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Your reference: EN0710001
Our reference: DCO/2026/00002

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By email only

31 March 2026

Dear [redacted]

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

Application by Peak Cluster Limited (the applicant) for an Order granting Development Consent for the Peak Cluster Carbon Capture Storage (CCS) Pipeline (the Proposed Development)

The Marine Management Organisation (MMO) was consulted on the Scoping Report on 13 January 2026 and was provided the opportunity to share our comments with you on the Peak Cluster CCS Pipeline Project Scoping Report. The MMO provided an initial response to the consultation request on 06 February 2026, however the MMO has since reviewed the Scoping Report, alongside our technical advisors.

The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to contribute to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.

The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence[1]. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters

[1] Under Part 4 of the 2009 Act

in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

In the case of Nationally Significant Infrastructure Projects ("NSIPs"), the 2008 Act enables Development Consent Order's ("DCO") for projects which affect the marine environment to include provisions which deem marine licences[2].

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence ("dML") enable the MMO to fulfil these obligations.

Further information on licensable activities can be found on the MMO's website[3]. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note[4].

Please find attached the scoping opinion of the MMO. In providing these comments, the MMO has sought the views of our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the MMO north-west Coastal Office.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely

[redacted]
[redacted]
Marine Licensing Case Officer

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[2] Section 149A of the 2008 Act
[3] https://www.gov.uk/planning-development/marine-licences
[4] https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-11-Annex-B-MMO.pdf

Scoping Consultation Response

Marine Works (Environmental Impact Assessment) Regulations 2007 ("the Regulations")

Title: Peak Cluster CCS Pipeline

Applicant: Peak Cluster Limited

MMO Reference: DCO/2026/00002

Contents

1 Proposal

Peak Cluster Carbon Capture Storage (CCS) Pipeline Project

1.1 Project Background

The Project compromises a new high pressure pipeline network, that will convey carbon dioxide from new build carbon capture facilities, at existing lime and cement manufacturing sites in Derbyshire and Staffordshire, to a coastal network exchange point and compressor station for onward transport to suitable geological carbon dioxide storage under the east Irish Sea. The onshore capture and transportation system comprises four carbon capture facilities, the Peak Cluster pipeline and required Above Ground Installations (AGI), a Coastal AGI and further pipeline(s) traveling from the Coastal AGI to Mean Low Water Springs (MLWS).

2 Location

The Peak Cluster CCS Pipeline is located in north-west of England, which is displayed in Figure 1 below.

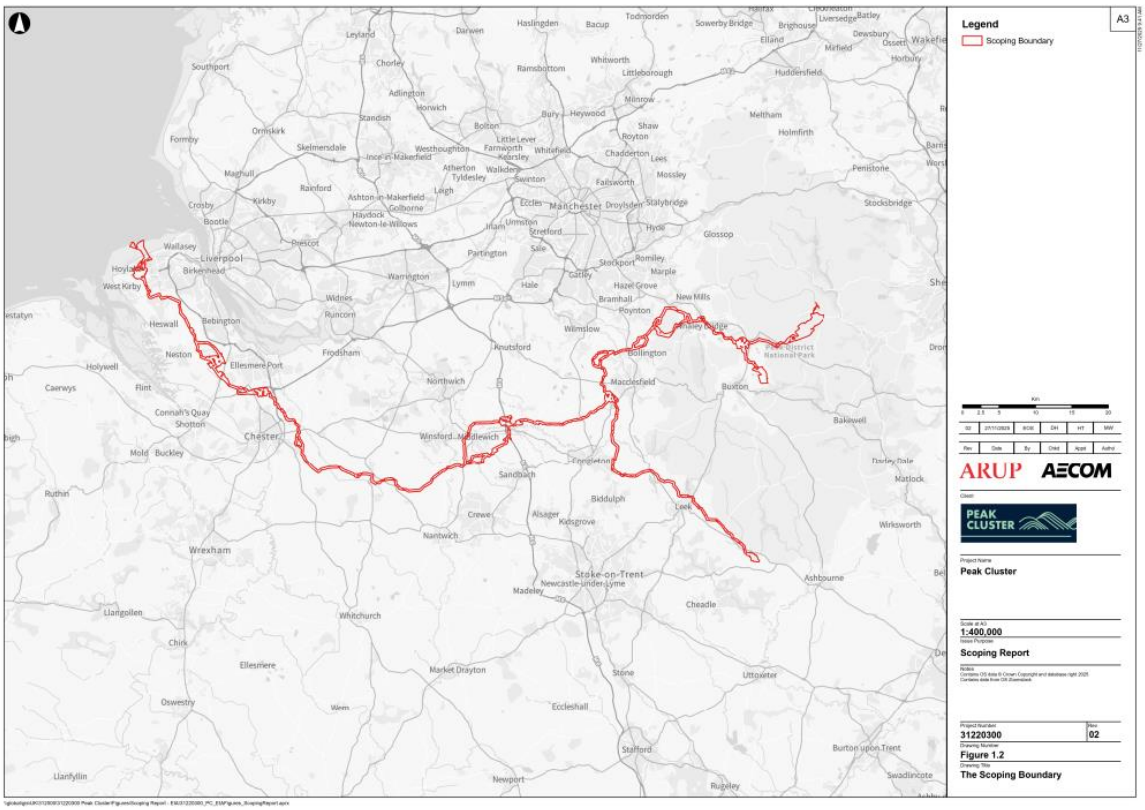

Figure 1: Location of the proposed development – taken from the Applicant's Scoping Report.

3 Scoping Consultation Response

Peak Cluster Limited asked the Planning Inspectorate on behalf of the Secretary of State for its opinion (a Scoping Opinion) as to the information to be provided in an Environmental Statement (ES) relating to the Proposed Development. The Planning Inspectorate consulted the MMO, on 13 January 2026, on the Scoping Report titled 'Peak Cluster CCS Pipeline EIA Scoping Report Volume 1 Main Report' and asked that the MMO identifies the information that should be provided in the ES.

The MMO previously provided a Scoping Response to the Planning Inspectorate (PINS) on 06 February 2026 ('EN0710001_Peak Cluster CCS_Final MMO Response Letter'). The below Scoping Response is in addition to the letter dated 06 February 2026 and should be read in conjunction. The MMO has now reviewed the Scoping Report and has the following comments that must be considered for the ES.

3.1 General Comments

3.1.1. The MMO notes that the Project is part of a wider scheme that involves the Morecombe Net Zero, however this is not included within the DCO proposal.

3.1.2. The MMO has had some engagement with Spirit Energy and Peak Cluster Limited regarding this Project. The MMO encourages the Applicant to continue liaising early with the Marine Licensing Case Team regarding the application, the dML and anything else that falls within our remit.

3.1.3. The MMO notes that the approximate length of landfall to MLWS pipeline is 2 kilometres (km). The pipeline continues further, however the developer has proposed that they will pursue OPRED licenses and the rest of the Project is therefore outside of our jurisdiction. The MMO has only assessed the project from Mean High Water Springs (MHWS) to MLWS.

3.1.4. The MMO notes it is proposed that the Coastal AGI to MLWS part of the Project will be installed using a mixture of trenchless and trenching methods within the intertidal area. The MMO requires further information to be provided, once the detail is confirmed.

3.1.5. The MMO notes that we received four public objections to the Proposed Development, for matters outside our jurisdiction. For the next round of consultation, MMO requests the Project's webpage is better signposted to where members of the public can direct their concerns to.

3.2 Marine Plan Policy Assessment

3.2.1. The MMO requests that a compliance assessment table is provided within the ES to demonstrate how the Applicant has considered **all** the relevant north-west Inshore Marine Plan policies. Full justifications must be provided within the

assessment, to demonstrate if and how the Project is compliant with a policy. If policies are not applicable or relevant we expect this to also be justified.

3.3 Benthic Ecology

3.3.1. The MMO notes that there is limited information that describes the benthic habitats within the scoping boundary provided within the Scoping Report Volume 1. Relevant designated sites have been identified (The Dee Estuary Special Area of Conservation (SAC) and Mersey Narrows & North Wirral Foreshore Special Protected Area (SPA)). It has been noted that the intertidal flats are internationally important feeding grounds for waders and that benthic habitats in the scoping area are generally dominated by mud and sand.

The MMO recommends that a suitable baseline assessment of the benthic receptors that may be impacted by construction works is provided, which is informed through a combination of desk-based studies and appropriate site survey covering an appropriately sized zone of influence. We advise that a source, receptor pathway model is used to screen likely significant effects.

3.3.2. The MMO notes that the potential impacts to benthic receptors are discussed in Section 12.2.19 and include relevant impacts from construction, operation and maintenance, and decommissioning phases of the Project. The MMO generally agrees with the potential impacts provided by the Applicant for benthic receptors. However, the MMO notes that conclusions regarding impacts to benthic receptors from decommissioning works, and the inclusion of the impact of 'direct changes to benthic habitats and species as a result of the potential block valve', discuss the nearshore block which is not within the scope of this consultation as it lies beyond MLWS. We recommend that the impacts are reviewed to include only those that are relevant to this application. Alternatively, those impacts that relate to elements outside of the scope of the current consultation could be highlighted.

3.3.3. The MMO recommends that suitable consideration is given to a benthic monitoring plan which is informed by the potential for impact because of the installation methods and knowledge of the benthic habitats within a suitably sized zone of influence around construction works.

3.3.4. The MMO notes that the methodology and assessment are presented clearly within Section 4 of the Scoping Report Volume 1 and appears fully justified for benthic receptors.

3.3.5. It is the MMO's understanding that the final project design, detailed installation methods, zone of influence for impact assessment, details of site survey and desk-based assessments relevant to benthic receptors are yet to be completed. The MMO requests further information is provided once this detail is confirmed.

3.4 Coastal Processes

3.4.1 The MMO notes that Chapter 12 Volume 1 of the Scoping Report presents the marine impact scoping. Paragraph 12.2.5 indicates that the scoping boundary is within the Mersey Narrows & North Wirral Foreshore SPA, SAC, Ramsar and Site of Special Scientific Interest (SSSI), comprising "*large areas of saltmarsh and extensive intertidal sand and mud flats, with limited areas of brackish marsh, rocky shoreline and boulder clay cliffs…*", internationally important for wading birds. Also, the Dee Estuary SAC, which is designated for its 'mudflats and sandflats not covered by seawater at low tide'.

3.4.2 The MMO notes that the physical process impact assessment is based on desk-based study (paragraph 12.4.3), however (unspecified) numerical modelling is also proposed (paragraph 12.4.2). Paragraph 12.4.4 indicates that all expected processes that may be affected will be considered in the future PEIR.

3.4.3 The MMO notes that paragraph 12.4.10 specifies the construction phase impacts includes increased suspended sediment concentration (from trenching and potentially from dredge and disposal) and bathymetric and seabed compositional change. It has also been noted that there is presently insufficient information to scope out any potential impact pathway (paragraph 12.4.11).

3.4.4 Paragraph 12.4.12 indicates that the possible block valve may affect local hydrodynamics (wave and current), and Suspended Sediment Concentrations (SSC) and sedimentation in turn, with the additional risk of pipeline exposure. This assessment is relatively brief, therefore the MMO will seek to provide comment once further detail is confirmed.

3.4.5 The MMO considers that the methodology is presented clearly in Chapter 3 of Volume 1.

3.4.6 The MMO notes that paragraphs 12.4.15-16 address specific changes to the methodology for the assessment of physical process impacts because it is proposed to define these as pathways rather than as receptors in their own right. This is a common approach, but the translation of the physical impacts to the assessment of impacts on receptors will need to be reviewed once this work is presented, which the MMO would expect to be within the PEIR.

3.4.7 Since the scope of the physical marine impact assessment remains essentially undefined at this stage, there is no obvious gap in the proposal to note. The MMO is currently unclear however as to the approach that will be taken to assess the significance of physical process impacts, because the conservation areas are potentially very large in comparison to the scale of the immediate physical impacts. It is important that the longshore transport context of the pipeline be the focus of the physical processes assessment i.e., whether the pipeline and the block valve will affect sediment transport pathways, and whether there are specific coastal consequences to doing so. Most importantly, the MMO highlights that the PEIR should assess shoreline change trends (over decades if possible) nearby and adjacent to the pipeline and areas of coastal erosion and shoreline retreat especially identified. The MMO notes that should there be any concerns of this type, then the magnitude of longshore transport and the scale of the impact of the works should be clearly presented, to ensure that any concerns regarding the impact of the works are fully addressed.

3.5 Fisheries and Fish Ecology

3.5.1 The MMO notes that the Scoping Report does not provide a description of the environment for fish, yet it has set out the approach that will be taken to characterise the environment for fisheries and fish ecology using various literature and data resources. The MMO considers that the sources listed are likely adequate to identify the marine and diadromous fishes in the East Irish Sea.

3.5.2 The MMO recommends that in addition to the Coull *et al.* (1998) Cefas Fish Sensitivity maps, reference should also be made to Ellis *et al.* (2012) for data on spawning and nursery grounds in the Irish Sea.

3.5.3 The MMO notes that the potential impacts during construction and operational stages of the development have been appropriately identified, as follows:

<u>Construction:</u>

- Direct loss or changes to fish populations and habitat as a direct result of capital dredging and dredge disposal.
- Changes in water and sediment quality during capital dredging and dredge disposal.
- Underwater noise and vibration disturbance during construction.

<u>Operation:</u>

- Changes to fish populations and fish habitat during operation (from maintenance dredging, and dredge disposal if required).
- Changes in water and sediment quality during operation (from maintenance dredging and dredge disposal if required).
- Underwater noise and vibration disturbance operation.

3.5.4 From the project description, it is the MMO's understanding that piling landfall and MLWS is likely to be limited, and at this stage the final design parameters and construction methods have not yet been determined. However, the MMO recommends that reference is made to Popper *et al.* (2014) concerning the impacts of underwater noise and vibration on fishes from piling and dredging activity. Popper *et al.* (2014) provides sound exposure threshold 'guidelines' for the onset of injurious effects in fishes based on their hearing capabilities.

3.5.5 The MMO would like to highlight that Atlantic cod (*Gadus morhua*) is a commercially important species which have spawning grounds in the East Irish Sea and are also an important target species for recreational anglers in and around the Mersey Estuary. European seabass (*Dicentrarchus labrax*) is another species targeted by commercial fishers in the east Irish Sea, and the tidal waters of the River Dee to the south of the Wirral is a designated bass nursery area. There are also high intensity nursery grounds for Atlantic herring in the east Irish sea, the MMO recommends reviewing Ellis *et al.* (2012) for further data and information on the locations of spawning and nursery grounds of fishes. The MMO also notes that diadromous fishes that may be transiting to/from the rivers Dee, Mersey or along the coast should also be identified and included in the ES.

3.5.6 The MMO notes that Fish and Shellfish are covered in the Marine Ecology section of the Scoping Report. However, there is no section for commercial fisheries or how fishers may be impacted by the upcoming works. This **must** be included in the ES.

3.5.7 The MMO notes for the Section 12.2.4 data sources that Liverpool City Region combined authority have collected a lot of data for the Mersey Tidal Power Project, so they may be able to share some of this data to prevent duplication. The MMO's data collection apps do not include every port in the UK, so fishers will put in the nearest landing port. Therefore, in the MMO landings statistics data, the landing port, may not be where the fisher landed. For example, fishers landing in New Brighton record the port of Liverpool and fishers landing at the slipway at Dee sailing club in Thurstaston will use the landing port of Hoylake. The data sources should also include landing data from North Western Inshore Fisheries and Conservation Authorities (NW IFCA) for cockle beds in Leasowe.

3.6 Shellfish

3.6.1 The MMO notes that Section 12.2.12 of the Report lists that "The full marine ecology baseline would be established in the Preliminary Environmental Information Report (PEIR)" which will include commercial fisheries and shellfish species present in the Study Area. The Scoping Boundary falls within the MMO north-west Inshore Marine Plan area and the ICES rectangle 35E6; the district of the NW IFCA and the Leasowe and New Brighton Shellfish Classification Zone (ID 3070), designated for cockles.

3.6.2 The MMO notes that shellfish impacts include habitat loss, mortality to shellfish populations in location of dredging works, and underwater noise and vibration. It is considered appropriate to assess the baseline shellfish fisheries and potential impacts.

3.6.3 The MMO notes that shellfish such as cockle identified in the study area will also be impacted by those criteria under benthic impacts such as: non-native species competition, accidental spills and run off, and changes to hydrodynamic processes. Other shellfish species that should be considered are mussels (*Mytilus edulis*), whelks (*Buccinum undataum*) and shrimp (*crangon spp*).

3.6.4 The MMO considers that the Scoping Report lists appropriate sources of reference for reviewing the shellfish populations data in the Liverpool Bay area by desk study.

3.6.5 The MMO notes the key consultees mentioned in Paragraph 12.2.23. We recommend additional consultation with the local NW IFCA and fishers should be undertaken as part of the data gathering, to assess the current shellfish fisheries baseline within the scope of the project and to fully inform the potential interaction or impacts.

3.7 Underwater Noise

3.7.1 The MMO notes that underwater noise is considered within the Scoping Report, primarily in Chapter 12, where it is identified as a potential impact on marine ecological receptors. The Report notes that construction activities such as trenchless installation, vessel movements, dredging and any required piling may generate underwater noise and vibration capable of disturbing fish, shellfish, marine mammals and overwintering or passage birds, with operational noise also acknowledged at a lower magnitude.

In the subsequent ES, it is noted that these impacts will be assessed through a dedicated assessment using baseline ecological data, underwater noise modelling where required and established ecological impact assessment methods. The significance of predicted impacts will be evaluated, mitigation will follow the avoidance–reduction–offset hierarchy, and consultation with MMO and Natural England (NE) will guide methodology. Cumulative effects with other marine projects will also be considered to ensure a comprehensive assessment. The MMO considers this to be appropriate.

The MMO will maintain a watching brief for any further information provided in relation to underwater noise.

3.7.2 The MMO would also like to highlight that for Section 12.2.10, grey seals are present year-round in the Dee estuary and haul on out the sandbanks near Hilbre island. Please note that it is an offence to injure, take or kill a seal under both the Wildlife and Countryside Act 1981 and The Conservation of Seals Act 1970. Therefore careful consideration may need to be given to these populations.

3.8 Dredge and Disposal

3.8.1 The MMO considers that Section 12.2.19 'Identification of Potential Impacts' of the Scoping Report provides an accurate description of potential impacts, during the construction, operation and decommissioning phases, from dredging related activities such as nearshore open cut trench excavation, seabed preparation, and any required disposal of excavated sediments. The potential impacts considered include increased suspended sediment concentrations (SSC), turbidity and localised smothering of sensitive benthic habitats; temporary loss or disturbance of seabed communities; changes to sediment transport and coastal morphology; and potential effects on water quality through the release of fine, and potentially contaminant-bound, sediments. Nearby designated sites such as SPAs and SACs or Ramsar features may also be impacted through habitat disturbance, reduced prey availability, or altered coastal processes, however the Report indicates that these impacts would be mitigated through use of trenchless techniques where feasible, careful timing of works, best practice sediment management, and adherence to a deemed Marine Licence to minimise ecological and physical effects. The MMO defers to the relevant Statutory Nature Conservation Body (SNCB) on impacts to designated features. We also defer to the Environment Agency (EA) for comments on water quality.

3.8.2 The MMO considers the conclusions that sediment related effects are unlikely to be significant, with appropriate mitigation, to be reasonable at the scoping stage. The Report recognises that impacts may arise from earthworks, trenching, temporary changes to drainage, and intertidal works, but concludes that these can be effectively controlled using established best practice (Construction Environmental Management Plan (CEMP), pollution prevention, sediment control measures and Horizontal Directional Drilling (HDD) where required). It also recognises that dredging beyond MLWS is outside the scope of this DCO, and that nearshore works within the order limits are limited in scale and duration.

3.8.3 The MMO acknowledges that the Report commits to measures typically required to manage sediment and water quality risks, including:

- Use of trenchless construction at sensitive watercourses and beneath the coastal embankment.
- Strict CEMP implementation, including sediment control, pollution prevention, silt fencing, settlement, and timing restrictions.
- Drainage management and run off control along the working corridor.
- Adherence to EA permitting for watercourse works.
- Use of HDD or micro tunnelling where open cut would pose unacceptable sediment disturbance.
- Monitoring commitments during construction where elevated risk exists (e.g., turbidity checks at sensitive receptors).

3.8.4 The MMO considers that the scoping approach and methodology aligns with EIA frameworks, by clearly identifying sediment related pressures, such as suspended solids, sediment deposition, and contaminant mobilisation, and by defining receptor sensitivity and impact magnitude criteria, as set out in Chapters 4, 11 and 12. It identifies relevant receptors and uses EA and marine datasets, such as those outlined in Appendix E (EA Data Gap Analysis). It also commits to undertaking Water Framework Directive (WFD), hydrological, geomorphological and water quality assessments where required, ensuring that any data gaps are addressed through appropriate technical studies. In addition, the use of the worst-case scenario sediment impacts, including parameters such as maximum working width, trench depth and HDD compound size, is considered appropriate.

3.8.5 The MMO is unable to find any dredge, and subsequent disposal, volumes related to excavation works where trenchless techniques are not employed (nearshore open cut trench excavation, seabed preparation). We note that whilst this is not essential in the Scoping Report, we expect to see dredge and disposal volumes, or at least worst-case estimations, presented in the ES. The MMO has advised the Applicant on potential sample plan requirements to inform any future dredge/disposal activity.

3.9 Nature Conservation

3.9.1 The MMO defers to the relevant SNCB on the suitability of the scope of the assessment with regards to designated sites. The MMO will maintain a watching brief for any further information provided that may fall within our remit.

3.10 Ornithology

3.10.1 The MMO notes that for Section 12.2.19, consideration should be given to construction impacts on passage and wintering birds, in particular to disturbance and loss of feeding habitat.

3.10.2 With regards to ornithological concerns, the MMO defers to NE and the Royal Society for the Protection of Birds (RSPB) and will maintain a watching brief for their comments.

3.11 Navigation / Other Users of the Sea

3.11.1 The MMO has reviewed Chapter 12.5 and notes that that the works may cause impacts on navigational features and other users of the sea.

3.11.2 The MMO defers to the Maritime Coastguard Agency, Trinity House and Chamber of Shipping, on the suitability of the scope of the assessment with regards to navigation of vessels.

3.12 Marine Archaeology

3.12.1 The MMO has reviewed Chapter 12.3 and notes that the Proposed Development may have the potential to affect marine archaeology features.

3.12.2 The MMO defers to Historic England (HE) on the suitability of the scope of the assessment with regards to marine archaeology impacts.

3.13 Cumulative Impacts & In-Combination Impacts

3.13.1 The MMO considers that in Chapter 19, a typical approach to cumulative assessment is proposed: intra-project effects from multiple sources and types of impact, and inter-project effects generally limited to the same impacts from multiple projects. This method for combining and summing impacts is not currently presented in detail and the matrices determining magnitude and significance are not revisited, so the quantification of (in particular) intra-project impacts is not described in detail. The MMO will maintain a watching brief for further information to be provided at the PEIR stage and may have more comments to provide.

3.13.2 The MMO welcomes that the Scoping showed commitment to identifying a long list of other developments which will enable a robust assessment of potential cumulative effects with other developments based on their proximity to the Project, the extent of their impacts (considering mitigation measures), and the proposed programme of works (and any potential temporal overlap). The MMO encourages consideration to be made to the potential for cumulative impact to benthic habitats (and the potential for impact to feeding grounds for wading birds) from the Mersey Tidal Power Project. The developer may wish to review the tool Explore Marine Plans to see all active marine licenses within the vicinity of the project to assist with in-combination assessments.

3.13.3 The MMO notes that considerations of cumulative impacts from proposed work interacting with other regional infrastructure (such as pipelines) and major developments along the corridor are outlined in Chapter 19 and Appendix I. The Report recognises that cumulative sediment impacts (i.e. combined temporary sediment disturbance) are most likely to occur during the construction phase and commits to refining the cumulative project list and undertaking a full cumulative assessment within the ES. We consider this to be an adequate description typical of a Scoping Report.

3.13.4 The MMO would like to highlight that for Section 19.3 (Screening of developments for cumulative impacts) of the Report that the MMO Public Register must be included and reviewed. This is because some Marine Licence Applications do not require planning permission and will not be shown on the council planning sites. These applications will need to be reviewed to consider any cumulative impacts with the Proposed Development.

3.13.5 Similarly, the public register for Natural Resources Wales must be included, for the same reasons as above.

4 Conclusion

The MMO has reviewed the Scoping Report and has provided that above advice for the Applicant, and also included comments that the MMO would expect to be addressed in the PEIR and ES. This statement, however, should not necessarily be seen as a definitive list of all EIA requirements. Given the scale and programme of these planned works, the MMO reserves the right to amend and/or provide additional comments once further information is provided.

[redacted]

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Marine Licensing Case Officer

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5 References

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