

UK SPAR SCIENTIFIC WORKING GROUP

MEETING 28 FEBRUARY 2011

10.30 – 16.00, JNCC, Monkstone House, Peterborough

Approved Minutes

Attendees

Ian Bainbridge – Chair (SNH)	Michael McLeod (Scottish Government)*
Ed Mountford – Secretariat (JNCC)	Miranda Davis (Water UK)
Andrew Dodd (RSPB)	Nigel Buxton (SNH)
Andy Musgrove (BTO)	Richard Hearn (WWT)*
Ant Maddock (JNCC)	Sallie Bailey (Forestry Commission)*
Conor McKinney (Scottish Government)*	Sarah Anthony (Natural England)
David Stroud (JNCC)	Sian Whitehead (CCW)*
Jeremy Wilson (Scottish Environment Link)	Simon Hopkinson (Defra)*
Jim Reid (JNCC)*	

* = via telephone or video-link

Apologies

Andrea Graham	Kate Jennings (RSPB)
Ian Enlander (NIEA)	

1. Welcome and apologies

- 1.1. The Chair welcomed members to the meeting. Introductions were given and apologies received (see above). Andrew Dodd attended in lieu of Kate Jennings, and Sallie Bailey attended as a new member representing the Forestry Commission. The latter had been agreed as a result of the Chair having contacted the Forestry Commission to invite them to provide representation on the SPAR SWG (Action Point 4, 01/12/10).

2. Minutes of the last meeting

- 2.1. Draft minutes for the previous meeting were tabled and approved subject to minor changes to sections 10.1 and 17.4. The Secretariat was asked to publish these on the SWG webpage.

Action Point 1 (28/02/11): SECRETARIAT to publish minutes of the last meeting on the SWG webpage.

3. SPA Review Executive Steering Group

- 3.1. The Secretariat briefed the Group on matters concerning the SPA Review Executive Steering Group (ESG). Following the last meeting, the Chairs of the SWG and ESG had agreed that there was no need for the ESG to meet in person. However, plans were discussed to consult with ESG via email to ask them to sign-off: (i) the SPA bird population estimate and site-level data; and (ii) the ECJ

species reports (see items 4 and 5). It was expected that this would take place in the near future subject to final approval of these items by SWG.

4. Bird population estimates and site-level count data

- 4.1. BTO updated the Group on the contract work being undertaken for Defra and JNCC to collate bird population estimates and site-level count data for the SPA Review. Prior to the meeting the following had been circulated:
 - (i) a draft of the final report covering the work undertaken by BTO;
 - (ii) spreadsheets covering the population estimates and site-level data;
 - (iii) an example site-level data set (for Ruff);
 - (iv) a cover note listing the main points to be covered during the meeting.BTO advised that the most of the work had been completed and they were on time to complete the contract by the end of March.
- 4.2. Population estimates had been fully compiled at biogeographic, GB, UK and All-Ireland levels. Further to the last SWG meeting, BTO confirmed they had: (i) completed the estimates for Spotted Crake and Corncrake; (ii) made sure that the primary sources of data were properly cited; and (iii) been unable to make use of recent site count data for Spotted Crake, as coverage was too variable to generate a meaningful population trend.
- 4.3. BTO had found that there was no published estimate available for non-breeding Little Gulls in the UK and GB. However, a manuscript was in preparation, based largely on county bird reports, and this might prove useful in the future. This species mostly occurs offshore making it difficult to survey. The Group pointed out that this was a 'high-profile' species having been the subject of various offshore wind farm proposals, so it was important to make sure any population estimate was based on robust scientific information. BTO were asked to consult with the JNCC Aberdeen Seabirds Team to provide advice on how this data gap could be filled and to report on this in their contract report. BTO were also asked to offer similar advice for UK populations of non-breeding Hen Harrier and Merlin, which had no previous or contemporary data sources available from which a population estimate could be produced. It was pointed out that the planned outputs from Phase 1 included information of which population estimates were a priority to update/fill in the next SPA Review.

Action Point 2 (28/02/11): BTO (in consultation with JNCC Aberdeen and others) to provide advice on requirements so that current gaps in population estimates for relevant SPA Review bird species can be filled - by end of March.

- 4.4. The Group commented that three European races of Ring Ouzel had been recognised and asked BTO to consider if this should be reflected in the biogeographic population estimate for this species. They also queried if the non-breeding UK/GB Bittern estimate was robust, given that it was considerably higher than previously, and based only on counts from 2009/10. BTO advised that they considered this to be the best estimate as the component of the non-breeding population derived from the breeding population had been progressively increasing in abundance up to 2010. The Capercaillie estimate was also queried, as this was based on data from 2003/4, rather than the results of the national survey undertaken in winter 2009/10. BTO said they had tried but had been unsuccessful in accessing the results of this recent survey. It was agreed that the Scottish Environment Link representative would facilitate a further approach. There was a short discussion about Parrot Crossbill, which concluded that as a

non-regular and unpredictable irruptive migrant, and since the mid-1980s a breeding resident, this species did not need to be covered by BTO.

- 4.5. **SWG approved all of the bird population estimates collated by BTO**, subject to the comments and requests made during the meeting.

Action Point 3 (28/02/11): BTO to complete outstanding tasks to finalise population estimates for relevant bird species for the SPA Review - by end of March.

- 4.6. BTO reported that a few of the site-level data sets needed formatting and a few other matters needed to be concluded, as set out in the spreadsheet. Access to a number of confidential raptor datasets was dependent on consent from Scottish Raptor Study Groups and BTO were continuing to get this agreed in principle. There was some concern that this process was not entirely resolved. BTO advised that the principal ongoing issue lay with access to the Osprey site data.
- 4.7. The approach to the future management of the confidential site-level data sets that BTO had acquired and formatted was discussed. It was agreed that these would remain with BTO and be made available to JNCC and the Country Agencies on request – BTO agreed that when data were requested they would make contact with the primary data suppliers to make sure they were agreeable. It was concluded that BTO and JNCC should finalise protocols for this arrangement in consultation with the Country Agencies. All non-confidential data sets would be freely available from JNCC. BTO acknowledged that in the future there may be a case to revisit the specific format of some of the species datasets derived from the WeBS database.

Action Point 4 (28/02/11): BTO & JNCC (Ant Maddock) to finalise protocols for the future management of confidential site-level bird data for the SPA Review in consultation with relevant Country Agencies - by end of March.

- 4.8. BTO had identified various site-level data gaps. Data were incomplete for non-breeding Merlin and Hen Harrier; the available roost survey information for hen harrier was not sufficiently comprehensive to be useful for the SPA Review. A similar situation existed for Ring Ouzel, though data could probably be accessed for some areas from local study groups. Site data for Little Gull and Scottish Crossbill were also patchy. The lack of Ring Ouzel data was queried, given that various local counts are known to exist via the Ring Ouzel Study Group. BTO agreed they would look into this again, although there was some doubt whether such data would be useful.
- 4.9. **SWG approved the site-level bird count data collated by BTO**, subject to the comments and requests made during the meeting.
- 4.10. **SWG also approved the coverage and format of the site-level count data spreadsheets**, based on the example for Ruff. The Country Agency Representatives were reminded that it was particularly important for them to make sure they were satisfied with these data.

Action Point 5 (28/02/11): BTO to complete outstanding tasks to finalise site-level counts for relevant bird for the SPA Review - by end of March.

Action Point 6 (28/02/11): Country Agency Representatives to make sure that the coverage and format of the site-level count spreadsheets being prepared for the SPA Review is satisfactory.

5. ECJ species reports

- 5.1. BTO updated on progress with the five ECJ species reports that were being produced as part of the BTO contract work for the SPA Review. Updated versions of these reports were circulated before the meeting, covering Crane, Kingfisher, Montagu's Harrier, Smew and White-tailed Eagle.
- 5.2. The Group recommended the following minor changes to these reports:
 - (i) White-tailed Eagle report – in the background section, mention population trends for this species as reported in Ibis by Evans *et al.* (2009);
 - (ii) Kingfisher report – the comment below Guideline 6 should be revised to say that the European Court of Justice draws no distinction between man-made and natural habitats in respect of “most suitable territories”;
 - (iii) Smew report – the name for the Humber SPA should be corrected;
 - (iv) Montagu's Harrier report – under Key sites-Area A make clear what is meant by ‘but most (all?) nests are outside the boundary’; and in the Discussion delete text in brackets in the second sentence and after semi-colon in the third sentence.
- 5.3. SNH advised that they had not been able to check the White-tailed Eagle report and would like to see the confidential annex for this species. SNH agreed to send any comments within a week.

Action Point 7 (28/02/11): BTO to supply SNH with confidential annex to the White-tailed Eagle ECJ species report; SNH to send comments on ECJ species reports to BTO – before 9 March.

- 5.4. **SWG approved the five ECJ species report produced by BTO**, subject to the comments and requests made during the meeting.

Action Point 8 (28/02/11): BTO to finalise ECJ species reports taking account of comments made - by end of March.

- 5.5. At the previous meeting it had been agreed that there was a need to revisit the application of the ‘minimum of 50 rule’ in light of the ECJ species report for Smew (Action Point 7, 01/12/10). This was still the case and would need to be covered when the ECJ species reports were submitted to ESG.

Action Point 9 (28/02/11): JNCC (David Stroud) to prepare submission for the Executive Steering Group setting out possible options as regards application of the ‘minimum of 50 rule’ in light of the ECJ-Irish ruling (carried over Action Point 7 01/12/10).

6. Ramsar data

- 6.1. BTO gave an update on their work to collate bird data for the purpose of updating Ramsar Information Sheets. They had started to collate data for various sites mainly using the WeBS database. A draft report had been prepared on the work, which had been circulated to the Group before the meeting. A number of questions had been set out in this where advice was required, e.g. should species be deleted or added to sites if they now attained or fell below revised thresholds for nationally important populations; how should waterbird assemblages be determined; what contribution should gull and goose roosts make; and how should seabird data be dealt with given that for many species post-Seabird 2000 data was not ideal.

- 6.2. JNCC advised that the SWG had set out various principles regarding Ramsar information in the past (see Baker, H., Stroud, D., Bainbridge, I. and Salmon, T. September 2004. Comparison of the UK Ramsar Network against the UK SPA and IBA Networks. Draft Advisory Note for the UK Ramsar Review, produced by the SPA & Ramsar (Avian) Scientific Working Group – see also the recommendation to the Natura 2000 & Ramsar Standing Committee and Ramsar Review Steering Group in Section 5.1 and Appendix 4 of the UK SPAR SWG 2004 Annual Report, <http://www.jncc.gov.uk/page-1770>). It was agreed that the Secretariat should circulate this information.
- 6.3. In addition, the Group advised that the work being undertaken by BTO should be guided by the following aims:
- (i) to better align the data underpinning Ramsar sites & SPAs;
 - (ii) to review qualifying features on Ramsar sites;
 - (iii) to update the Ramsar Information Sheets.

Action Point 10 (28/02/11): SECRETARIAT to circulate details of the 2004 SWG paper setting out principles for the Ramsar Network Review.

- 6.4. This concluded BTO's input to the meeting. Noting that their contract work was due to conclude at the end of March, the Chair thanked them for the thorough work they had undertaken on the SPA Review since January 2010.

7. Site Provision Index

- 7.1. JNCC (David Stroud) advised that it had been working with RSPB to map out the final paper on the Site Provision Index (SPI). A draft of this was expected by the end of March and would be circulated to the SWG for comment. It was agreed that comments should be made within a month and then a revised version of the paper could be prepared for the next SWG meeting.

Action Point 11 (28/02/11): JNCC (David Stroud) & RSPB to continue work on the Site Provision Index, aiming to: (i) circulate a draft paper by end of March for comment by end of April; and (ii) present a revised paper at the next SWG meeting.

8. SPA Decision Framework

- 8.1. An update on the Decision Framework for the SPA Review was given by JNCC (David Stroud). The planned sub-group meeting took place on 11 February, with JNCC, NE, RSPB and SNH represented. Following this a revised version of the Framework had been prepared for the SWG meeting. The Framework had been simplified and a separate CHIP Check Decision Making box created. The latter simplified the BTO work on cropped habitats and set out the issues identified in the Cropped Habitats Information Project (CHIP). The basic construct of the Framework was gone through, central to which were the determination of whether a species was under-represented in the SPA Network and the assessment of cropped habitat requirements. Guidance was still needed to explain the decision-making process. The plan was to generate various worked examples for particular species, so that the Framework could be developed iteratively.
- 8.2. The Group agreed that the Framework was much improved and appeared to take a logical, stepwise approach to the issues involved. Some improvements were suggested:

- (i) it was not clear how the answers to the questions in the CHIP check box related to the choices of 'site appropriate' or 'site not appropriate' leading out of this box;
- (ii) the answers to the questions in the CHIP check box could be increased from simply 'yes' or 'no' to include more options;
- (iii) Box 19 ought to have 'yes' as a possible answer;
- (iv) the 'yes' answer to Box 20 should not lead to Box 10.

The Group wondered how consistency would be checked, i.e. what approach was envisaged to ensure the same conclusion was reached when species were run through the Framework. There was also some concern about the use of a regression line in the SPI to evaluate if species were adequately represented in the SPA Network.

- 8.3. A further meeting of the Decision Framework sub-group was planned for the next day and it was agreed that draft guidance could be prepared by mid-April for circulation to the SWG. An updated version of the Decision Framework and associated guidance could then be presented at the next SWG meeting.

Action Point 12 (28/02/11): JNCC (David Stroud) to continue to lead work to develop the Decision Framework and supporting guidance for the SPA Review, aiming to: (i) circulate draft guidance by mid-April for comment; and (ii) present updated version at the next SWG meeting.

9. Future work plan

- 9.1. JNCC (Ant Maddock) updated on the future work plan for the SPA Review, which had been circulated beforehand and is summarised in Table 1. The main tasks related to outstanding information, completion and testing of the Decision Framework, preparing the final Phase 1 report, and peer review. Final submission to ministers was still planned for October 2011.
- 9.2. A question was raised about which parts of the Decision Framework would be 'tested' in Phase 1 of the Review and whether this could be explained more precisely. The response was that the aim of the Phase 1 testing was to provide confidence that the Framework covered all the required components and would function properly when it became 'operational' in Phase 2. In Phase 1, each species would be progressed up to the 'site selection process' boxes, i.e. up to and including box 12 in the current version of the Framework. This would leave boxes 14-17 (note that the current version did not have a Box 13) for the Country Agencies to address in Phase 2, focusing on the identification of further SPAs following the Selection Guidelines for SPAs.
- 9.3. The work plan included a revised date (September 2011) for the proposed peer review of relevant Phase 1 outputs. The SWG agreed that this work should be held back to a more suitable time.

Table 1: Future work plan for the SPA Review, showing the main tasks and timetable for activity and delivery.

	February	February SWG meeting	March	April	May	June SWG meeting	July	August	Sept	October
Outstanding information										
• ECJ case history				X	X	X				
• Data gaps		X	X							
Complete the Decision Framework										
• SPI Regression boundary		X	X							
• *Load new BTO data*			X							
• *Prepare support info*	X			X						
• Decision Framework	X									
Testing the Decision Framework			X							
• Run species through				X	X		X			
• SWG discussion						X				
• Develop description and guidance					X		X			
Preparing the Phase 1 Report										
• Agree structure		X								
• Add ECJ species report			X							
• Add agreed text from 2001			X	X						
• Gather information			X	X						
• Write new text			X	X	X	X	X			
• Update as needed					X	X	X			
• Last draft								X		
Peer review									X	
• Consider peer review & proof read									X	
• Final version									X	X
Submit to ministers										X

10. Phase 1 final report

10.1. JNCC (Ant Maddock) provided a suggested outline for the overall structure of the final publication covering Phase 1 of the SPA Review. This included:

- (i) Introduction – including the ‘Birds Directive’ and Special Protection Areas; implementation of Article 4 by the UK, previous reviews and explanation of current review, species covered etc., geographical scope of current review, outline of marine review, and progress with SPA classification since the 2001 Review;
- (ii) Data issues – including metadata, source of data, summaries of information from BTO reports, information contained in Appendices, gaps in data, and location of digital data;
- (iii) Reviewing the SPA network – including the Site Provision Index, description and guidelines for the Decision Framework, and relationship with wider conservation measures;
- (iv) The UK review – including results from the Decision Framework;
- (v) ECJ issues – including summary of ECJ case law, and five ECJ species reports;
- (vi) Acknowledgements and References;
- (vii) Appendices – including glossary of terms, comparison of SPI values for selected species, site estimates for selected species, site percentage of UK/GB/All Ireland and biogeographic populations, percentage SPA coverage for selected species, and information on cropped habitat species.

10.2. The Group made the following suggestions:

- (i) the Introduction could be subdivided into the ‘Historical perspective’ and ‘Progress since the 2001 Review’, with issues to do with current review being built into the section on ‘Reviewing the SPA network’;
- (ii) it was important that the background and context to the current review was fully explained, including why relevant ECJ species had not been accommodated within the SPA Network previously;
- (iii) the section on ‘ECJ issues’ could be accommodated elsewhere: the section on ‘ECJ case law’ moving into the Introduction and the section on ‘ECJ species reports’ moving to ‘Reviewing the SPA Network’;
- (iv) a section could be added setting out which species and issues had been progressed by the current review and which had not and reasons for this, i.e. an update on ‘unfinished business’;
- (v) an appendix should be added containing the material from ECJ case law work, and a further appendix on other work done by the SWG over the last decade reviewing particular SPA species/issues.

10.3. It was agreed that a revised outline of the final publication would be prepared for circulation.

Action Point 13 (28/02/11): JNCC (Ant Maddock) to circulate revised outline of final publication covering Phase 1 of the SPA Review - before end of March.

10.4. JNCC asked the SWG for support in preparing the content of the final report. It was recommended that members should be approached individually to help with appropriate parts of the report. The Chair noted that the writing style should be concise and, where appropriate, draw on the 2001 Review publication and relevant SWG papers.

11. Update on Marine SPA work

- 11.1. JNCC (Jim Reid) updated on progress with marine SPA matters. Steady progress had been made with the planned work on Marine SPA provision. To address species and geographical gaps in the analysis of the offshore seabird data to identify possible pelagic SPAs, a new analytical approach had been developed, which built on the existing analyses. This has gained positive support from all stakeholders, Government and NGO. Pilot analyses on three species are to be extended to all species involved, with the results of this work expected in the summer, followed by a discussion workshop in early autumn. There will be many issues to clarify regarding the ultimate selection (if any) of the most suitable territories from the results that emerge.
- 11.2. Reporting on the analyses in support of possible inshore SPA identification had progressed on schedule. A report on one Welsh area of search had been delivered to CCW. The reports on the remaining areas of search in Scotland (mainly northern and west coast) and a cross-border area will be delivered to SNH/NE in March 2011.
- 11.3. Collaboration with NE over scheduling of SPA work in England had continued. NE had agreed to fund some of this work, including a new full-time post to progress possible SPA identification.
- 11.4. The Chair asked JNCC Aberdeen Seabirds Team to assist: (i) BTO in setting out how population data gaps for Little Gulls could be filled; and (ii) with a proposed marine section in the final Phase 1 report for the current (terrestrial) SPA review (see item 10). This was agreed, noting that what was required for the latter was a short, summary update of progress.

12. Updates on country implementation

- 12.1. SNH reported that they had received a draft report on possible SPAs for Merlin, and NE were dealing with responses received during the recent Dungeness, Romney Marsh and Rye Bay pSPA and pRamsar consultation (regarding the proposed extensions to and change of name of the Dungeness to Pett Level SPA and a proposed new Ramsar site).

13. Other matters

CHAINSPAN project

- 13.1. An update had been circulated before the meeting on the CHAINSPAN project (Climate Change Impacts on Avian Interests of the SPA Network). It was agreed that the Secretariat would organise a presentation of the CHAINSPAN project results at the next SWG meeting.

Action Point 14 (28/02/11): SECRETARIAT to organise a presentation of the CHAINSPAN project results at the next SWG meeting.

14. Progress with Action Points from last meeting

- 14.1. Progress with the Action Points agreed at last SWG meeting was reviewed. All had been completed or feedback had been given during the meeting except:

- *Action Point 2 (01/12/10)* – the recommendation about the next full review of the SPA Network would be included in the 2010 SWG Annual Report and the final report from Phase 1 of the current review;
- *Action Point 3 (01/12/10)* – the Chair of the UK Marine Biodiversity Policy Steering Group had been written to and replied saying that the recommendations in the SWG 2008-09 Report would be considered at their next meeting;
- *Action Point 6 (01/12/10)* – the request to the Rare Breeding Birds Panel concerning the desirability of enhancing national Honey Buzzard data had not been completed and would be carried over;
- *Action Point 8 (01/12/10)* – JNCC had tried to contact Irish authorities about their approach to Kingfisher SPAs in light of the ECJ-Irish ruling, but needed to follow this up;
- *Action Point 17 (01/12/10)* – anyone requiring further information about the Marine SPA presentation at the annual ORNIS meeting should contact RSPB directly.

Action Point 15 (28/02/11): SECRETARIAT to assist the Chair and David Stroud in drafting a request to the Rare Breeding Birds Panel from the SWG concerning the desirability of enhancing national Honey Buzzard data (carried over Action Point 6 01/12/10).

15. Scope of the SPA Review

- 15.1. A discussion paper had been circulated just before the meeting by JNCC (David Stroud) on the scope of the current review. This had been prompted by the work to develop the Decision Framework, during which the desirability of reviewing SPA provision for all relevant species had been highlighted. The small amount of additional work that this would involve seemed to give significant policy benefits in being able to present a fully contemporary assessment for use in coming years and to ensure that the UK can continue to provide good explanation that the SPAs selected are the most suitable. A comprehensive review would involve two additional groups of species: (i) those migratory species for which no SPAs have been selected; and (ii) those migratory and/or Annex I species for which SPAs have been selected but are not currently included within the Terms of Reference for the current review.
- 15.2. The first of these groups included mostly abundant and dispersed passerines, such as larks, buntings, warblers, etc. There was no expectation that the situation will have changed for any of these species. However, there would be benefit in a rapid review/check of their status to confirm and document that the decisions reached in the late 1990s remain valid more than a decade later. The task is minimal and could be readily undertaken by JNCC with a draft assessment prepared for agreement by the ESG following input by the SWG.
- 15.3. The second group of species included a small number of species that were not selected for review. These were broadly categorised as either: (i) limited range wintering goose populations; (ii) a few wintering duck species; (iii) a few rare breeders; or (iv) a number of breeding seabird species. Data sources on contemporary numbers readily exist for all of these, so a rapid check on their current SPA suites would not be a significant undertaking.
- 15.4. The Group agreed this would be desirable if resources were available from JNCC. The main risk appeared to be with common passerines that had undergone large

declines. It was agreed that supporting information should be collated and a proposal produced for consideration by ESG.

Action Point 16 (28/02/11): JNCC (David Stroud) to collate supporting information and develop a proposal for consideration by ESG on expanding the scope of 2010 SPA Review.

16. Next SPAR SWG meeting

16.1. It was agreed that the date and venue for the next SWG meeting would be 28 June 2011 in Peterborough.

Action Point 17 (28/02/11): SECRETARIAT to organise next SWG meeting on 28 June 2011 in Peterborough.

UK SPAR SCIENTIFIC WORKING GROUP

ACTION POINTS AGREED AT 28 FEBRUARY 2011 MEETING

Action Point 1 (28/02/11): SECRETARIAT to publish minutes of the last meeting on the SWG webpage.

Action Point 2 (28/02/11): BTO (in consultation with JNCC Aberdeen and others) to provide advice on requirements so that current gaps in population estimates for relevant SPA Review bird species can be filled - by end of March.

Action Point 3 (28/02/11): BTO to complete outstanding tasks to finalise population estimates for relevant bird species for the SPA Review - by end of March.

Action Point 4 (28/02/11): BTO & JNCC (Ant Maddock) to finalise protocols for the future management of confidential site-level bird data for the SPA Review in consultation with relevant Country Agencies - by end of March.

Action Point 5 (28/02/11): BTO to complete outstanding tasks to finalise site-level counts for relevant bird for the SPA Review - by end of March.

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Action Point 17 (28/02/11): SECRETARIAT to organise next SWG meeting on 28 June 2011 in Peterborough.