

# UK SPA & RAMSAR SCIENTIFIC WORKING GROUP

23 November 2017

11:00 – 14:30, JNCC Offices, Peterborough

## Minutes

### Attending in person

Chris Spray, University of Dundee (Chair)  
David Stroud, JNCC  
Richard Hearn, WWT  
Nigel Buxton, SNH  
Kate Jennings, RSPB  
Philip Eckersley, NE

### Telephone conferencing

Jeremy Wilson, Scottish Environment Link/RSPB  
Clive Porro, Defra  
Andy Tully, Defra  
Neil McCulloch, DAERA  
Ronan Owens, DAERA  
Matt Parsons, JNCC (Secretariat)  
Greg Mudge, SNH

### Apologies

Steven Dora, Scottish Government  
Patrick Lindley, NRW  
Alan Drewitt, NE

## 1. Welcome, introductions and apologies

The Chair welcomed attendees to the meeting, noting this is his first meeting.

## 2. Round table summary of organisations' involvement in SPA/Ramsar issues

Chair invited attendees to offer a summary of their personal and their organisations' involvement in SPA/Ramsar issues, as an introduction for himself and a refresh for longer-standing members.

Chris Spray: holds a Professorship in water science and policy at Dundee; a geographer by training but with long-standing bird research interests starting with crows, then swans and geese. Employment history in the then National Rivers' Authority, the water industry, SEPA (Director of Science). Recently retired from SNH Scientific Advisory Committee, where a good deal of experience of marine and other matters was gained. Regarding potential conflicts of interest, Chris noted 60% of his time last year was based in Welsh

Government, and that his wife, Debbie, is an SNH employee (wetland specialist).

Kate Jennings: Head of Site Conservation Policy at RSPB, involved with science, policy and campaigns; RSPB manage a lot of land, much of which has SPA status; was previously at NE.

David Stroud: JNCC Senior Ornithologist; JNCC has two roles in SPAR SWG – as Secretariat on Defra's behalf and a UK coordination role in developing the UK SPA network, also developing/publishing past reviews of the network. David also involved in international for a, such as Ramsar, AEWA, CMS and Birds Directive groups.

Nigel Buxton: Now part-time for SNH, involved with Birds Directive and Ramsar issues for over 20 years, since 1997 in SPAR SWG; since before 2000 involved with JNCC in marine aspects of SPA identification (now handed that to Greg Mudge and colleagues).

Phil Eckersley: NE's conservation strategy and implementation team, Phil is temporarily standing in for Allan Drewitt who had provided primary input to the group for NE.

Jeremy Wilson: Head of Conservation Science at RSPB in Scotland, also representing Scottish Environment Link. 20 yr. in RSPB. Helped develop the Site Provision Index (which informed the Third SPA Network Review); current member of SNH's Scientific Advisory Committee.

Greg Mudge: Principal Advisor on International Designations for SNH; involvement started with the First SPA Network Review in 1989.

Matt Parsons: Role for JNCC on the seabird and marine aspects of the SPAR work programme; JNCC led on UK-wide aspects of marine SPA identification on behalf of the SNCB; JNCC also led on the identification and classification of marine sites beyond 12 nm and currently lead for the SNCB on marine SPA sufficiency.

Clive Porro: Policy lead on protected areas for Defra; was "caretaker" Chair for SPAR for its last meeting, before appointment of Chris Spray.

Neil McCulloch: Ornithologist in Northern Ireland Environment Agency for 14 years, an agency within Department of Agriculture, Environment and Rural Affairs in Northern Ireland; role in SPA designation, management and monitoring.

Ronan Owens: Ornithologist in NIEA, involved with SPA matters, including on marine sufficiency.

Richard Hearn: Part of the species monitoring team at WWT in Slimbridge. On SPAR SWG for 10 years.

Andy Tully: Recognising that many matters are devolved, Defra has a governance role, including chairing the Executive Steering Group and establishing SPAR SWG soon after the Second SPA Network Review (2001).

### 3. Minutes of last meeting

The draft Minutes of 10 May 2017 were agreed subject to the following changes:

3.2 - Work Plan: Kate Jennings suggested that clarity is required in the third paragraph, so as not to lose the key message, which is that SPAR should develop thinking on the impacts of climate change on the SPA network. Kate to suggest amended wording to Matt to amend the minutes accordingly.

8 - Article 12 Reporting: Richard Hearn noted that the last sentence in the third paragraph required clarity - suggested “the issue” is replaced with “these issues”.

Regarding review of action points from the last meeting, Chair proposed to deal with these at the end of the agenda, to be able to take account of matters that would arise through the agenda.

### 4. Sign-off of Revised Terms of Reference (ToR) and work plan

Andy Tully introduced this item, explaining that it was thought timely to review the ToR and work plan, given the finalisation of Phase 1 and 2 of the Third Network Review.

Consequently, Defra and JNCC drafted a suggested revision, which was put before ESG in February 2017, who offered comments/amendments; SPAR further refined at its May 2017 meeting. Defra therefore asked for SPAR to finalise their input into this paper so that ESG can subsequently sign off and JNCC can publish on its website. Andy noted that the UK’s exit from the EU could change the context for SPAR SWG but for now all that could be done on that was to identify it as a potential issue.

Comments from SPAR SWG on the latest draft included the following:

#### 4.1 Terms of Reference

- **National context:** Nigel Buxton queried whether enough reference is made to *national* context as opposed to *international*. His concerns were that changes that may happen as a result of the UK’s departure from the EU may require a change of emphasis by SPAR SWG.

Andy Tully cautioned against this and preferred the focus to remain on international context, noting for example that international agreements such as Bern and Ramsar would continue to have UK relevance when the UK leaves the UK.

- **Monitoring and data requirements:** Nigel Buxton proposed that a stronger reference is required in the ToR/workplan to the acknowledged gaps in data that were detailed in the Third Network Review. Jeremy Wilson suggested that the document needs a generic statement recognising the need for SPAR SWG to review evidence requirements. David Stroud suggested an amendment that could address these concerns; that the phrase “including strategic needs for relevant data and information” be added to the end of Issue for Attention 1.
- **Governance:** Clive Porro: suggested that there should be a review of the ToR/work plan after a few years, and this should be identified in the ToR; Kate and

others agreed. Kate Jennings: asked if the UK Natura 2000 and Ramsar Steering Committee still operates, as it's referenced in p2 (ToR) and in draft work plan. Defra confirmed that it is still functioning although hasn't met for some years. Chris Spray: under "Composition" Defra should be "Department for Environment, Food and Rural Affairs".

- **Marine sufficiency:** Kate Jennings asked that SPAR SWG's role in the marine sufficiency assessment be better expressed under the second "Issue for attention", so that "methods" is added to the scope as well as "outcomes". Jeremy Wilson agreed with Kate's comment above and added that currently the stated approach differs between main ToR text and the draft work plan in the Annex.

David Stroud suggested that to address this issue "Issue for attention 2" could be amended to: "Provide scientific advice on issues related to the development and classification of SPAs in the marine environment and the marine SPA sufficiency review"; there was broad agreement for this suggestion.

#### 4.2 Draft work plan

- **Monitoring requirements** – Jeremy Wilson asked that an action be introduced to recognise that a key function of SPAR SWG should be to facilitate and mobilise collective action to realise monitoring and other evidence requirements.

Chris Spray noted that there was a need to break down the monitoring actions into various tasks over a range of timescales.

- **Population size estimates for waterbirds** - Greg Mudge: re bullet 5 of "short term" actions, noted his concerns that some national and biogeographic population estimates (e.g. some divers and sea duck) are inaccurate, which has implications for SPA identification and sufficiency assessment.

David Stroud updated the group on the process and timing of revisions; APEP 4 would be reporting later in 2018 which will feed into Birds Directive A12 reporting, latest WeBS data would feed into this (a paper is in pipeline); revised international estimates would be presented in AEWA's Conservation Status Review 7, to be agreed at MoP 7 in December 2018.

Chris Spray asked what is the role of SPAR SWG in such matters -it was agreed that as well as QA of third party estimates that the group had a role in facilitating improvements to estimates (as it had done successfully in the past for e.g. non-breeding Red-throated Diver). Nigel Buxton suggested that the first priority should be to collate existing data (e.g. aerial survey data for Great Northern Diver).

- **Link between Ramsar sites and SPA** - David Stroud suggested an addition to the short term programme: regarding the benefits to be had from harmonising species feature lists in Ramsar and SPA networks (as recognised in section 3.3 of Phase 1 report of Third Network Review)
- **SPA for re-colonising species** - David Stroud suggested an addition to the short-term programme: an issue that arose at ESG, that SPAR should be charged with re-examining this issue. Jeremy Wilson and others supported these suggestions.

- **Range sufficiency** - Andy Tully, adding to the issues discussed by ESG, noted there was a request for SPAR SWG to consider further issues of range provision in the context of sufficiency assessments for the UK SPA network.
- **Other matters** – Phil Eckersley noted that, in relation to the outcomes of the Third Network Review, ESG had identified the need for the term “recommendations” to be changed to “advice on options”. Kate Jennings: re 2<sup>nd</sup> bullet of “short term” actions (“Draft and submit report on SWG activities for 2017 to UK Natura 2000 and Ramsar Steering Committee, and publish.” The redundant “and submit” should be removed.
- **SPA provision for Common Eider** - Greg Mudge re-affirmed the need to take forward the existing action re. “Advice on which races and/or populations of Common Eider should be considered in marine SPA assessment” and that SNH would appreciate final advice from SPAR SWG on this matter. It was noted that the group had discussed this many times but that issues of migratory status and taxonomy remained to be resolved.

**Action 1:** Matt Parsons and Greg Mudge to draft a short paper to seek a final resolution to the “Eider and SPA provision” issue and seek SPAR SWG views ASAP.

**Action 2:** Andy Tully and David Stroud to revise the draft ToR/work plan to take into account SPAR SWG discussion and circulate back to SWG for a quick check and onward submission to ESG for sign-off.

## 5. Annual Report (November 2011 - November 2017)

David Stroud introduced his first draft, which was a quick attempt at “getting the ball rolling” and not a polished product. He explained that it had been previously agreed, given the workload of delivering the Third Network Review, that the report would need to be a composite of a number of years.

Chris Spray opened discussions by asking two questions: “who is the main audience for the report?” The group thought that “interested members of the public” was the key audience, also governance groups, notably UK Natura 2000 and Ramsar Steering Committee. Secondly, Chris asked if, given the long time-span of the report, it should comment on the implications of change in rate of technological advances (in monitoring, *etc.*) and rate of change in bird populations.

David Stroud took various comments and suggestions:

P1 -a few typos identified; page numbering errors also.

P2 – Introduction section 4; Nigel Buxton identified that a number of governance and liaison groups were identified, though clarity required concerning whether all were extant. *UK Natura 2000 & Ramsar Forum* hasn’t met for many years and is considered extinct. MPA Technical Group – met recently so is extant. ESG; Andy Tully noted that, as minuted in the SWG meeting of June 2016, the Executive Steering Group could potentially be dissolved on completion of Phase 1 and future governance resumed through a reinvigorated UK Natura 2000/Ramsar Steering Group.

**Action 3:** Andy Tully and Clive Porro to review and revise the list of governance groups listed in the Annual Report, taking care to make clear which were operating during the period of the report and what their current status is.

Marine provision – text required here. Matt Parsons asked the group what they'd like to be covered; concluded that starting point would be to summarise past minutes.

**Action 4:** Matt Parsons to draft “marine provision” section in time for David Stroud to circulate revised report early in 2018.

Appendix 3 – much repetition of names. Important that this section is factual list of who was in each group during the period of the report. Appendix 3 of Third Network Review should be copied to the Annual Report.

Sharing the report with international fora -Chris Spray asked if/how our work is shared with relevant international fora, e.g. the EU's Ornithology Committee (now its successor NADEG). Agreed that this is an important dimension that should be addressed.

Terms of Reference – important to also have a factual record in the annual report of the ToR as they stood during the report period, as well as the revisions currently being developed.

## **6. Marine sufficiency -update**

Matt Parsons explained that Defra and the Devolved Administrations are still considering the work that JNCC and the SNCB have been doing for them on marine sufficiency. They are not yet ready to share the work outside of governments/their SNCB and it's not yet clear when the work will be ready to be shared with SPAR SWG.

Chris Spray asked if, given we are currently planning the SWG's work programme, a firmer idea of when the group is likely to be asked to review the work. Clive Porro said he couldn't be more specific but that he'd update the group when he could.

Kate Jennings expressed her continuing frustration, suggesting that the delays negatively impacted on the group's ability to offer timely advice, a point echoed by Jeremy Wilson. Kate also noted that RSPB expressed concerns some time ago about the method being considered and asked that SPAR SWG be consulted not just on the outcomes of the assessment but also on its methods.

## **7. Article 12 report - update**

David Stroud outlined the timetable for the report, that the July 2019 EU submission deadline would be preceded by six months or so of sign-off within governments and SNCB. The report will include an update of the numbers of birds within the UK's SPA network, for which the Phase 1 report of Third Network Review will be used. National population estimates will be collated/provided by the Avian Population Estimates Panel, itself informed by recent surveys/census work, e.g. seabirds, waterbirds.

An SNCB/NGO advisory group is currently drafting a revision to the pressures and threats assessment and is to meet in early December to review progress.

## 8. Ramsar update on UK Report to CoP 14

Matt Parsons reported on behalf of James Williams, who was unable to attend. The timetable for consulting with SPAR has been delayed due to unforeseen work demands from CMS CoP. The intention is to get consultation draft circulated to the SPAR SWG in early December, a few months later than planned. Concerning a detailed revised timetable, this being worked out with stakeholders but James will report back when this becomes clearer. David Stroud provided background to the role of the report, noting it fed into a number of CoP products and recognising the importance in the past of input from SWG and that its input would again be of great value.

## 9. Recent designations – update from each country

**England:** Phil Eckersley reported that the Crouch and Roach Estuaries SSSI had been extended and notified in November 2017. NE are currently consulting on marine SPAs. Kate Jennings asked if Falmouth Bay to St Austell Bay pSPA had been classified -it was confirmed by Andy Tully that it had been, in October 2017.

**Scotland:** Nigel Buxton reported that terrestrially, there have been no recent classifications and there has been no request from Scottish Government to do so. Concerning marine SPAs, discussions between SNH and Scottish Government are ongoing re their suite of 14 sites that went to consultation recently; no classifications have yet resulted.

**Wales:** No representative from Wales was present to provide an update.

**Northern Ireland:** Ronan Owens reported that two marine SPAs were expected to be classified by the end of the year: Carlingford Lough (extension into marine) and East Coast Marine.

**Waters beyond 12 nm:** Matt Parsons reported that the first wholly marine SPA in UK waters had been classified at end of October 2017 and submitted to EU: this is Irish Sea Front, which has as its sole feature Manx Shearwater (over 12,000 individuals, a feeding site used by breeders from a number of colonies).

## 10. Phase 2 - update

David Stroud explained it had been a while since SWG had considered Phase 2 outputs in any detail, but the sub-group had been very active, sending ESG a series of tranches of species reports (breeding Cormorant had inadvertently been omitted, which is being addressed) and a summary report and spreadsheet. This effectively ends the Phase 2 work.

Clive Porro, on behalf of SWG, thanked David and colleagues on the sub-group for its work. There were three main items arising from ESG discussions: a) range insufficiency, b) terminology in Phase 2 report (“recommendations” should be replaced by “advice and options”. David Stroud noted that the unimplemented actions in the 2001 Review were correctly agreed as “Recommendations”, as the work was formal advice from JNCC to Ministers in 2001. This could be resolved by making a distinction between unimplemented recommendations to government made in 2001 and the Phase 2 work of the Third Network Review.

## 11. Phase 3 – update

Clive Porro introduced this item, stating, regarding the site classification work that was the subject of Phase 3, that it was for individual administrations to take note of the advice and options given in Phase 2 and proceed according to their own priorities as directed by their respective ministers.

Phil Eckersley asked if delivery of Phase 3 could be broken down into priorities, suggesting that this should be explored with Defra. Jeremy Wilson referred to items 6-7 of the draft Annual Report (2011-17), which summarises the area included in the Third Review. He asked, regarding the item “species that the second SPA Review (2001) stated would be reviewed in light of the lack of data at the time of that review” if this is to be assessed by SWG work plan. David Stroud replied that the summary of the Phase 2 work identified three types of issue related to further possible site identification / classification work:

- 1) where existing data would allow features/sites to be identified easily without any/much further analysis;
- 2) where existing data had to be analysed further to reveal possible sites and
- 3) where new field data is required.

He also noted that the longer it takes for decisions to be made regarding types 1 and 2 above, the more out of date the data become, and thus the less possible it is to make progress without further resourcing.

David also reminded the group of the number of unimplemented actions from the Second Review which reported to government in 2001 regarding classification; the sufficiency assessments of the Third Network Review were all made on the assumption that all those recommendations would be implemented.

Kate Jennings re-affirmed the importance of delivering on the Second Review recommendations as well as the advice and options in the Third Review, and asked Defra to introduce a recurrent SWG agenda item on Phase 3; Chair agreed this should happen.

**Action 5:** JNCC secretariat to ensure Phase 3 is an agenda item on future SPAR SWG meetings until delivery is complete.

## 12. Action points from SPAR SWG of 10 May 2017

AP1-4, 6, 8: discharged.

AP 5 (errata sheet re Phase 1); a small number of relatively minor mistakes to be documented and published on JNCC website.

AP7 (tracking sheet); effectively discharged because the summary report to ESG contained a spreadsheet performing the same function.

AP 9 (RSPB request to Defra to see methods of marine sufficiency review); Matt Parsons had passed the request to Defra but no response had been received.

AP10 (strategic uses of monitoring and status information); some discussion ensued: regarding Seabirds Count Census, RSPB noted they were doing an analysis of remaining gaps in coverage (areas and taxonomic groups) which should be taken to



the next SWG meeting to help lever resources. David Stroud noted a wider action identified at last meeting, for a letter to go to Chief Scientists' Group from SWG expressing its concerns about the implications of the noted shortfalls in monitoring information on the delivery of the SPAR SWG's ToR. He noted the ESG summary paper could be appended to the letter as "evidence". Chris Spray indicated he would be happy to take this forward.

**Action 6:** JNCC and RSPB to liaise to take the "Seabirds Count" gap analysis to next SWG meeting in order to stimulate filling of the gaps.

**Action 7:** JNCC to include an agenda item at next SWG to review progress with the letter from SPAR Chair to CSG over paucity of status and monitoring information.

### **13. AoB**

It was asked of JNCC secretariat to ensure that the list of non-attending members ("cc list") is reviewed to ensure all members are in post and contact details are correct. Chris Spray asked if the make-up of SWG was still appropriate, given for example that the work plan would be addressing substantial items of marine significance. It was noted by Richard Hearn that offshore operators could be usefully included to respond to this point.

### **14. Date of next meeting**

A March 2018 meeting and an autumn 2018 were suggested; JNCC to poll members on date options for both.

Chris noted that the venue has traditionally been Peterborough but that other parts of the UK could be considered; Kate Jennings offered RSPB HQ as a possible alternative for the future.