of landscaping after demolition of the Garden Centre cafe and polytunnels on this site (DC/2017/01178) on design grounds. • Existing housing in the Primarily Residential Area. <p>(And see comments on chapter 7 ‘Air Quality’ below).</p>
2.5.5	<p>We note the reference to the high water table in the area. This is a significant issue because of its potential, together with other sources of local flooding, to increase surface water flood risk in an area where it is already high. This area includes residential properties). See also comments on sections 2.7.4 2.10.1 and 2.13.1 below.</p>
2.6.1	<p>The Council is concerned about the impact of the footbridges, overbridges,, culverts and other structures (also the earthworks themselves) on:</p> <ul style="list-style-type: none"> • The openness of the Green Belt • Ease of recreational and other access for pedestrians, cyclists and those with limited mobility • Surface water flood risk within the site envelope and particularly elsewhere (see comments re 2.7.4 below) • Residential amenity, outlook, noise and air pollution
2.7.3	<p>It is a big assumption that the existing highway drainage system would have capacity to accommodate additional drainage and the Council will expect to see detailed information provided to support any such proposal.</p>
2 8.2, Chapter 10	<p>The Council is concerned that lighting could create an unduly urban feature in the Green Belt. It will also impact on nearby residential properties and ecology in the</p>



Paragraph	Comment
	<p>area.</p> <p>The lighting scheme should meet the requirements of Local Plan policy EQ4 'Pollution and Hazards', e.g. part 1 which states that:</p> <p style="padding-left: 40px;">“Development proposals should demonstrate that environmental risks have been evaluated and appropriate measures have been taken to minimise the risks of adverse impacts which include amenity, damage to health and wellbeing, property and the natural environment (including internationally important nature sites) from:...artificial light pollution”.</p> <p>The EIA/ ES must fully assess this aspect.</p>
2.9.1-2.9.3 (Table 2-1)	<p>The report states that provisions will be made the existing PROWs. Specific details of the impact on each PROW and what the full mitigation/improvements are will need to be included in the ES so that a judgement can be made on whether the measures are acceptable.</p> <p>Highways England must ensure that any proposals do not adversely impact on the accessibility and continuity of the walking and cycling network in the Country Park and the immediate surroundings and in the vicinity of Broom’s Cross Road.</p> <p>In relation to Table 2-1, Highways England must demonstrate the adequacy of the provision for pedestrians and cyclists (non-motorised users- NMU), based on the evidence from the NMU assessment that would be part of the TA.</p>
2.13.1, Chapter 13	Clarification of the relevant parts of the sewer network affected is requested, to help assess whether these serve areas already at risk of surface water flooding.
2.16	See previous comments about the Transport Assessment and what should be included in the EIA/ES.
2.16.2 Insert 2-1	The text in 2.16.2 relating to the model simulation area is not consistent with what is shown in Insert 2-1. The area shown does not cover Widnes and Warrington for example. Appleby should be Appleby.
2.16.6, Insert 2-1	<p>Traffic model simulation area - The choice of this area should be explained in the report. It is not clear why the Traffic Model Simulation Area does not include any of the Liverpool administrative area south and west of the A5058, when it includes Ormskirk, Skelmersdale, St Helens and Newton le Willows. The excluded area includes traffic generated by that part of the Port located within Liverpool, the concentration of primarily industrial areas, industrial business sites and the Port of Garston, as well as Liverpool City Centre, the football stadia including the proposed Everton stadium at the Bramley Moore Dock and other major visitor attractions. Why has this potential area of significant traffic generation been omitted from the Traffic Model Simulation Areas? Some of these locations may generate traffic that would use the proposed route to access Switch Island.</p> <p>The Insert does not show the location of the existing A5036 as stated in 2.16.6.</p>
2.16.7	Paragraph 2.16.7 identifies 3 factors which will affect the future demand for travel. However, no further detail is provided as to how these will be calculated. In Sefton, there is an up-to-date Local Plan which provides information about housing and employment growth in the Borough. Both Sefton’s housing and employment requirements have not been superseded by the recently commissioned Liverpool City Region-wide Strategic Housing and Employment Land Market Assessment (SHELMA) nor the Department of Housing, Community and Local Government’s recently published objectively assessed need figure for Sefton. The SHELMA also notes a need for large scale B8 logistics development of up to (approx) 500 hectares, but this has not yet been allocated to the individual local authority areas, and is unlikely to be until after the Combined Authority’s Strategic Spatial Framework (SSF) has been prepared. Work on this is due to commence later this year.
2.17.3	This paragraph says that “Habitats should be actively managed to ensure high species diversity and reduced fragmentation”. The ES/EIA and any road proposals will need to demonstrate how this is to be achieved.
2.17.4	Note that the Design Manual for Roads and Bridges (DMRB) 10 refers to scheme design including opportunities for habitat creation and enhancement, and says that “This area will be explored in Scheme design, with particular to the Brookvale LNR”.

Paragraph	Comment
	<p>The Council wishes this habitat creation and enhancement to be guaranteed, in line with national biodiversity legislation and policy, the National Planning Policy Framework and adopted Local Plan policies NH1 'Natural Assets' and NH2 'Nature'.</p>
<p>2.17.5, 2.17.6 2.17.7 2.17.8</p>	<p>It is noted that the “design will be required to identify area of replacement [recreation] land to replace the land lost due to the Scheme”.</p> <p>The reference to Sport England’s requirements for compensatory provision of playing fields, and for open space is also noted. There is a need also to refer to Sefton’s requirements for open space, Countryside Recreation Areas and strategic paths as set out in Local Plan policies NH5 ‘Protection of open space and Countryside Recreation Areas’ and EQ9 ‘Provision of public open space, strategic paths and trees’.</p> <p>However, it is not enough simply to replace the quantum of land playing fields and open space lost in a variety of locations. Part of the appeal and recreational value of the Rimrose Valley Countryside Recreation Area and its constituent playing fields, strategic paths and other features is the synergy and good connectivity and accessibility between them.</p> <p>Replacement pitch provision immediately to the north of the existing Buckley Hill sports pitches site could be acceptable. If the road line were to come close to any pitches, it is likely that new fences to stop balls would be needed. Strictly speaking, fencing would affect the openness of the Green Belt, which could mean either the pitches need to be an appropriate distance from the road (potentially needing more replacements) or that it would need very careful justification and design in any detailed scheme.</p> <p>Paragraph 2.17.8 states that the location and types of replacement land have not yet been identified. The above comments and discussions with the Council must inform this assessment.</p> <p>The EIA/ ES must fully assess this aspect.</p>
<p>5.15 <i>et seq</i></p>	<p>Sefton Council considers that there are many significant cumulative effects across the thematic areas covered by the Scoping Report and other issue (e.g. recreation patterns) where two or more sources of impact interact. These, and the web of their interactions and impacts, must be fully considered. These factors include for example the impacts of:</p> <ul style="list-style-type: none"> • Air quality, noise, visual impacts, potential for increased surface water flood risk and access to facilities and services for residents within the Primarily Residential Area and allocated housing sites adjacent to the red line. These impacts have the potential to have a significantly negative impact on the health and quality of life of large numbers of local residents and future residents of allocated housing sites. Here Sefton Local Plan policies HC3 ‘Residential development and Primarily Residential Areas’, EQ1 ‘Healthy Sefton’, EQ2 ‘Design’, EQ3 ‘Accessibility’, EQ4 ‘Pollution and hazards’, EQ5 ‘Air quality’ and EQ8 ‘Flood risk and surface water’ are particularly relevant. Policy EQ4 refers to land/soil, water (including surface water and groundwater) and the air, noise, vibration, dust, odour and artificial light pollution. • Air quality, noise, changes to surface water and drainage regimes and disturbance on habitats and species • Heritage quality and quality of life of the local community.
<p>5.16.3</p>	<p>Why is there no HRA reference to the Mersey Narrows and Ribble Estuaries SPA, or to the Sefton Coast SAC (although this is mentioned in the table). What about supporting habitat – the report needs to clarify how this is treated (i.e. should be treated the same as designated sites)?</p>
<p>Chapter 7 Air Quality,</p>	<p>Sefton Council is extremely concerned about the impact of air quality (and the cumulative impacts with noise and other potential pollution) on local residents and</p>

Paragraph	Comment
<p>Chapter 11 Noise, Chapter 12 People and Communities</p>	<p>future residents, and designated nature sites and habitats and protected and priority species as well as the recreational environment within the red line area.</p> <p>Most of the red line is bounded by the Primarily Residential Area (as designated in the Sefton Local Plan) and allocated housing sites, notably:</p> <ul style="list-style-type: none"> • Housing allocation MN2.26 ‘Land at Lydiate Lane, Thornton’, • MN2.27 ‘Land south of Runnell’s Lane, Thornton’ • MN2.36 ‘Former Z Blocks Sites, Buckley Hill Lane, Netherton’, the in the Primarily Residential Area just south of Edge Lane, for which a full planning permission has been submitted (DC/2017/01178) • Substantive areas of existing housing in the Primarily Residential Area in Waterloo, Crosby, Seaforth, Litherland, Ford and Netherton. • In the Ash Road, Cullen Drive and Moorhead Close area of Litherland at the southern end of the red line where the envelope is extremely narrow and any road would be extremely close to existing residents in the Primarily Residential Area here. <p>The total red line is only approx 38m wide at the rear of residential properties 22-26 Ash Road, and only approx. 55m wide at the rear of residential properties on Cullen Drive and Moorhead Close. This is the total width available between these curtilage of these residential properties and the railway embankment, meaning that any road, on its approach to a major junction, would be forced into a very narrow corridor extremely close to housing and local residents. Sefton Council is extremely concerned about the air quality, noise, visual, light, health and quality of life impact on these residents.</p> <p>Sefton Local Plan policy HC3 ‘Residential development and Primarily Residential Areas’ (part 2) requires proposals for non-residential development to demonstrate that the proposals:</p> <ul style="list-style-type: none"> • “Will not have an unacceptable impact on the living conditions of neighbouring properties, and • will otherwise not harm the character of the residential area, and • will not undermine objectives of the plan regarding housing delivery” <p>The Council considers that it is vital for the ES/ EIA and in the decision-making process on any planning application /Development Consent to meet the requirements of this policy.</p> <p>In assessing the impact on the living conditions of neighbouring properties, Sefton Local Plan policies EQ4 ‘Pollution’ (including noise) and EQ5 ‘Air Quality’ are especially relevant. Part 2 of policy EQ5 requires development to incorporate appropriate measures to reduce air pollution and minimise exposure to harmful levels of air pollution to both occupiers of the site and occupiers of neighbouring sites.</p>
<p>7.5.2, 7.5.3, 7.6.5, Chapter 7 ‘Air Quality’</p>	<p>Paragraphs 7.5.2 and 7.5.3 refer to a number of Air Quality Management Areas (AQMAs) but some if these are outside Sefton. EIA/ ES must focus on and fully assess the impact of the proposed road on the nearby AQMAs in Sefton, and specifically on the existing Princess Way AQMA which lies on A5036 between the junction of any new road and the Port. The impact of any additional traffic from any proposed new road on this AQMA must be assessed with the utmost rigour in the ES/ EIA and in the decision-making process on any planning application /Development Consent.</p> <p>Sefton Local Plan policy EQ5 ‘Air Quality’ (part 1) says that</p> <p>“1. Development proposals must demonstrate that they will not:</p> <ol style="list-style-type: none"> a. Hinder the achievement of Air Quality Management Area objectives and the measures set out in an Air Quality Management Area Action Plan, or b. Hinder the revocation of an Air Quality Management Area by: <ol style="list-style-type: none"> i. introducing significant new sources of air pollutants, or ii. Introducing new development whose users will be especially



Paragraph	Comment
	<p>susceptible to air pollution, or c. Lead to the declaration of an Air Quality Management Area, or d. Lead to a material decline in air quality”</p> <p>This is particularly important given that the Princess Way AQMA lies almost entirely within an existing residential area (Primarily Residential Area).</p> <p>The Council does not consider that any material changes in air quality in the Hawthorne Road AQMA (e.g. due to a lesser quantum of traffic in the future due to a new road through the Rimrose Valley) would offset any worsening of air quality in the Princess Way AQMA.</p>
<p>7.5.2, 7.5.3, 7.6.5, 7.7.5 Chapter 7 ‘Air Quality’</p>	<p>The ES/ EIA must demonstrate the air quality impacts of and mitigation measures for any proposals within the red line on designated nature sites and priority habitats including the Brookvale LNR and the nationally and internationally important nature sites on the Sefton Coast.</p> <p>To meet the requirements of the Habitats Regulations, the ES/EIA and any planning application must also demonstrate that proposals are not likely to result in an increase of more than 1% in nitrogen inputs into the Sefton Coast Special Area of Conservation (SAC). Proposals which are likely to do this include those in or within 200 metres of the SAC, and those which could increase traffic flows on roads within 200m of the SAC by over 1,000 vehicle movements per day or 200 heavy duty vehicle movements per day (in terms of annual average daily traffic flows). If such impacts are identified, the proposals must demonstrate how they meet the requirements of the Habitats Regulations and part 1 of Sefton Local Plan policy NH2 ‘Nature’.</p>
<p>7.7.5</p>	<p>Para 7.7.5 refers to the Stanley Meadows SSSI which is in St Helens. In addition to impacts on the Sefton Coast SAC as above, consideration should be given to the possible impact on the Manchester Mosses SAC. While the Habitats Regulations Assessment Reports of the Sefton Local Plan scoped out any impacts of the Local Plan on vehicle movements on the M62 and hence on the Manchester Mosses Special Area of Conservation (SAC), the impacts of this scheme on vehicle flows on the M62 and thereby on the Manchester Mosses SAC should also be considered.</p>
<p>Chapter 8</p>	<p>Sefton Council is concerned that the emphasis is on consulting others (Liverpool City Council Conservation Officer, City Archaeologist, Historic England) – rather than Sefton Council’s own Conservation Officers and archaeological service, and would ask that the ES/EIA makes good this omission. The reference to specific consultation with Liverpool City Council is repeated in other chapters and needs to be corrected.</p>
<p>Chapter 8</p>	<p>The study area boundary is slightly short of the Scheduled monument of Sefton Moated site and also the Grade I Listed Building of St Helens Church, for the purposes of clarity these should be included. These are within Sefton Village Conservation Area.</p> <p>A couple of buildings in Netherton (LB6 and LB7) including the Grade II* the church of St Benet are very close to the proposed scheme boundary, and should also be considered.</p> <p>The study area boundary also runs close to Lunt Village Conservation Area (CA4 on map) and the impact of the road on this Conservation Area must be considered.</p>
<p>Chapter 8 & general</p>	<p>The rationale for excluding from the red line the Listed Buildings needs to be explained (e.g. Edge Farm, Manor House Farm and Lodge and Brook House Farm).</p>
<p>Chapter 8</p>	<p>The EIA/ES needs to scope in the impact of the necessary signage and associated lighting and other street furniture on heritage aspects, including on open views to, and setting of, the Grade 1 Listed St Helens Church in Sefton Village, and on other Listed Buildings and Conservation Areas. Past experience indicates that such signage, lighting and street furniture can have a significant negative impact on Listed Buildings and their settings, Conservation Area and other heritage assets, and indeed on local residents and their amenity.</p>
<p>8.3.2</p>	<p>The assessment should also consider the Planning (Listed Buildings and Conservation Areas) Act 1990, National Planning Policy Framework and Sefton Local Plan.</p>

Paragraph	Comment
8.4.1, Figure 8-1	Was the phrase 'historic environment' used by Historic England in their response or did they refer to a potential impact on Grade I and Grade II* Listed Buildings and Scheduled Monuments, rather than just the historic environment?
Figure 8-1	<ul style="list-style-type: none"> Mapping figures [1.5 and] 8.1 doesn't show the correct extent of the extended Waterloo Park Conservation Area -the boundary shown is out of date. On figure 8.1, the listed buildings LB25 Church of St Phillip and LB26 The International Hotel appear to be coloured purple as grade II* buildings when actually they are grade II. However, on figure 1.5 they are correctly marked as grade II. The study area boundary cuts through the Christ Church Cons Area and it is difficult to see on the map how close are a number of listed buildings including the II* Christ Church. a couple of buildings in Netherton (LB6 and LB7) including the Grade II* the church of St Benet are very close to the proposed scheme boundary, and so the impact on these should be considered.
8.4.2	Why is it proposed to consult Liverpool's Conservation Officer but not Sefton's? (Even though Sefton's Conservation Officer would advise on heritage issues but not archaeological issues). There is no Liverpool City Archaeologist (this service is part of MEAS).
8.5.1	Adopted Conservation Area Appraisals would need to form part of the baseline data.
8.6.2	There should be 1 Conservation Area of high value that being Sefton Village as it has 2 high value sites in it, Grade 1 Listed Building and Scheduled Monument in accordance with criteria in table 8-4.
8.7.2	Proposing Listed Building "mitigation through design or preservation by record" is simplistic. The impacts on Listed Buildings, apart from any other heritage assets, needs to be investigated in more detail.
8.7.7	There is a need to include: <ul style="list-style-type: none"> Permanent adverse impact on setting of Sefton Village Conservation Area Permanent adverse impact on Listed Building (LB) LB3, LB4, LB5, LB8, LB9 and LB10 How can the proposals be said to have beneficial impact on LB25? It is assumed that this is because of less traffic passing; but it considered that this is not a tangible benefit that could be quantified as yet.
8.9.1	Include for any future adopted guidance on setting (Historic England looking at changing this)
8.9.2	Bullet point 2 must include 'and their settings' .
8.9.7	Sefton Council as Local Planning Authority would also be consulted for any changes to status of Heritage assets as well as Historic England.
Chapter 9	See comments provided by MEAS
Table 9-2	Dates of proposed consultation are incorrect
Table 9-5, 9.82	Why are some sites scoped out? Notably why is the Sefton Coast SSSI scoped out (though table 9-5 shows it scoped in)?
9.7.2. 9.7.3	Is there no supporting habitat /functionally linked habitat in the scheme area?
9.7.13	Diversion of Rimrose Brook could affect wetland habitat
9.10	Check 'significance' of Rimrose Valley wetlands
Chapter 10 Landscape	<p>The EIA/ES must take account of Sefton Local Plan policy NH7 'Rural landscape character' and Sefton's 'Landscape Character' Supplementary Planning Guidance (SPG) which was approved in 2003.</p> <p>The SPG shows that the red line in the northern part of the Rimrose Valley and north of some of Netherton (together with surrounding land north of Crosby and Netherton) is in the 'Estate Farmlands' Character Area. Its key characteristics include gently rolling lowland topography, sub-regular enclosure pattern of hedged fields, belts of trees, brick built farmsteads and barns, and frequent field ponds with associated trees and scrub. The SPG's Strategy Statement for the estate farmlands Character Area includes strengthening and enhancing the agricultural landscape and maintaining the gently rolling low lying predominantly arable landscape pattern of sub-regular enclosure, retaining long, distant and open views framed between small</p>

Paragraph	Comment
	<p>geometric blocks of tree planting to rural areas adjacent, and softening boundaries with adjacent development.</p> <p>Policy Guidelines for the Estate Farmlands include:</p> <ul style="list-style-type: none"> • Conserve and enhance the low lying gently rolling topography • Conserve, strengthen and enhance the pattern of woodlands and tree blocks within the landscape • Conserve and enhance the irregular pattern of field boundaries • Conserve the setting and built form of the features and buildings within the Conservation Areas • Conserve and enhance ecological diversity of pond and field habitats • Conserve landscape character by restricting and controlling future development. <p>The SPG shows other parts of the red line north of Netherton as being part of the Carr Farmlands Character Area. Here the key landscape characteristics include flat, low-lying topography, wide views framed by woodland edges or rising ground [including views to the Grade 1 Listed St Helens Church in Sefton Village], dark, peaty soils and isolated brick built farmsteads. The Strategy Statement indicates that where patterns have been lost to landfill operations a new character is being introduced, of woodlands and open areas for informal recreation and promoting ecological diversity. Areas that share a boundary with Settled Farmlands should provide a smooth transition between the different character areas.</p> <p>Policy Guidelines for the Carr Farmlands include:</p> <ul style="list-style-type: none"> • Conserve the low-lying flat topography, large scale landscape • Conserve and enhance woodland blocks and copses • Conserve and enhance visual unity • Conserve the Carr Farmland character by restricting further development • Create new characteristics to areas of landfill where the intrinsic pattern has been lost • Restore and protect traditional ecological habitats and diversity. <p>The SPG shows the southern part of the red line (north of part of Netherton) as being part of the Settled Farmlands landscape character area. Here the key landscape characteristics include gently rolling topography, sub-regular enclosure pattern of hedged fields, frequent field ponds with associated trees and scrub, and brick built farmsteads and barns. The Strategy Statement indicates the need to maintain the east-west flow of the landscape. Policy Guidelines for the Settled Farmlands include:</p> <ul style="list-style-type: none"> • Conserve and enhance the arable landscape pattern to retain the Landscape Character and limit future development. • Conserve the gently rolling landscape to retain visual prominence & the landscape pattern to retain unity • Conserve and restore the landscape pattern of hedgerows, trees and woodlands. • Conserve and enhance ecological diversity.
10.5.2	The reference to Kirkby must be removed. Needs to say Bootle as well as Crosby .
Chapter 11 Noise	See comments in relation to chapter 7 above.
Chapter 11 Noise	<p>Sefton Council is concerned especially about the additional noise impacts associated with junctions on existing and future residents.</p> <p>For example, in the Ash Road, Cullen Drive and Moorhead Close area of Litherland at the southern end of the red line, the total Scheme Envelope is only approx. 38m wide at the rear of residential properties 22-26 Ash Road, and only approx. 55m wide at the rear of residential properties on Cullen Drive and Moorhead Close. Any road, on its approach to a major junction, would be forced into a very narrow corridor extremely close to housing and local residents. Sefton Council is extremely</p>

Paragraph	Comment
	<p>concerned about the air quality, noise, visual, light, health and quality of life impact on these residents.</p> <p>The ES/EIA must address these issues.</p>
Chapter 12 People and Communities	See comments in relation to chapter 7 above, in relation to the many impacts on local residents and future residents.
Chapter 12 People and Communities	<p>The impact on Seaforth Centre must be considered. Part of Seaforth Centre area (designated in Sefton Local Plan Policy ED6 ‘Regeneration Areas’) abuts the existing A5036, just beyond the red line. Potential impacts on Seaforth Centre may arise from:</p> <ul style="list-style-type: none"> • Severance of pedestrian routes and reduction in accessibility /ease of access • Potential increases in traffic on the existing stretch of the A5036, with associated noise, air quality and visual issues • Other issues (e.g. perception of barrier of major junction of any new road with existing A5036) <p>Sefton Local Plan policy ED6 ‘Regeneration Areas’ identifies the following regeneration objectives for Seaforth Centre:</p> <ol style="list-style-type: none"> i. The consolidation of the existing shopping area, ii. The introduction of complementary uses supporting the retail function, iii. The redevelopment and positive re-use of vacant and / or derelict land and buildings. <p>The explanation to the policy makes clear that Seaforth Centre has experienced high vacancy levels. There are also areas of vacant / derelict land on the periphery of the shopping area. These include areas adjacent to the A5036. In 2012 the Sefton District Centres, Local Centres and Shopping Parades Study found that “Seaforth is extremely vulnerable, as evidenced by the lack of retail and service provision, the high vacancy rates, the poor environmental quality and the low pedestrian footfall rates”. New uses that help to reduce vacancy rates whilst complementing and consolidating the shopping area would be welcomed in principle.</p> <p>The ES/EIA and any road proposals must demonstrate how they will make a positive contribution to the regeneration objectives for Seaforth Local Centre.</p>
12.1.3 & see 12.5.3 etc	The report does not list recreation /open space though 12.1.5 acknowledges this. Community severance concerns. Any public open space lost would need to be compensated for in line with paragraph 74 of the NPPF and policy NH5 ‘Protection of open space and Countryside Recreation Areas’ in the adopted Local Plan. The same would apply specifically to pitches, and the Sefton Playing Pitch Strategy 2016 is also relevant. The EIA/ ES must fully assess these aspects.
12.2.3	Ignores informal recreation/ paths - see below
12.5.2	The land use assessment also needs to take account of any agricultural tenants or lease holders, as well as the landowners.
12.5.5	Mentions only site MN2.27 –see comments on 2.5.2, 2.5.4 above
12.3.7	<p>Highways England must demonstrate the adequacy of the provision for pedestrians and cyclists (non-motorised users- NMU), based on the evidence from the NMU assessment that would be part of the TA and should be summarised in the ES.</p> <p>Circular path routes should be provided on each side of new road, see above</p>
12.4.1 Table 12-1	As these are Sefton MBC pitches, Highways England needs to consult Sefton as land-owner/ manager as well as Sport England.
12.5.2	Need to consider the impact on Shy Lowen stables /Horse and Pony Sanctuary. Currently this has been omitted. Office address is Back Lane but Sanctuary is located on Buckley Hill Lane.
12.5.4	The reference to Kirkby must be removed. Needs to say Bootle as well as Crosby .
12.5.5	As well as the allocated housing site listed here, there are other allocated sites (see 2.5.2, 2.5.4 above) as well as other allocations in Netherton in near proximity to the study area (e.g.)

Paragraph	Comment
12.5.11	Sports & Leisure – need the report to clarify that the ES/ EIA will include the sports pitch referred to in 12.5.3 as well as Rights of Way in 12.5.8.
Table 12-2, paras 12.5.8 to 12.5.11, 12.6.1 to 12.7.13, table 12-4, 12.9.16	<p>The bulk of existing walking and cycling in the Rimrose Valley is along its long axis, rather than across the Valley (notwithstanding public rights of way, and Bootle – Crosby cycle route which would need to be maintained). The Council considers that there is a clear need for a strategic linear path, and circular routes (for dog-walkers etc), on each side of any new road – i.e. on each side of the Rimrose Valley.</p> <p>As well as the linear and circular networks on each side of any road, would need to maintain or enhance existing walking and cycling accesses (and car parks) to the edges of the Rimrose Valley, and existing roads going through the north of the Rimrose Valley.</p> <p>There are public safety implications of replacement tree planting and blocks, especially given the new or enhanced footpath and cycling routes – need unobstructed sight lines for crime/fear of crime reasons, in addition to the ecological / landscape character reasons set out above.</p>
Tables 12-4, 12-5	Table 12-4 ‘Magnitude of Impacts’ and table 12-5 needs to take account of the wider recreation uses, path network, playing fields and pitches and landscape implications. As much of the study area is former tipped land, the current emphasis of table 12-4 on issues of lesser relevance such as Best and Most Versatile Land is not appropriate and not helpful in the light of the study area characteristics and context. The impact on Seaforth Centre must be included too.
Table 12-6	‘A new bridge to be climbed or a subway traversed’ should be included as a “moderate” rather than a “slight” impact, recognising the impact on those with low mobility e.g. wheelchair and walking aid users, those with pushchairs, and crime /fear of crime issues particularly regarding subways.
12.7	<p>Figure 1.4 shows large areas of temporary land take, in addition to the permanent land take and this needs to be fully accounted for in terms of impacts on land use. The type of temporary land take will also be important, e.g. whether it is site compounds, materials storage areas, access routes etc.</p> <p>The permanent land take should be addressed as an impact on land use in the operation phase, especially where there are potentially extensive areas of landscape mitigation.</p>
12.7.4	Substantial new tree planting in the study area is not necessarily appropriate, the Council are of the view that noise and amenity mitigation should, preferably, come from grass-covered earth bunds not tree planting/ tree blocks.
12.7.5	The impact on access to Shy Lowen horse sanctuary must be included. In the case of the former Rushton Garden Centre, there are additional access constraints caused by the fact the main building is listed. These impacts also need to be taken into account.
Chapter 13 (also 2.7.4 2.10.1 2.13.1)	<p>Rimrose Brook is culverted through the former tipped area, but is open at the surface towards the northern end of the Valley (where there are some reed-beds) and around Brookvale LNR (where there are significant reed beds). The location where the brook enters the combined sewer needs to be confirmed as the text in the report and the plan (Figure 13.1) do not seem to be consistent. Our maps show Rimrose Brook to still be a feature of the landscape up to Beech Road/Princess Way and we believe that the Brook does not enter the combined sewer until the southern end of the Valley. The distinction between the surface water culvert and the combined sewer should be shown on Figure 13.1</p> <p>There are a number of tributaries feeding into Rimrose Brook through the Park area, these too need to be taken into consideration. And there is an un-named watercourse in the vicinity of Edge Lane/Runnels Lane that flows parallel to Edge Lane into Thornton which requires further investigation.</p>
Chapter 13 (also 2.7.4	These areas of flood risks notably areas at high risk of surface water flooding, include areas:



Paragraph	Comment
2.10.1 2.13.1)	<p>a) In the Rimrose Valley between Eden Drive South and Derwent Road which are already at high risk of surface water flooding, and the adjacent existing residential area notably properties on Nazeby Avenue and Brownmoor Park. The Council's Surface Water Management Plan (2011) identifies an area of 'deep ponding' along the edges of the Rimrose Valley, around Nazeby Avenue (Crosby) and Ford Lane (Ford). SuDS and other measures associated with a new road should act on the opportunity to remove or manage this deep ponding.</p> <p>The ES /EIA and site-specific FRA must fully assess, commit to and specify Sustainable Drainage Systems (SuDS) and other measures to reduce the existing flood risk in this Eden Drive South, Derwent Road, Nazeby Avenue area (and if practicable, on Ford Lane), in line with Local Plan policy EQ8 'Flood risk and surface water' and the National Planning Policy Framework, especially paragraph 100.</p> <p>b) The Seaforth area to the south of Rimrose Valley (broadly along the historic route of Rimrose Brook, now contained in a public sewer maintained by United Utilities). This area of Seaforth is at high risk of surface water flooding; a number of properties flooded in July 2010.</p> <p>The Council notes the proposals to discharge, downstream, more water into this area which is already subject to surface water risk and flooding. This is not acceptable. The construction of the road should commit to and specify measures to manage and reduce the existing flood risk in this existing built-up area in line with Local Plan policy EQ8 'Flood risk and surface water' and the National Planning Policy Framework, especially paragraph 100. The EIA/ ES and site-specific FRA must fully assess these aspects.</p>
13.3.2, 13.5.37	<p>Policy EQ8 'Flood Risk and surface water' (and its explanation) of the Sefton Local Plan (2017) is also relevant and must be taken into account in the EIA.</p> <p>As most of the red line is in a Critical Drainage Area for surface water, the site-specific Flood Risk Assessment must show how surface water will be managed, and requires use of SuDS. Any new road should be drained by sustainable drainage (SuDS) principles, and should reduce flood risk within the envelope and elsewhere, in line with Local Plan policy EQ8 'Flood Risk and surface water' and paragraph 100 of the National Planning Policy Framework.</p>
13.5.33, Table 13-5	<p>It is not correct to say that the red line area has a low risk of surface water flooding. The Environment Agency's dataset 'Risk of Flooding from Surface Water' (and see 'Long term risk of flooding' maps on the Environment Agency's "What's in your backyard?" web-site) show that significant and substantive parts of the red line area are at high, medium and low risk of surface water flooding. For example, much of the course / historic course of Rimrose Brook and its surrounds are at high risk of surface water flooding, and there are other parts of the Rimrose Valley at high risk of flooding.</p> <p>Assessment of surface water flood risk for the ES/EIA, site-specific FRA and any planning application must be based on this Environment Agency dataset so that surface water flood risk is properly taken into account. It is vital that the site-specific FRA focusses on surface water flood risk and SuDS. This is in line with Sefton Local Plan policy EQ8 'Flood risk and surface water'.</p>
13.7	<p>The land at the north end of the proposed scheme close to Broom's Cross Road is low lying and relatively flat and is currently farmed. The potential for impacts on land drainage and provision to prevent adverse impacts on land drainage must also be included in the EIA.</p>
13.7.7 ff	<p>Consideration should be given to daylighting (opening up/taking out of culvert) sections of culvert where possible to provide both flood risk prevention and environmental benefits.</p>
Chapter 14	<p>Sefton Local Plan policies EQ4 'Pollution and hazards' and EQ6 'Contaminated Land'</p>

Paragraph	Comment
Geology & Soils, Chapter 15 Materials	<p>are also of relevance.</p> <p>The scoping report has identified potential sources of contamination within the study area including the historic landfill (Whabbs tip) and considered the potential risks to receptors associated with potential contamination and included proposals to manage the risks. The potential risks posed by land contamination to human health, hydrogeology (groundwater), hydrology (surface water) and proposed structures during and on completion of the development have been considered. Potential mitigation measures to manage the potential risks are outlined and a ground investigation is proposed to inform the design and to better characterise the potential risk associated with contaminated land, ground strength and stability.</p>
14.5	<p>As part of the collection of baseline information, the following studies that include information on the environmental setting, potential sources of contamination and a ground investigation undertaken in 2015, have been summarised within the EIA Scoping Report:</p> <ul style="list-style-type: none"> • Atkins Ltd, A5036 Port of Liverpool Access Study, Preliminary Ground Investigation Interpretive Report, March 2016. • Atkins Ltd, A5036 Port of Liverpool Access Scheme, Preliminary Sources Study Report, December 2016. <p>Copies of the reports should be provided with the Environmental Statement.</p>
14.9.3	<p>Section 14.9.3 includes a list of guidance, legislation and policy that will be referred to in support of the assessment.</p> <p>British Standard 8485:2007 <i>Code of practice for the characterization and remediation from ground gas in affected developments</i> has been listed. However this British Standard has been superseded by BS 8485:2015 <i>Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings</i>.</p>
15.7	<p>The report acknowledges the potential for significant import of fill materials for noise bunds and embankments and the foundation of the road. The amount of materials required, where it will be sourced and how it will be transported all needs to be included in the EIA. The Council expects that significant volumes of materials will be required.</p>
Figure 17.1 (Appendices)	<p>Figure 17.1 (in the appendices) is out of date. The Local Plan allocations and the 2016 SHLAA (or 2017 SHLAA if available) should be used when the EIA is carried out.</p>
17.2.7	<p>The 1km Zone of Influence for Materials should be reviewed once it is known where the main source of fill material will be. A larger Zol may be appropriate.</p>
Table 17-1	<p>The impacts on People and Communities may be extensive, particularly given the recreational and amenity use of the Country Park and other resources such as the Trans Pennine Trail. Socio-economic impacts may also be spread across a wider area, so a wider Zol may be more appropriate.</p>
17.2.11	<p>Figure 17.1 is in Appendix B.</p>
18.1.4	<p>The ES must give much greater weight to:</p> <ul style="list-style-type: none"> • Potential impacts on existing residential areas and allocated housing development sites, some of which are now being brought forward for development. • Air quality issues • Noise issues • Other pollution issues • Impacts on Seaforth Centre • Informal recreation and the network of permissive paths which complements the PRoW in the Rimrose Valley, which is a Countryside Recreation Area • Pitches and formal recreation • Heritage assets • Ecology and the specific attributes of the Local Wildlife Site and particularly the Local Nature Reserve • A correct assessment of surface water flood risk

Paragraph	Comment
	<ul style="list-style-type: none"> • Sustainable Drainage Systems • Landscape Character • Minerals.
References	<p>Add the following documents, and fully consider them in the ES/EIA and any DCO application:</p> <ul style="list-style-type: none"> • Environment Agency surface water flood risk mapping https://flood-warning-information.service.gov.uk/long-term-flood-risk/ • National Planning Policy Framework • Online national Planning Practice Guidance • Sefton’s adopted Supplementary Planning Document and Supplementary Planning Guidance Notes and Information Notes • Sefton Surface Water Management Plan (2011)
Figures	<p>The red line scheme boundary on figures includes the route of the existing road and this is also reflected in the study area boundary. Other than a reference to the existing road in Paragraph 2.3.1 there appears to be little or no reference to the existing road in the scoping report. Is the inclusion of the existing road in the Figures due to the proposals for de-trunking the existing A5036. However, the scheme overview plan, Figure 1.2, does not include any annotations relating to the existing A5036.</p> <ul style="list-style-type: none"> • Fig 1.4 The permanent land take shown does not seem to take account of size of the junction at Broom’s Cross Road (as per Figure 1.2) • Fig 1.5 This figure is extremely ‘busy’ making it difficult to pick out individual features, for example, the locations of the AQMAs, e.g. at junction of Hawthorne Road/ A5036 • Fig 1.5 – It is not clear whether the boundary of Rimrose Valley Countryside Recreation Area is shown correctly • Fig 1.5 Crosby Coastal Park is not shown as public open space nor as Countryside Recreation Area • Fig 7.2 The locations of the AQMAs should be shown on this plan • Fig 9.1 It is not clear why the ecology field survey area includes the existing A5036 corridor • Fig 10.3 Key visual receptors seem to consist only of paths and public access areas. Why are no existing residential areas shown as receptors when some locations are listed in Table 10.3 ? • Fig 12.1 Errors, e.g. Kings Park Seaforth not shown, Victoria Park Waterloo not shown correctly, Orrell Mount Park not shown correctly, Crosby Coastal Park, Marine Gardens etc not shown as public open space nor as Countryside Recreation Area, boundary of Rimrose Valley Countryside Recreation Area may not be shown correctly. Why is the Valley shaded pink ? • Fig 13.2 This is another very ‘busy’ map that is difficult to distinguish detail from • Fig 17.1 – The development at the Land East of Maghull should also be included.
Appendices	Appendix E will need updating

Merseyside Environmental Advisory Service
1st Floor Merton House, Stanley Road
Bootle, Merseyside, L20 3DL
Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: Christine Bennett
Email: measdconsultations@sefton.gov.uk

DEVELOPMENT MANAGEMENT ADVICE

To: Stephen Birch
Organisation: Sefton Council

From: Christine Bennett

Your Ref: TR010033-000006
File Ref: SF18-017
Date: 9 February 2018

Application by Highways England for an Order granting Development Consent for the A5036 Port of Liverpool Access Scheme Scoping Consultation and notification of Applicant's contact details and duty to make available information to the Applicant if requested

1. Thank you for consulting Merseyside Environmental Advisory Service in respect of this Scoping Opinion. The proposals comprise construction of new road through Rimrose Valley to Switch Island with all associated works
2. Having reviewed the application and supporting documentation, our advice is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes.
 - Should the Council decide to adopt an alternative approach to MEAS Part 1 advice, I request that you let us know. MEAS may be able to provide further advice on options to manage risks in the determination of the application.
 - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.
 - Appendix 1 provides the detailed reasoning in respect of the conclusions presented in Part One in respect of Environmental Impact Assessment and/or Habitats Regulations Assessment.

In this case Part One comprises paragraphs 3 to 8, while Part Two comprises paragraph 9.



Part One

3. These comments relate to the technical detail of the Scoping Report submitted to the Secretary of State on 25 January 2018 and matters within the remit of MEAS as technical advisors to Sefton Council. The Scoping Report has set out the basis on which the proposed development is EIA development and I agree with that reasoning.
4. Overall, the Scoping Report describes the methods that will be used to evaluate significant effects and for the most part these are acceptable. Where updated guidance or policy is available to inform that evaluation I have referred to that in the table in Part Two below.
5. There are some matters of fact which are plainly wrong. For example, the road scheme is not within the Ditton Brook catchment, neither does Rimrose Valley provide recreational facilities for the community of Kirkby (*sic*). Again, I have requested amendments are made to Scoping Report and subsequent EIA to ensure that the EIA is robust and accurate.
6. The Scoping Report includes a preliminary evaluation of significance of receptors based on a mix of factual survey, third party data and maps, topic guidance and professional judgement. Within the table below, I have set out concerns regarding a number of those values of significance. I consider that in parts the Scoping Report does not represent the current characteristics of the proposed route sufficiently well. Suggested amendments are made.
7. One area of particular concern is Brookvale Local Nature Reserve and how that is treated differently across the proposed topic chapters – in some it does not exist, in others it is referred to incorrectly. The read-across between Cultural Heritage, Biodiversity, Road Drainage and The Water Environment, Geology and Soils is poor. The EIA process should be an integrated process and used to help inform the design of the scheme to avoid and minimise adverse impacts on the environment in line with the mitigation hierarchy.
8. Subject to amendments as set out below, the Scoping Report is adequate for EIA purposes.



Part Two

9. MEAS Table of comments and amendments:

Paragraph No	Statement	Comment
1.25	High level description of land use	Does not mention: Rimrose Brook, Brookvale LNR, or species – Description is mis-leading in setting the scene for the proposed development
1.32	PEIR to be produced between Scoping Report and ES	While a number of sources of information have been collated and summarised in the Scoping Report; the lack of PEIR shows in the lack of integration between the chapters
1.4.1	'significant effects' cannot be ruled out at this time	Agree – there are significant gaps in baseline information on contaminated land, air quality, ecology among others
1.5.1	Design Team stated as Highways England and Arcadis	Does not appear to cover all the technical specialisms required – further information on Design Team skills and competence for EIA are required
2.2.1	Scheme objectives – objective 4	Appears to be at odds with paragraph 1.4.1 (reconsider)
2.3.5	Design life of 40 years	Scheme would require permanent loss of archaeological and ecological assets for a design life of 40 years. Cf 1.4.1 and 2.2.1
2.4.2	Rail bridge abutments	Consideration of invasive species, particularly Japanese knotweed is required; not clear if ecological surveys included the rail bridge abutments
2.5.5	Buildability review due to high water table	This is crucial to determining if the scheme is viable. Yet, this option is being pursued without confirmation of 'buildability'
2.6.1	Table 2-1 Proposed Structures	Lists the proposed structures but does not give a clear statement on how much culverting will be required e.g. what %age of the brooks will be left non-culverted?
2.7.1	Intention for new attenuation ponds along the route to reduce flow to outfalls/connections to UU piped network	The Buildability review should also consider whether attenuation ponds in an area with high water table are likely to be implementable
2.8.1	Lighting – initially at junctions only – then states design is not yet confirmed	The interrelationship of lighting and bats needs to be fully explored and consider whether lighting is appropriate ecologically
2.11.1	Construction Traffic Management Plan	Is essential. But there is no mention of a Construction Environmental Management Plan – this is equally as essential
2.12	Demolition	Demolition of what exactly
2.17.3	Refers to the Highways England Biodiversity Plan and states "Highways England is expected to ensure that road schemes reduce impacts on the environment by reducing habitat fragmentation and enhancing biodiversity value."	The proposed scheme bisects a green lung for Liverpool City Region (LCR) and Sefton; would result in permanent loss of Brookvale LNR with its attendant features of fen peat with archaeological interest at its last location in the LCR. Would result in loss of Core Biodiversity Area as set out in the LCR Ecological Network.

		This seems to be at odds with the duty on Highways England to reduce habitat fragmentation and enhance biodiversity value.
2.17.4	Draws on DMRB Volume 10	The description set out does not follow the mitigation hierarchy set out in NPPF and PPG – the avoid element seems to be missing
2.17.5	Replacement land	The scheme boundary is tightly drawn and does not include replacement land for the LNR. This would be required
4.2.4	Consultation outcome – preference expressed for online option.	No explanation provided in Scoping Report to substantiate off-line route being progressed. In considering alternatives this does need to be clear
5.5.5	Scope of topics for inclusion	Acceptable
5.9.1	Defining Assessment Year etc	Baseline Year of 2015 is not accepted; should be year of DCO – so 2018/19; opening year - no change; design year of 2038 may be premature from ecological mitigation aspect, should aim for at least 20 years from opening to allow mitigation to mature and function
5.12.2	Suggests that mitigation measures will be limited to those that are either a firm commitment or likely to be delivered	Mitigation measures identified should be those required to mitigate harmful impacts. If those mitigation measures are not deliverable then the impacts should be considered at residual and compensation may be required. The limiting of mitigation measures is not acceptable in the EIA
5.16.3	The two European designated sites identified are correct. But there are two others that have not been included	Add Liverpool Bay SPA and Sefton Coast SAC. For information the southern boundary of the Ribble and Alt Estuaries SPA is coincident with the Sefton Coast SAC but the qualifying features differ markedly. Also, the Ribble and Alt Estuaries SPA and the Mersey Narrows and North Wirral Foreshore SPA are also Ramsar sites. Government policy is to treat Ramsar sites as if they are part of the Natura 2000 network when undertaking Habitats Regulations Assessment. Ramsar sites are included in Table 6-1 which appears to be inconsistent approach to topic of Biodiversity where the Habitats Regulations is but one part of the EIA
Table 6-1	Cultural Heritage – much of the southern area of Rimrose Valley is formed of reclaimed land	The southern area of Rimrose Valley is not 'reclaimed land' it retains much of the historic river valley and associated undisturbed peat which is identified as a non-designated heritage asset in the Merseyside Historic Environment Record (data last provided to Highways England consultants Sep/Oct 2017). Historic landscape should be reconsidered for inclusion in the EIA and perhaps the zone of influence could be tightly drawn for this topic
Table 6-1	Biodiversity – the Mersey Narrows	The list of receptors is incomplete as follows:

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	and North Wirral Foreshore proposed Ramsar site is incorrect. The site is a full Ramsar site – details available on MAGIC – the government website	<p>Liverpool Bay SPA should be added to the list of designated sites following confirmation of its extension within the River Mersey.</p> <p>Sefton Coast SSSI has been omitted although it includes the same/similar qualifying features to as the Ribble and Alt Estuaries SPA and Ramsar sites; this must be included. The reasoning provided does not make sense.</p> <p>Similarly, the Ribble Estuary SSSI must be included;</p> <p>Stanley Bank Meadow SSSI is missing from the list of receptors although it is identified in the Air Quality section;</p> <p>Fish are included in the ecological receptors – this should include Eel.</p> <p>Badger should also be included in the list of receptors – local evidence in 2017 specifically identifies likely presence.</p>
Table 6-1	Noise and vibration	This must include consideration of ecological receptors given high water table – currently scopes out vibration.
Table 6-1	Road drainage and the Water Environment	It is not clear that ecological receptors and archaeological receptors are scoped in to this topic
Table 6-1	Geology and Soils – it is proposed to scope out all Geology and Soils from the operation phase as will be dealt with during construction and that the road will act as a barrier.	Given the proposed scheme includes access provision, water attenuation features etc along its length, outside of the road itself, it is unclear how the operational aspect can be scoped out. Potential for movement of radioactive materials (see Geology and Soils) and release of radioactivity does need to be assessed as part of the EIA process
Table 6-1	Climate	<p>It must be clear that the scope of this topic includes an assessment of the GHG carbon sequestration at baseline prior to any construction rather simply considering during the operation phase and limiting to tree planting.</p> <p>The existing peat, grassland and woodlands have sequestered carbon over a considerable time period. The proposed scheme will result in release of this carbon. Avoidance, mitigation and compensation must be considered</p>
7.2.3		Clarify that ecological designated sites included statutory and non-statutory designated sites
7.2.5	W Lancs not included	Clarify reason for excluding W Lancs but include other local authorities much further afield
7.5.7	Inclusion of Stanley Bank Meadow SSSI is welcomed	This site needs to be included in scope of Biodiversity topic
8.1.2	Identifies interrelationships with other disciplines	Add Chapter 9 - due to Brookvale LNR which is also non-designated Heritage Asset

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8.4.2	Table 8-2	The MEAS Planning Archaeologist also provides advice to Liverpool; similarly as no impact in Liverpool the conservation officer for Sefton should be the consultee
8.6.3	Includes 6 assets and describes these as a low value.	Asset 80 (project ID) at the southern end of Rimrose Valley which is an area of deep peat is described in Merseyside HER as 'value – unknown'. The statement in 8.6.3 should be amended to include 1 asset with unknown value and 5 assets with low value. The further DBA will help to review the assessment of value of this non-designated asset.
8.7.4	Permanent adverse impacts on non-designated heritage assets has not identified Asset 80	Include Asset 80 as permanent adverse impact.
8.9.1		Further advice can be found in Managing Significance in Decision-Taking in the Historic Environment, Historic Environment Good Practice Advice in Planning: 2 (2015). MEAS expect to see reference to the appointed archaeological contractor (whoever that might be) either being a Registered Organisation with the Chartered Institute for Archaeologists (CIfA), and if not, that they would in any case be adhering to the various CIfA Standards and Guidance.
8.9.10	Table 8-4 identifies that a medium value should be attached to non-designated assets that contribute to regional research objectives	Asset 80 contributes to regional research objectives as set out in "Research and Archaeology in North West England. An Archaeological Research Framework for North West England. Volume 2 Research Agenda and Strategy. Edited by: Mark Brennand. This provides further reasoning for amending the value of Asset 80.
9.1.2	Government policy has been updated	Amend from NEWP to 25 year Environment Plan
9.1.3	Relationship with other topics	Include Chapter 8 Cultural Heritage with specific reference to non-designated heritage asset 80
9.2	Study Area does not take account of air quality study area	Update to include statutory and non-statutory designated sites beyond the 2km scope for air quality
9.4	Table 9-2 – dates of proposed consultation with MEAS	This consultation did not take place in September 2017 – please amend and provide date when it is anticipated. Also, consultation with MEAS has been through Sefton Council and not undertaken separately and should continue to be undertaken in that way for all topics including archaeology.
9.5.1	Baseline Information – previous consultants were made aware of the Liverpool City Region	This chapter does not refer to the LCR Ecological Network which includes a Core Biodiversity Area (Rimrose Valley) and a Nature

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	Ecological Network to help inform potential mitigation and compensation requirements	Improvement Area. It can accessed at: http://www.meas.org.uk/projects/lcr-ecological-network.aspx
9.4	Table 9-4 – Phase 1 habitat survey is now dated in relation to determining a planning applications	Update Phase 1 habitat survey
	Badger – additional evidence on badger presence in 2017	Updated badger survey required
	Water vole - 2016 survey accepted that not conclusive evidence of no water vole	Updated water vole surveys required as identified
9.5.13	See comments on Table 9-4	Updated surveys required Phase 1 habitat survey, badger and water vole; Eel should also be considered.
9.6.1	Table 9-5 – omits Stanley Bank Meadow SSSI yet identified in Air Quality chapter	Include Stanley Bank Meadow SSSI
9.7.3	What were the low numbers of birds referred to? Was a 1% of the SPA/Ramsar population reached	Include details in EIA and consider within HRA section
9.7.4	Loss of Brookvale LNR – unavoidable if scheme goes ahead; proposes mitigation in parts along the length of the proposed scheme	The lack of compensation habitat for the loss of the LNR is woeful. The proposed approach does not follow the mitigation hierarchy and would result in the loss of Core Biodiversity Area from the Liverpool City Region – a regional resource. The proposed mitigation does little to minimise harm ecologically.
	Stanley Bank Meadow SSSI	This site would be harmed according to the Air Quality topic. This inconsistency across the EIA needs to be addressed
9.7.15	Replacement habitats – see comments on 9.7.4	
9.8.2	Omits Sefton Coast SSSI and Ribble & Alt Estuaries SSSI but includes the European sites based on the same boundaries	Included Sefton Coast SSSI and Ribble & Alt Estuaries SSSI; Include Stanley Bank Meadow SSSI
11.4.2	Not clear who will be contacted to agree the noise monitoring scope and method for ecological receptors. Not clear if ecological receptors are included in the scope.	Include ecological receptors and agree scope with NE/Sefton Council
12.5.4	The Rimrose Valley is not an important recreational area for Kirby	Amend to Crosby, Thornton, Netherton and Litherland
13.5.16 – 13.5.18	Omits any mention of peat at Brookvale LNR to depths over 9.5m	Ensure that peat is included in the EIA Chapter
13.5.22 & 13.5.25	Includes Ditton Brook which is not within 500m of the Scheme boundary	Exclude reference to Ditton Brook from EIA scope
13.5.40	States the Brookvale LNR consists of wetlands that have been created on reclaimed land arising from a previous landfill site	This is totally inaccurate. Brookvale LNR is not on reclaimed land and has no history of landfill. This needs to be amended in the EIA and described accurately to enable assessment to

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		be undertaken and update to Table 13-3 and Table 13-4
14.5.5	Refers to the infilled Rimrose Valley	Only part of the Rimrose Valley has been infilled – this basic description of the site characteristics being inaccurate seems to be a recurring theme through the Scoping Report
14.6.4	Table 14-2 superficial deposits	Classes the peat as low value – this is the most significant area of undisturbed peat in the City Region let alone Sefton. Low value should be reconsidered as part of the EIA
15.4.2	Table 15-1 identifies waste officers for Knowsley, St Helens, Wirral, Sefton and Liverpool	Amend consultation to MEAS
15.5.6	Table 15-2 – should refer to Merseyside & Halton Joint Waste Local Plan Annual Monitoring Reports	Contact MEAS for further information - measdconsultations@sefton.gov.uk although response will be channeled back through Sefton Council.
15.8.2	A simple assessment is indicated. However, it is not clear whether this has taken account of the likely presence of tin slag which is a radioactive material	Clarify in EIA how tin slag waste material will be dealt with
16.9.15	Emissions – should include consideration of release of sequestered carbon from peat, permanent grassland and trees in Rimrose Valley	Include consideration of release of sequestered carbon in EIA
17.2.11	Planning to advise	Update list of developments for consideration – include Port Masterplan

10. I advise that the applicant be encouraged to consult the Merseyside Historic Environment record and also Merseyside BioBank Local Environmental Records Centre to keep the evidence base up-to-date.

I would be pleased to discuss these issues further and to provide additional information in respect of any of the matters raised.

Christine Bennett
Ecology Team Leader

Sefton Civil Parish Council

A5036 Port of Liverpool Access Route
Environmental Assessment Impact Scoping Report

A response

February 2018

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PART A

1. Introduction: Sefton Civil Parish

1.1 Sefton Civil Parish lying on the flat West Lancashire Coastal plain on the banks of the River Alt comprises of two settlements, the villages of Lunt and Sefton, home to around 370 people comprising just under half of the 855 inhabitants of the entire civil parish. The parish is in Park Ward (Sefton MBC).

1.2 The riparian demography of the civil parish ensures the plain is fertile as attested by the Grade 1 and 2 agricultural land encompassed. Major local landowners include the Liverpool Diocesan Board of Trustees, Nuffield College, Oxford and since the passing of the last Earl of Sefton in 1972 the Metropolitan Borough of Sefton now controls land once in the domain of Lord Sefton and the former Municipal Borough of Crosby, until 1974. Local agriculture is predominantly arable.

1.3 Woodland is also a major feature of the civil parish, situated as it is, in the Mersey Forest, there being three important forested sites within the parish boundary. The Lunt Meadows Nature Reserve is also an extremely important site of biodiversity,

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birdlife, flora and fauna. The civil parish is home to wild deer and attracts shooting of pheasant in season.

1.4 Lunt and Sefton Villages are Conservation Areas and as cited in the Scheduled Monuments Gazetteer pp301-317 of the *Scoping Report*, include monuments of national and local importance including, in Sefton Village, the only Grade 1 listed building in the Metropolitan Borough of Sefton, the parish church of Saint Helen 1167AD. The importance of the civil parish and its eponymous village is attested by the fact the borough begets its name therefrom.

1.5 The two villages lacking any amenities - there being inter alia no post office, shop, bank, school, library or surgery - residents must travel to Great Crosby, Maghull, Thornton, Formby or Bootle.

1.6 Public transport is minimal. Two buses serve these two rural communities and there being no railway station the residents must travel to Maghull (2.2 miles) Old Roan (2.5 miles), Aintree (3.3 miles) or Hall Road (4.3 miles).

2. Construction of the A5758: An Object Lesson

2.1 From January 2014 until August 2015 the civil parish witnessed the construction of the A5758 Brooms Cross Road from Switch Island to Thornton. The work, which continued for 19 months, was directed from site offices in the civil parish on the B5422 Brickwall Lane on the outskirts of Sefton Village. The road was due for completion in November 2014, a date which was put back several times until finally construction ended in August 2015. This will serve as an object lesson in the present circumstances.

3. Construction of the A5758:the impact

3.1 A perusal of the Minutes of Sefton Civil Parish from January 2014 until January 2018 verify that the construction of the A5758 Brooms Cross Road has had a negative impact upon the lives of the residents of Lunt and Sefton Villages before and during construction and continues so to do as of writing.

The negative impact has been environmental, sociological and historical in nature.

3.1.1 **The Environmental Impact**

3.1.1.1 **The Construction**

The construction of the A5758 Brooms Cross Road has been of detriment to the environment ab initio, cutting through grade 1 and 2 arable land.

The work was undertaken by Balfour Beatty who subcontracted work to PP O'Connor and UBU. The civil parish was in possession of a written statement from Sefton Metropolitan Borough Council that the construction of the A5758 would not impinge on either settlement nor would the construction vehicles travel through the civil parish save along the construction site.

This undertaking was violated on many occasions

- i. PP O'Connor and UBU parking in narrow country lanes in the village of Sefton causing general obstruction to traffic and to midweek church services (1);
- ii. PP O'Connor construction vehicles travelling through the civil parish with soil and waste in uncovered wagons from the A565 Scaffold Lane,

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- onto Long Lane (not suitable for heavy vehicles), East Lane in Homer Green (not suitable for heavy vehicles) and Lunt Road (not suitable for heavy vehicles) through the villages of Sefton and Lunt to join the B5422, Brickwall Lane (2);
- iii. Pursuant to the civil parish making complaint to the Metropolitan Borough of Sefton a meeting was organised between the Metropolitan Borough, the Chairman and Deputy Chairman of Sefton Civil Parish and Balfour Beatty. The latter failed to attend (3).

3.1.1.2 **Landscape**

At a meeting with Sefton MBC representatives of the civil parish were shown detailed plans of the proposed planting scheme around the new junction of the B5422 and A5758. At the next convention of the council, March 2015, the plans were given informal approval and support by the elected members.

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The hawthorns planted were mere quicks and three years on show little sign of substantial growth. Additionally, the planting scheme at the junction would appear to bear little resemblance to that adduced to council.

An officer of Sefton MBC also stated that a plantation would be established between the A5758 and Sefton Village on the east bound carriageway. This has not materialised (5).

The civil parish as advised that the planting scheme was to be in sympathy with the flat arable landscape (6). To date there is a paucity of mature trees, shrubs and foliage.

3.1.1.3 **Noise Pollution**

3.1.1.3.1 Before proceeding it would be beneficial to note the distance of the new A5758 from locations in Sefton Village along the B5422, Brickwall Lane:

- a) Ty Hafin – 0.1 miles;
- b) Sefton Cottage 0.2 miles;
- c) Junction Coach House Court and Old Rectory Green – 0.4 miles
- d) Junction Brickwall Green and Glebe End – 0.5 miles

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3.1.1.3.2 It was stated by Sefton MBC that only two properties had been earmarked by the Metropolitan Borough as potentially being affected by noise pollution from the new A5758 viz: 'The Orchard' on Holgate and, in the civil parish, Brookhouse Farm on Chapel Lane (7). The same officer of Sefton MBC stipulated categorically that Sefton Village would not hear the traffic emanating from the new A5758 for two reasons outlined:

- a) As it crosses arable land sound is absorbed;
- b) "Brickwall Green and Coach House Court will be screened by the new plantation" (8)

3.1.1.3.3 In actuality the A5758 can be clearly heard in Sefton Village as verified by residents attending the last meeting of the civil parish (8). The A5758 is also clearly audible in Lunt Village, which lies one mile from the village of Sefton across flat arable land.

3.1.1.4 **Traffic in the Civil Parish**

The meeting of the civil parish on October 14th 2015 was the first convention since the opening of the

A5758 just two months earlier. It is to be noted that despite the alleviation of the 'rat run' through LuntVillage from the A565 the civil parish was already receiving complaints from residents regarding an increase in the volume of traffic, in particular HGVs along the B5422, Brickwall Lane, in the village of Sefton (10). The parish council was promised a traffic survey, as noted from the minutes, which issue was raised again at the meeting of November 29th 2016 (11).

As of writing the parish council still awaits a survey based on the model prognosis of the effects of the A5758 on the local transport system.

Residents have attended meetings expressing anxiety that not only has the A5758 been of detriment to their wellbeing due to speed and increased HGV traffic but it is affecting the infrastructure of their dwelling houses (12). A vox pop was also taken by an elected member in the village of Sefton pursuant to a request from the PCC of the parish church for heritage signs on the A5758, the findings of which indicated: *"it was the considered opinion of those to whom she spoke that they did not want extra signs for [directing traffic to] the village given the augmentation of traffic and related speed since the*

opening of the new road [A5758]" (13) At the same meeting the learned clerk reported, "villagers [in Sefton] had been complaining that the traffic had increased in Sefton Village along the B5422 particularly HGVs and the speed of all traffic had markedly increased" (14).

The minutes from 2014 to date attest to the perennial problem of the parking of HGVs in the civil parish which the Metropolitan Borough has refused to address despite the full support of the local Park Ward Borough Councillors (15) and the SAPLC (16).

The Chairman of Sefton Parish Council reported to the CEO of the borough, *"The parking of HGVs and commercial vehicles, a perennial problem, has been brought to the notice of the MBC...To our chagrin it would appear that the MBC is quite dismissive of this situation which is causing profound annoyance to the residents none the least Saint Helen's Parish Church since the situation causes disruption to weddings and funerals. The PC has the backing of the PCC and the local brewery in eradicating this blight. The new A5758 continues to have a negative impact upon the rural*

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community. After months of disruption during the construction Lunt Road, Brickwall Lane and Sefton Lane have deteriorated drastically due to the augmentation of vehicular traffic since the opening of the new road. It is doubtful whether the MBC will be in agreement but it is the considered opinion of the Parish Council and the residents that traffic in the village has increased manifestly – worst of all the increment of HGVs through the parish. The parish was promised that a traffic audit - comparing the model system – would be taking place this year - as yet there has been no feedback” (17).

3.1.2 The Sociological Impact

Lunt Village has burdened an idiosyncratic mixed sociological and environmental burden since the construction of the A5758, triggered by the closure of Longdale Lane and Back Lane in the village.

3.1.2.1 Cutting off Communities

At the meeting of January 6th 2014 it was announced to the parish council that two back roads from Lunt to

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Thornton would be closed pursuant to section 116 Highways Act 1980. This closure has ostensibly placed a physical barrier between Lunt Village and Thornton, a destination for church, schools, shops, recreation and health care provision. Similarly, residents of Homer Green, which shares a border with Lunt Village, yet lying in the parish of Thornton, would use these roads to journey to Thornton not just by car but on foot and by bicycle. Now, both communities find themselves cut off from the township of Thornton access being by pedestrian crossing across the A5758 which has proved an extremely hazardous exercise.

3.1.2.2 Fly tipping and other criminality

The closure of Longdale Lane and Back Lane effectively turned the former back road into a lonely track thereby magnetising criminality (18) such, as drug drops, disposal of drug paraphernalia and fly tipping. Again, Madam Chairman reported to the CEO of the MBC, *“Fly tipping in Lunt Village has taken much of our time and resources, the situation exacerbated due to the closure of both Back Lane and Longdale Lane”* (19).

The fly tipping was so grave that Good Friday 2015 at the behest of the parish council the MBC cleared the ditches, dykes and lanes. Boxing Day 2015 blockages in the drains and ditches proved part of a catalyst for flooding Back Lane in the village (20).

As a consequence the MBC has gated the two roads prohibiting vehicular access. The parish waited 3 years for this to be implemented. As a consequence parking in the village is now a new issue with the borough and parish councillors receiving complaints from residents and visitors alike.

3.1.3 *The Impact on the Historic Environment*

3.1.3.1 As a consequence of the dissection of arable land Nuffield College, Oxford, successfully made an application to Sefton MBC to remove a very prominent hedgerow at the entrance to the village of Sefton due to the redundancy of the remnant of a field (21). The civil parish objected but as the hedgerow was not deemed 'ancient' permission for removal was granted. This hedgerow albeit not deemed 'ancient' formed an

integral part of the streetscape at the gateway to the civil parish.

3.1.3.2 **Brickwall, Brickwall Lane B5422 MME15412 (22)**

This sandstone wall along the eponymous B5422 Brickwall Lane is an integral feature of the gateway to the conservation villages and the civil parish. As the borough attributes its name to the historic village of Sefton, the B5422 attributes its name to this wall which is vital in the heritage landscape.

Partially demolished and reconstructed during the construction of the A5758, this wall is vital to the heritage landscape as it echoes the Georgian streetscape of the village of Sefton.

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In Conclusion: Part A

The reader now has been presented with an overview of the impact of the construction of the A5758 in 2014-2015 upon the civil parish and its continued impact on the well-being of the residents to date.

Sefton MBC Award for the A5758

This year, Sefton MBC was presented with a CEEQUAL award for the A5758. Chris Broadbent, Managing Director of CEEQUAL tweeted on January 26th 2018:

It is a great pleasure to present a CEEQUAL Award to this project to recognise the significant environmental and sustainability achievement of the Thornton to Switch Island Link Road team.

Chris Broadbent, CEEQUAL, Managing Director @CEEQUALnews

The civil parish asks why did CEEQUAL not conduct a grass roots investigation, entering into dialogue with the civil parish to discuss the ongoing detrimental effects of the A5758 on the local community, before presenting Sefton MBC with an environmental award?

We shall now move on to discuss the *A5036 Port of Liverpool Access Scheme: Environmental Impact Assessment Scoping Report* presented by Highways England, relating, where applicable, to Part A.

1. Introduction: the Consultation Process**1.1 Timeline****a) Wednesday 13th July 2016**

Highways England accept an invitation to attend a conference hosted by Sefton Civil Parish at the Punchbowl Inn in the village of Sefton attended by representatives of Saint Helen's PCC, Thornton Parish Council, Vintage Inns and SAPLC.

b) Thursday 1st December 2016

Highways England accept an invitation to attend the SAPLC meeting at which Highways England stated it would not be consulting directly with the residents of the civil parish nor holding an exhibition in the civil parish as the civil parish was not deemed '*directly affected*' by Option B viz a new dual carriageway through the Rimrose Valley. The parish council entered into a full and frank exchange of views with Highways England suggesting the civil parish would seek Judicial Review of the decision. The civil parish was

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supported by the Sefton Central MP and Park Ward borough councillors in its efforts.

c) Thursday 22nd December 2016

Highways England agree to hold an exhibition in Sefton Village during the consultation process confirming that an error was made at the SAPLC meeting of December 1st and the residents of the civil parish living south of Lunt Road would be consulted by letter. Those '*directly affected*' it stated were those likely to lose land to the scheme. Highways England also stated that they would post the questionnaires to residents there being no public library in the civil parish, the councillors leaving copies at the church and Inn.

d) Thursday 9th February 2017

Highways England hold an exhibition at Saint Helen's Parish Church in Sefton Village from 2pm – 8 pm. Sefton Civil Parish arranges for a parish and borough councillor to be in attendance

available for consultation throughout the afternoon and evening.

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2. Consultation Process and the Environmental Impact Assessment Report

2.1 Section 4

This deals specifically with the consultation process undertaken by Highways England. Subsection 4.2.2 at page 22 lists the exhibition venues and at 4.2.3 the attendance figures are clearly set out. It is of note that the exhibition in Sefton Civil Parish is **not** mentioned which raises the following questions:

1. Why has this information been withheld from the Inspectorate by Highways England?
2. Do the figures presented by Highways England at 4.2.3 include or exclude the numbers of visitors at the Sefton Civil Parish exhibition?
3. If the figures do not include the Sefton Civil Parish exhibition, why not?

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2.1.1 Section 2

1.1.2.2.1 Subsections 2.4.6, 2.4.7 and 2.4.8 deal specifically with the scheme alignment of the A5036 in the civil parish. It is noteworthy that at every meeting and consultation with Highways England from the initial conference on Wednesday 13th July 2016 up to and including the exhibition held at Saint Helen's Parish Church on Thursday 9th February 2017 the plan for a service road and NMU route between B5422 Brickwall Lane and Chapel Lane has never formed a part of the consultation process neither with the parish council nor the general public, in particular the residents of this civil parish.

2.1.2 In Part A of this document the civil parish has outlined at 3.1.1.3.1 the distance of the new road from property in the village of Sefton. It is shown that the first house in the village 'Ty

Hafin' now sits 0.1miles across arable land from the A5758. The question is to be

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raised if the A5758 is to be expanded with an initial two lanes on the north side towards the village of Sefton; this unarguably brings the new dock road within yards of the dwelling house. However, this late addition of a service road – not placed in the public domain at the civil parish exhibition in February 2017 – brings the dock road ostensibly to the curtilage of the property. Similar concerns must be raised for Brookhouse Farm and the Lodge, Chapel Lane, already suffering as a consequence of the A5758 and a lack of promised shrouding.

2.2 **Section 8**

2.2.1 Ostensibly this section outlines the consultation process with Historic England. This civil parish notes the following in *Table 8-1 Table of Consultations Undertaken* page 68:

*“Historic England stated that they do not require consulting at the pre-planning stage unless the scheme develops, **there are material changes***

that would have an impact on the historic environment”.

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2.2.2 According to the table Historic England were last consulted in October 2016, two months before the meeting with Highways England at the SAPLC and four months before the exhibition in Saint Helen’s Church, at which, significantly the service road was not mentioned.

2.2.3 This service road may require further demolition of the brick wall **MME15412** which as shown in Part A has already undergone significant alteration. Additionally, being less than 0.1 miles from the entrance to the village this will have a major impact on the Georgian streetscape and as such it is the considered opinion of the civil parish that Historic England must be consulted further albeit they were under a duty of care and beg to differ with the agency’s cited opinion of October 2016 that *“they did not require further consulting”*.

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3. Scheme Alignment and Construction A5036 Port of Liverpool Access Route in the civil parish

3.1 Section 2 of the scoping report highlights the construction and alignment of the projected dock road.

In an email dated Tuesday 17th February 2015 Warren Marshall of Peel Ports stated to the secretary of the SAPLC:

“I understand you represent the parish councils in Sefton and are interested in our future expansion plans.

I also understand that you are concerned about the impact of the port expansion on communities in the parish council areas.

In terms of negative impact upon the Parish Council areas there is nothing that immediately springs to mind mainly due to the physical separation between the operational port and the rural areas which are at least 3-5 miles away.”

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The following negative impacts emanating from the A5036 Port of Liverpool dock access road being constructed, in the civil parish, to facilitate dock traffic to the expanded Royal Seaforth Container Base “spring to mind”:

- a) The widening of the existing A5758 and creation of new junction with A5758 (2.11.6 and 2.11.7);
- b) The proposed service road from B5422 Brickwall Lane to Chapel Lane (2.4.7 and 2.11.7);
- c) The partial demolition of the brick wall on the eponymous B5422 (2.12.2);
- d) Footbridge over the A5036 connecting the now dissected Chapel Lane (2.4.8);
- e) The loss of playing fields;
- f) Lydiate Lane and Edge Lane overbridges (2.11.4 and 2.11.5)
- g) Construction compound on Brickwall Lane (2.3.2);
- h) Site Waste Management Plan (2.15)

In conclusion

a) **The Overall effects and Impact of the Construction of a Port of Liverpool Access Route through this Civil Parish of Sefton**

The parish council has outlined in Part A of this document the historic and continuing contemporary issues arising from the construction of the A5758 and seeks not to repeat what has already been outlined in detail.

With all due respect the council concludes that the ancillary issues raised in Part B section 3 a)-h) all align and correspond with exactly the same impacts: environmental, sociological and historical raised in Part A section 3, manifest since the construction of the A5758 in the civil parish and submit that the outlined residual effects of the construction of the A5758 will not only continue but manifestly deteriorate, including the loss of recreation and green space for the

residents of the expanding urban districts of South Sefton.

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b) **Air Pollution**

Highways England have in fact admitted as much at 7.10.7.2 at page 117 stating that there is, “*potential for significant **permanent adverse effects** during the operation phase in relation to landscape character*”. The parish council envisages “*permanent adverse effects*” for the health and wellbeing of its residents – yes, noise, the loss of amenity, further severance of the community from the urban districts upon which it relies for work, education, schools, shops, churches, health provision and more but also the parish council envisages deterioration in health as even more grade 1 and 2 agricultural land is taken away to widen the A5758. The civil parish contacted Asthma UK to source data from the *Quality and Outcome Framework Database* as to the number of people registered in South Sefton with Asthma. According to Andrew Cumella of Asthma UK although there is no empirical evidence to show that the asthma rates in Seaforth on the

present route to the docks are higher than anywhere else in Europe there is evidence which
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demonstrates that 62% of South Sefton residents are registered with their GP as asthma sufferers. As a comparison the UK percentage for those registered with asthma is 59%.

The figures for South Sefton tell their own story:

- Seaforth Village Surgery has 1,887 patients with 7.79% registered as asthma sufferers

These figures may be compared with results for Maghull, a rural civil parish to the north of Sefton civil parish on the border with West Lancashire:

- Maghull Surgery has 3,307 registered patients with 5.53% registered as asthma sufferers
- Westway Medical Centre has 8,389 registered patients with 6.51% registered as asthma sufferers

- High Pastures Surgery has 10, 768 registered patients 6.395 registered as asthma sufferers

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Taking the civil parish of Thornton as a control

- Thornton Parish has 2,660 registered patients with 7.59% registered as asthma sufferers

One can see that the figure for the settlement of Thornton is quite high which may be in light of the fact that the civil parish bears the brunt of the majority of commuter traffic from Southport, Ainsdale, Formby, Hightown and Great Crosby. On the other hand, Maghull, which is by passed by the A59 has a far lower incidence of asthma.

This civil parish concludes that the pollution and asthma suffered by the residents of Seaforth will be transferred to Sefton Civil Parish. Rural areas such as Sefton Civil Parish are the lungs of the Metropolitan areas and the construction of the

A5036 through this civil parish will deteriorate the health and well being of its residents and eradicate yet another green oasis for those in the expanding urban areas of South Sefton.

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c) Flaws in the present Environmental Impact Assessment Plan

The Civil Parish Council finds the Environmental Impact Assessment Report flawed for the following reasons:

1. In section 4 Highways England have failed to notify the Inspectorate and to place on public record for scrutiny the public exhibition in the Civil Parish of Sefton held on Thursday 9th February 2016;
2. At 4.2.2 it is wholly unclear whether the figures displayed include or exclude the number of visitors to the exhibition in Sefton Civil Parish;
3. Consultation process with Historic England is at best inadequate at worst unreasonable as material changes were made to the alignment of the scheme after the last consultation of both

agencies in October 2016, material changes which were not placed in the public domain at the exhibition of February 9th 2017.

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4. Section 11 highlights noise and there is no mention of the civil parish despite all the issues raised in Part A at 3.1.1

This parish council concludes that the Environmental Assessment Impact Plan is flawed for the reasons aforesaid and lack of consultation at d) below

d) Further Consultation with the Parish Council

1. The Parish Council insists that there must be further consultation not only with Historic England as outlined above but with this parish council particularly on the issue of noise. Section 11 highlights eight NIAs or Noise Important Areas situated within 1km of the proposed A5036.
2. Additionally, there is to be a construction compound on Brickwall Lane. Given that

Highways England already envisage
“permanent adverse effects upon the

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landscape” when is this civil parish going to be consulted?

3. There has been no consultation about the SWMP with the civil parish council. The Scoping Report manifestly makes no mention of a proposed designated route for the transport of waste material – some hazardous – out of the district. Under no circumstances will this civil parish accept waste to be transported through its roads to the M58 or beyond. During the construction of the A5758 it was highlighted that incursions were made against written mandate from Sefton Metropolitan Borough Council. Such a similar undertaking was made between the civil parish and Persimmon Homes when building in the civil parish.

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The A5036 and the construction compound will be less than 0.1 from dwelling houses in this civil parish and the parish council pleads that this civil parish may indeed be rendered in time an NIA given the problems arising from the A5758 as outlined in Part A 3.1.1 .

This parish council concludes that a significant lack of consultation with the civil parish on issues regarding noise, excavation and transport of waste renders this scoping report flawed.

Acknowledgements

Sefton Civil Parish wishes to thank The Planning Inspectorate for acknowledging the civil parish in asking for its response to the scoping report and for taking the time to read and assimilate the response proffered by the elected councillors with the assistance of their CEO and legal adviser.

Madam Chairman Councillor Mrs Maria Duffy

Deputy Lady Chairman Councillor Mrs Julie Williams

Madam Treasurer Councillor Mrs Carol Jones

Madam Communications' Officer Her Honour Councillor Miss Judith Daley

Councillor Mrs Ann McKeating

Councillor Mrs Pat O'Hanlon

Johnny W.F. Duffy Esq (Practising Barrister) CEO and legal adviser

References

1. Sefton Civil Parish Minutes of Ordinary Meeting
March 4th 2015, standing order 2(a);
2. Ibid 2 (b)
3. Ibid 2 (d)
4. Ibid 2 (e)
5. Ibid
6. Ibid
7. Ibid
8. Ibid
9. Sefton Civil Parish Minutes of Ordinary Meeting
January 12th 2018 Foreword
10. Sefton Civil Parish Council Minutes of Ordinary
Meeting October 14th 2015, standing order 6
11. Sefton Parish Council Minutes of Ordinary
Meeting November 29th 2016 standing order 9
12. op cit 9 and 11
13. op cit 10 standing order 7
14. op cit 12 standing order 6
15. Sefton Civil Parish Minutes of Ordinary
Meeting January 6th 2015 standing order 5

16. Sefton Civil Parish Minutes of Ordinary
Meeting February 11th 2016 standing order 9
17. Chairman's Report Mayoral Year 2015-2016
18. Op cit 15 standing order 6
19. Op cit 17
20. Op cit 18 standing orders 10 and 5
21. Sefton Civil Parish Minutes of Ordinary
Meeting May 11th 2015 standing order 22(iv)
22. A5036 Port of Liverpool Access Scheme
Environmental Impact Assessment Scoping Report
Table D-4 Project ID 27 page 306

From: [Downie, Louise](#) on behalf of [Customer](#)
To: [A5036 Port of Liverpool](#)
Subject: RE: A5036 Port of Liverpool Access Scheme - Scoping Consultation
Date: 26 January 2018 14:00:00

Good Afternoon,

These works do not fall within SGN network area, therefore we do not require consulting on the matter.

Kind Regards,

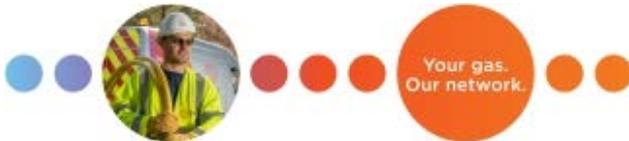
Louise Downie, Customer Service Advisor

T: 0800 912 1700 (X: 45963)

E: customer@sgn.co.uk

SGN, Customer Service, 2nd Floor, Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ
sgn.co.uk

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From: A5036 Port of Liverpool [mailto:A5036PortofLiverpool@pins.gsi.gov.uk]
Sent: 26 January 2018 13:21
Subject: A5036 Port of Liverpool Access Scheme - Scoping Consultation

Dear Sir/Madam

Please see attached correspondence on the proposed A5036 Port of Liverpool Access Scheme.

Please note the deadline for consultation responses is **23 February 2018**, and is a statutory requirement that cannot be extended.

Kind regards,
Conor Rafferty

EIA and Land Rights Advisor
Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5096

Helpline: 0303 444 5000

Email: conor.rafferty@pins.gsi.gov.uk

Web: infrastructure.planninginspectorate.gov.uk (National Infrastructure Planning)

Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)

Twitter: [@PINSgov](#)

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