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JOINT NATURE CONSERVATION COMMITTEE

**THE UK SPECIAL PROTECTION AREA SCIENTIFIC WORKING GROUP'S
FIRST ANNUAL REPORT (NOVEMBER 2001 – DECEMBER 2002)**

Paper by Helen Baker and Malcolm Vincent

1. Background to the UK SPA Scientific Working Group

- 1.1 The Department for Environment, Food and Rural Affairs (Defra) established the UK Special Protection Area Scientific Working Group (SPA SWG) in November 2001, in response to the completion of the SPA Review (JNCC 2001), to consider remaining scientific and technical aspects of the development of the UK SPA network.
- 1.2 The SPA SWG is a consultative group that provides scientific advice to the Natura 2000 Steering Group and acts on issues identified by it. It sits within a network of fora that consider Natura 2000 issues, including the JNCC Marine Natura 2000 Project Group, and Defra's UK Natura 2000 NGO Liaison Group.
- 1.3 The SPA SWG comprises representatives from Government departments, devolved administrations and their statutory conservation agencies across the UK, the Joint Nature Conservation Committee, and scientists from the voluntary conservation sector and other stakeholder groups, such as land-owners and managers, the water industry, marine and business sectors.
- 1.4 The Joint Committee was apprised of the establishment of this group at its June 2001 meeting (JNCC 01 P08; paragraph 4), and recognised the importance of ongoing dialogue with the NGOs (JNCC 01 M02).
- 1.5 The role of the Group's Annual Report (attached at Annex 1) is to summarise active areas of work considered in the meetings of a calendar year, clearly denoting its advice to Government, seeking the guidance of the UK Natura 2000 Steering Group or other fora where relevant, and also highlighting issues of a policy nature that were raised within the year but are outside of the remit of the Group.

2. **Issues raised by the recommendations of the SPA SWG in its Annual Report**

- 2.1 Recommendation 1.3.1.1 relates to the twite. It should be noted that although the English population was identified as both migratory and a separate biogeographical population, that assessment is still needed of whether the SPA selection guidelines are met for this population. The SPA Review previously identified a small number of species for which future review of SPA provision would be necessary due to a variety of reasons, including data availability (Volume 1, section 4.7). It also identified many dispersed migratory species for which SPA provision is considered inappropriate. Although not specifically mentioned in the SPA Review, consideration of twite was agreed in the initial work programme of the SPA SWG, along with ring ouzel. It is unlikely that any other migratory passerines, for which no SPAs have been selected, will be reviewed by the SPA SWG in future.
- 2.2 Recommendations 1.3.1.2 and 1.3.1.3 relate to the interpretation of the SPA selection guidelines. In response to the SPA Review the NGOs called for the guidelines to be regarded as strict criteria. The Joint Committee position is that the guidelines are not criteria, but there is no definitive position on this from UK Government. Hence, the referrals to the Natura 2000 Steering Group are aimed at achieving a final definitive position on this issue, which we trust will be consistent with the advice of the Joint Committee.
- 2.3 Recommendation 1.3.1.4 relates to one of the outcomes of the SPA Review; for a number of existing SPAs new species should be added as qualifying species. To establish appropriate legal protection for these additional species, there is a requirement to amend the current citations and Natura 2000 Data Forms of the affected SPAs. The procedure for making these amendments is yet to be established. The SPA Review was published in 2001 and as time elapses between publication and implementation, the data used by the review become increasingly dated. The SPA SWG is concerned that, as data availability has changed since the SPA Review, and will continue to do so, that this is likely to complicate the amendment procedure. The SPA SWG is keen to facilitate the amendment procedure by providing advice on the implications of changing data availability.
- 2.4 Recommendation 1.3.1.5 relates to advice on management of the SPA network, which is within the SPA SWG Terms of Reference. It is recognised that SPAs are influenced by wider countryside management and that a fuller understanding of this influence would be beneficial for protecting and enhancing the SPA network. The SPA SWG is well placed, with its broad range of expertise, to consider and advise on relevant research to develop this area of work. The recommendation seeks guidance from the UK Natura 2000 Steering Group on how the SPA SWG should develop its role in this area.

3. The Joint Committee is invited to **consider** and **note** the Annual Report and its recommendations.

ANNEX 1

UK SPA SCIENTIFIC WORKING GROUP

2001-2002 ANNUAL REPORT

1. Summary

- 1.1. This is the first report of the SPA Scientific Working Group and includes all issues considered at meetings between November 2001 and December 2002. During this period the Group met on the following occasions; November 2001, January 2002, March 2002, May 2002 and September 2002.
- 1.2. The report includes reviews of a number of work areas identified within the appended Terms of Reference:
Population estimates for birds, future bird surveys, sites for species with data up to 1997, sites for species with data since 1997, cases of Stage 2 (SPA selection guidelines) rejection of sites, boundary extensions, process and timetable for addition of qualifying species to existing SPAs, passage species, cropped habitats, wintering gulls, wintering raptors, the 'minimum of 50 rule' and rare Annex I non-breeding birds, site management issues, and marine SPAs.
- 1.3. A key element of the report is to summarise the decisions of the Group, and the following are those generated from the first year of work:
 - 1.3.1. **Recommendations and referrals to the UK Natura 2000 Steering Group**
 - 1.3.1.1. *The SPA SWG recommends* that the English population of twite be recognised both as a distinct biogeographical population and migratory, and that SPA provision for it be assessed in accordance with the *SPA Selection Guidelines*. (See 3.4.2.3)
 - 1.3.1.2. *The SPA SWG refers* consideration of whether an area meeting the thresholds defined in Stages 1.1-1.3 of the *SPA selection guidelines* should automatically be recommended for classification as an SPA, irrespective of Stage 2 judgements. (See 3.5)
 - 1.3.1.3. *Pending the decision on 1.3.1.2, the SPA SWG refers* consideration of whether an Annex I species should be automatically cited as a qualifying feature in an existing SPA if that SPA supports a nationally important population, or in the case of a regularly occurring migratory species if the SPA supports an internationally important population. (See 3.5)
 - 1.3.1.4. *The SPA SWG seeks urgent clarification* of the timetable and process for amending existing SPA citations and Natura 2000 data forms to take account of the *SPA Review* given that new data at both site and population levels have become available since its publication in 2001 and the implications of these, if any, will need to be considered by the Group. (See 3.7)
 - 1.3.1.5. *The SPA SWG seeks guidance* on how it should develop its role in advising on data needs for interpretation of the influence of landscape scale management on the SPA network. (See 3.14)

1.3.1.6. *The SPA SWG, aware of current development issues in the marine environment, advises that the scientific research and assessments required to identify marine SPAs be treated as of high priority. (See 3.15)*

1.3.2. **Recommendations and referrals to the JNCC Marine Natura Project Group**

1.3.2.1. *The SPA SWG seeks clarification of the timetable for development of marine SPA selection guidelines, UK site lists and the initiation of the classification process for marine SPAs so that its contribution, via assessment of the science underpinning this process, can be planned accordingly. (See 3.15)*

2. **Introduction**

- 2.1. The SPA Scientific Working Group is a consultative group established in November 2001 by the Department for Environment, Food and Rural Affairs (Defra) to assist government administrations and the statutory conservation agencies in further developing the SPA network within the UK, in particular promoting the coherent management of the network and monitoring of sites.
- 2.2. The Group considers UK-scale scientific and technical issues regarding the SPA network in the terrestrial and marine environment.
- 2.3. The Group comprises representatives from Government departments, devolved administrations and their statutory conservation agencies across the UK, the Joint Nature Conservation Committee (JNCC), and scientists from the voluntary conservation sector and other stakeholder groups, such as land-owners and managers, the water industry, marine and business sectors. A list of organisations represented in the Group is provided in Appendix 1.
- 2.4. The Group sits within a network of fora for the consideration of Natura 2000 issues:
 - bilateral discussions between NGOs and the Country Agencies
 - the *UK Natura 2000 NGO Liaison Group*¹
 - the *UK Natura 2000 Steering Group*It provides advice and recommendations to the *UK Natura 2000 Steering Group* as well as acting on issues identified by them.
- 2.5. Formal *Terms of Reference*, along with an initial framework for discussions, were established at the Group's inauguration (Appendix 2). This framework was further developed into a rolling work programme.
- 2.6. The Group meets at least three times per year (January, May and September). Issues for discussion are typically supported with briefing papers that are circulated prior to each meeting (a full list is given in Appendix 3). JNCC provides the Secretariat for the Group and hosts a web-page² on which selected briefings and the approved minutes of meetings are published.
- 2.7. The role of the *Annual Report* is to summarise active areas of work considered in the meetings of a calendar year, clearly denoting advice to Government, seeking the guidance of the *UK Natura 2000 Steering Group* or other fora where relevant, and also highlighting issues of a policy nature that were raised within the year but are outside of the remit of the Group.

¹ Appendix 4 provides further detail of these groups and a glossary.

² (http://www.jncc.gov.uk/species/UKSPA_ScientificWG/default.htm)

3. Progress during the year

3.1. Population estimates for birds

- 3.1.1. National population estimates were under revision by the Avian Population Estimates Panel (APEP) during the period: JNCC has kept the Group apprised of developments through the year. New estimates are due for publication in 2003, and are likely to lead to changes in national 1% thresholds.
- 3.1.2. The *Joint Committee* agreed that the sole source of national population estimates for statutory uses will be those published by APEP (from the 2003 revision). New estimates published independently will not be adopted for use until incorporated into the subsequent APEP revision (APEP will be revised on a three-year cycle).
- 3.1.3. Wetlands International published revised waterbird population estimates in November 2002 (*Waterbird Population Estimates 3*³), which were endorsed by the Ramsar Convention's eighth Conference of Parties (Resolution VIII.38). The Group was briefed on this earlier in the year, but the implications of changes to biogeographical 1% thresholds will be discussed in 2003.

3.2. Future bird surveys

- 3.2.1. During the year the Group was briefed on current developments in the Statutory Conservation Agency/RSPB Annual Breeding Bird Survey (SCARABBS) agreement, the Wetland Bird Survey (WeBS), and the work of the Rare Breeding Birds Panel (RBBP).
- 3.2.2. All survey work was affected by the Foot & Mouth Disease crisis in 2001 and so surveys had to be rescheduled accordingly. SCARABBS surveys of peregrine and golden eagle were both affected, the former rescheduled to 2002 and the latter to 2003. In consequence, the Group agreed that it was sensible to defer further consideration of review of the SPA suites for peregrine and golden eagle until after the national surveys were complete.
- 3.2.3. A significant issue arising out of discussions on surveys is the risk to species from the publication of data during the SPA designation process. This led to the establishment of a sub-group, including other relevant organisations outside of the Group, which will develop best practice guidelines for bird surveys during 2003. The guidance will tackle the full range of issues involved in surveying birds, from land access to data ownership to appropriate use of data, building on existing protocols. Once finalised, it will be referred to the *UK Natura 2000 NGO Liaison Group*.

3.3. Sites for species with data to 1997

- 3.3.1. In response to the *SPA Review*⁴, the RSPB listed a number of SPAs and other areas where, in its opinion, the data available during the review period (1992-1997) indicated that one or more species reached qualifying levels to warrant inclusion or classification.

³ Wetlands International. 2002. *Waterbird population estimates – third edition. Wetlands International Global Series No. 12*, Wageningen, The Netherlands.

⁴ Stroud *et al.* 2001. *The UK SPA network: its scope and content*. JNCC, Peterborough. (<http://www.jncc.gov.uk/UKSPA/default.htm>)

- 3.3.2. The statutory response to this was taken forward in part by each country, but several species were of overarching concern and additional clarification was requested by the agencies on some of the proposals. The RSPB agreed to review its original list and present this to the agencies in future. However, UK SPA provision for five species was discussed during the year: hen harrier, golden eagle, chough, smew and capercaillie.
- 3.3.3. SNH continued progress in classifying several breeding hen harrier SPAs during the reporting period. One site was classified, adding to the existing suite of eight classified sites in the UK. The RSPB proposed four additional sites and SNH embarked on collating data for assessing these, as well as initiating surveys during 2002. The Group will consider hen harrier SPAs again in 2003.
- 3.3.4. With the exception of two areas, Mull and Skye, the Group agreed to defer further consideration of review of the SPA suite for golden eagle until after the national survey was completed in 2003. SNH updated the Group on progress with the Mull and Skye designations – formal public consultation began in April 2002⁵.
- 3.3.5. There are two issues relating to chough; the ecological needs of the species and how this relates to defining SPAs, and the results of the full 2002 survey and implications for the SPA suite for this species. During the year the Group discussed non-breeding areas in Wales. The Group agreed that generic approaches to identifying the boundaries of suitable areas for non-breeding chough were inappropriate given current understanding of the species ecology; therefore, any non-breeding areas identified for consideration as SPAs would have to be based on specific data. It was agreed that the results of the 2002 survey would be essential for informing further consideration of chough areas and that the Group would revisit this issue early in 2003.
- 3.3.6. The smew is a rare, but regularly occurring winter migrant that is listed in Annex I to the Birds Directive. There are no smew SPAs in the UK because although there are sites that support more than 1% of the GB population, the ‘minimum of 50’ rule has been applied. This rule is designed to avoid the designation of sites for wintering waterbirds that occur in such small numbers that site-based conservation in the UK would provide no conservation benefit. The Group agreed to uphold the application of this rule. However, some areas (including a few existing SPAs) may actually support more than 50 individuals when non-WeBS data are also considered. It was agreed that collation of additional data was needed and review of SPA provision for smew in accordance with the *SPA Selection Guidelines* should follow this – this will take place in 2003.
- 3.3.7. In response to the *SPA Review*, the RSPB proposed a number of new sites for addition to the existing capercaillie SPA suite. SE classified two new capercaillie SPAs during the reporting period and SNH has collated and verified available data to support the assessment of suitability of the other sites. In addition, both lek and brood surveys were carried out at a number of locations during 2002. SNH will brief the Group on the results of the 2002 surveys early in 2003, and implications for the SPA suite.

3.4. *Sites for species with data since 1997*

- 3.4.1. In recognition of the natural process of change in species populations and range, and the relatively poor level of understanding of some species needs at the time, the *SPA Review* highlighted the need for future assessments of the SPA suites for certain species on the basis of new information becoming available. For some species important new surveys have been completed since the data-gathering for the review ended (in 1997), and for

⁵ Both SPAs were classified on 20 December 2002.

others new surveys will be completed over the next few years. The Group agreed to consider new information as it became available.

3.4.2. Several species were discussed during the year:

3.4.2.1. The spotted crane was surveyed nationally in 1999. Analysis of this survey and review of historical data have revealed that the population and range of the species in the UK is larger than previously thought. Data collation has historically been patchy, especially submission of records to the RBBP, and the Group agreed that additional collation of data is necessary before further consideration can be given to the SPA suite for this species.

3.4.2.2. The ring ouzel (migratory; no SPAs in UK) was surveyed nationally in 1999. The Group assessed the species biogeographical status and agreed that the *T. t. torquatus* subspecies (UK and NW Europe) should be regarded as a separate biogeographical population for the purpose of applying the UK SPA selection guidelines⁶. The Group is collating historical information and will consider the implications of these to SPA provision for this species in 2003.

3.4.2.3. No SPAs have been classified for the twite, as its migratory status has not previously been agreed. The Group reviewed information on the species movements and concluded that two biogeographical populations are likely to occur in the UK; a sedentary Scottish/Irish/Welsh population, and a migratory English population. The Group agreed that the English biogeographical population should be assessed in accordance with the SPA selection guidelines.

3.4.3. ***The SPA SWG recommends to the Natura 2000 Steering Group*** that the English population of twite be recognised both as a distinct biogeographical population and migratory, and that SPA provision for it be assessed in accordance with the SPA Selection Guidelines.

3.4.4. The Group agreed to consider the need for SPA provision for little egret (a recently established Annex I species) in 2003.

3.4.5. As indicated above, peregrine (3.2.2), golden eagle (3.2.2 & 3.3.4) and capercaillie (3.3.7) were also discussed by the Group.

3.5. *Cases of Stage 2 (SPA selection guidelines) rejection of sites*

3.5.1. In its response to the SPA Review, the RSPB states that, in its opinion, any area that meets the thresholds detailed in Stages 1.1-1.3 of the SPA selection guidelines should be classified as an SPA, i.e. these guidelines should be regarded as strict criteria and Stage 2 judgements should not result in their being left unclassified (*Stage 2 rejection*). A list of areas that the RSPB considers meet Stage 1 needs was submitted to each agency prior to the establishment of this Group.

3.5.2. This is a policy issue outside the remit of this Group and the Group agreed to refer this issue to the *Natura 2000 Steering Group* for consideration.

3.5.3. ***The SPA SWG refers to the Natura 2000 Steering Group consideration*** of whether an area meeting the thresholds defined in Stages 1.1-1.3 of the SPA selection guidelines

⁶ JNCC. 1999. *The Birds Directive: selection guidelines for Special Protection Areas*. JNCC, Peterborough.

should automatically be recommended for classification as an SPA, irrespective of Stage 2 judgements.

- 3.5.4. ***Pending the decision on 3.5.3, the SPA SWG refers to the Natura 2000 Steering Group consideration*** of whether an Annex I species should be automatically cited as a qualifying feature in an existing SPA if that SPA supports a nationally important population, or in the case of a regularly occurring migratory species if the SPA supports an internationally important population.

3.6. *Boundary extensions (excluding cropped habitats)*

- 3.6.1. The RSPB has proposed a number of extensions to existing SPAs. The Group agreed that some of these proposals were best discussed in bilateral talks with each agency and this has happened throughout 2002. However, most of the proposals relate to generic issues within the UK and the RSPB agreed to review these and present them to the Group early in 2003.

3.7. *Process and timetable for addition of qualifying species to existing SPAs*

- 3.7.1. The Group agreed that this was a policy issue beyond its remit and should be referred to the *UK Natura 2000 Steering Group*.

- 3.7.2. ***The SPA SWG seeks urgent clarification from the Natura 2000 Steering Group*** of the timetable and process for amending existing SPA citations and Natura 2000 data forms to take account of the *SPA Review* given that new data at both site and population levels have become available since its publication in 2001 and the implications of these, if any, will need to be considered by the Group.

3.8. *Monitoring*

- 3.8.1. JNCC briefed the Group on the development of *Common Standards Monitoring* (CSM) guidelines for SPAs. The Group agreed that it should be involved in the process via consultation at the appropriate time; this will be early in 2003.

- 3.8.2. The development of *WeBS Alerts* was explained briefly to the Group during the year, but a full explanation of these and how they will be used will be provided in 2003 (and will be reported on in the next *Annual Report*).

3.9. *Passage species*

- 3.9.1. Two issues relate to passage species – the identification of important sites for different biogeographical populations of the same species at different times of the non-breeding period, and protection afforded by classification based on winter populations.

- 3.9.2. The former is a rather complex issue as for many species little is known about the phenology of passage (and population mixing during passage periods) or passage population sizes. Hence, assessing the importance of a site for separate biogeographical populations of the same species using that site at different times is extremely difficult. The Group agreed that a list of species and sites requiring consideration would be drawn up and discussed in 2003.

- 3.9.3. Defra circulated a letter outlining its opinion that the provisions of Articles 6(3) and 6(4) of the Habitats Directive apply to an SPA all year round, despite whether the qualifying birds are present or not.

3.10. *Cropped habitats*

- 3.10.1. The lack of inclusion of cropped habitats in a number of SPAs is seen by the conservation NGOs as a significant omission from the SPA network for a number of species, but principally wintering waterbirds. It was confirmed to the Group that there is no government policy against including cropped habitats in SPAs, subject to assessments in accordance with the *SPA selection guidelines*.
- 3.10.2. In recognition of the issue, the Group reviewed three briefings during the year and agreed both on a list of species for further consideration (prioritised) and the specification for a project aimed at providing the Group with information on the functional use of cropped habitats for these species. JNCC initiated the *Cropped Habitats Information Project (CHIP)* in 2002, which will report back to the Group in 2003 on high priority non-breeding waterbirds.

3.11. *Wintering gulls*

- 3.11.1. The *SPA Review* highlights the lack of data for non-breeding gulls in the UK, including both site counts and contemporary national population estimates, and recognises that future review of SPA provision for non-breeding gulls is needed.
- 3.11.2. During 2002, English Nature funded the analysis of the *1993 BTO Winter Gull Roost Survey* and the Group was briefed on the results of this, which detail minimum national population estimates in 1993 and illustrate that many areas support very large numbers of wintering gulls. British Trust for Ornithology (BTO) proposals for the next national survey due in 2003/4, with some pilot work in 2002/3, were circulated within the Group. The Group supported the proposed methods for the new national survey and agreed that it should consider SPA provision for non-breeding gulls once the results of the full survey are available.

3.12. *Wintering raptors*

- 3.12.1. The *SPA Review* recognised that our current understanding of winter distribution and numbers for some species of raptors (especially hen harrier and merlin) throughout the UK is very poor. Where data have been available and on the basis of best available national estimates, some SPAs have been classified for these two species (mostly for hen harrier).
- 3.12.2. In 2002, on behalf of JNCC, the BTO produced an advice note on *Options for Winter Raptor Monitoring in the United Kingdom*. This note was circulated to the Group in September 2002 for comment and discussion is expected in 2003.

3.13. *The minimum of 50 rule and rare Annex I non-breeding birds*

- 3.13.1. Several species of migratory waterbirds occur regularly during the non-breeding period in the UK, but in such small numbers that the benefit of protecting these populations through site designation would be negligible in an international context. However, some of these species are listed in Annex I to the Birds Directive, such as smew. To aid in

identifying the 'most suitable' areas for both Annex I and migratory species the 'minimum of 50' rule was adopted for the *SPA Review*; that an area must hold on average 50 or more individuals to be considered for classification as an SPA. The rule is recognised as being inappropriate when the biogeographical population is small (*SPA Review*).

- 3.13.2. During the year the Group was briefed on the implication of the rule in relation to the UK SPA network. The Group agreed to uphold the rule, but to also review individual cases when they arose to ensure that the rule was being applied appropriately. The specific case of smew was discussed – see *Sites for species with data up to 1997*.

3.14. *Site management issues*

- 3.14.1. Management issues, specifically data needs to inform appropriate management, are highlighted within the Group's Terms of References as an area of work.
- 3.14.2. The Group agreed that there is a clear link between monitoring of the SPA network and reacting when it identifies generic, rather than site specific, species or ecosystem (habitat) management issues, for example detrimental landscape management policies. Such management issues are likely to be identified through interpretation of both site-based (through Common Standards Monitoring) and wider countryside monitoring (through existing schemes). However, there may be a need to gather other data to aid interpretation of landscape processes and influences on the SPA network, which may include species specific research. It was agreed that a steer from the *Natura 2000 Steering Group* on perceived data needs for informing management decisions would be valuable.
- 3.14.3. ***The SPA SWG seeks guidance from the Natura 2000 Steering Group*** on how it should develop this area of work, specifically the role of the group in advising on data needs for interpretation of the influence of landscape scale management on the SPA network.

3.15. *Marine SPAs*

- 3.15.1. The *SPA Review* covered terrestrial SPAs only and it clearly indicated that a separate review of marine areas was being undertaken by JNCC.
- 3.15.2. The Group was briefed by JNCC on several occasions during the year on developments within the review and was informed of the establishment of the JNCC *Marine Natura 2000 Project Group*, which will take forward development of the SPA network to include marine areas. The Group agreed to circulate its minutes to this project group.
- 3.15.3. The Group was formally consulted on:
- ♦ JNCC Report 325 (*Natura 2000 in UK Offshore Waters*)
 - ♦ A draft report on approaches to defining boundaries for marine extensions to breeding seabird colonies
 - ♦ A report on boundary determination for a marine SPA for non-breeding common scoter in Carmarthen Bay
 - ♦ Draft guidance on defining boundaries for marine SPAs, relating to seaward extensions of existing coastal breeding colony SPAs.
- 3.15.4. The general approaches taken by JNCC to the statistical analysis of these marine data, both from aerial and boat-based surveys, were endorsed by the Group. The recommendations of the draft report on approaches to defining boundaries for marine extensions to breeding seabird colonies were endorsed, but it was agreed that further work

on species not covered in the report should be a high priority, especially for Manx shearwater. The use of the 95% cumulative density threshold as one tool for identifying areas to include in non-breeding waterbird SPAs was endorsed, but a suitable approach to placement of boundaries to include satellites of high density was not concluded. Assessment of additional areas was agreed as essential to clarify an appropriate method. Some of the consultations were still open at the end of the period of this report.

3.15.5. The Group agreed that consideration of the scientific needs for developing marine SPAs is a high priority area of work, especially given immediate development pressures in the marine environment. It agreed to request clarification on the timetable for developing selection guidelines, UK site lists and progressing classifications from the *Marine Natura 2000 Project Group* to assist in its own work planning. Concern was expressed over the sufficiency of resources made available for completing the scientific work required to underpin the identification of marine SPAs. In addition, longer term monitoring would require adequate resources and it was suggested that monitoring of birds in the marine environment be better integrated into the existing framework of bird monitoring in the UK.

3.15.6. ***The SPA SWG, aware of current development issues in the marine environment, advises that the Natura 2000 Steering Group*** treats the scientific research and assessments required to identify marine SPAs as of high priority.

3.15.7. ***The SPA SWG seeks clarification from the Marine Natura 2000 Project Group*** of the timetable for development of marine SPA selection guidelines, UK site lists and the initiation of the classification process for marine SPAs so that its contribution, via assessment of the science underpinning this process, can be planned accordingly.

3.16. *Other areas of work deferred for later consideration*

3.16.1. The Group agreed to defer the following considerations until 2003 or beyond:

- ◆ Areas/sites with declining/disappeared species
- ◆ Composite sites
- ◆ Re-established raptors
- ◆ Sites no longer qualifying
- ◆ Site provision for species to be surveyed 2002-2004
- ◆ Site provision for species to be surveyed 2005-2008

APPENDIX 1**MEMBER ORGANISATIONS OF THE SPA SCIENTIFIC WORKING GROUP**

Department for Environment, Food and Rural Affairs
Environment and Heritage Service, Department for the Environment (Northern Ireland)
National Assembly for Wales Environment Division
Scottish Executive Environment and Rural Affairs Department
Joint Nature Conservation Committee
English Nature
Countryside Council for Wales
Scottish Natural Heritage
Royal Society for the Protection of Birds
The Wildfowl & Wetlands Trust
Wildlife & Countryside Link
Scottish Environment Link
National Farmers Union [also acting on behalf of Undeb Amaethwyr Cymru/Farmer's Union of Wales, and National Farmers Union Scotland]
ABP Research & Consultancy Ltd.
Water UK
Country Land & Business Association [also acting on behalf of Country Land & Business Association in Wales]
National Federation of Fishermen's Organisations

APPENDIX 2

UK SPA Scientific Working Group

Terms of Reference

Aims

The SPA Scientific Working Group is a consultative group established by Department for Environment, Food and Rural Affairs to assist government administrations and the statutory conservation agencies in taking forward the further development of the SPA network within the UK, in particular looking forward to the coherent management of the network and monitoring of sites.

The Group will consider UK-scale scientific and technical issues regarding the SPA network in the terrestrial and marine environment. In particular, it will consider a range of issues raised in the context of the 2001 SPA review, *inter alia*:

- issues in respect of those species where the 2001 SPA review has indicated that there may be future cases for additional SPA provision, in particular, in the light of new national surveys, analyses, and conservation needs;
- consider those issues which the 2001 SPA review indicated as outstanding;
- the development of understanding of broader European contexts as relevant to informing the evolution of the SPA network within the UK;
- the implications of revisions of estimates of the sizes of bird populations, both nationally and internationally;
- the development of understanding of data needs for SPA classification and management, and the further development of systems and processes to ensure the timely delivery of such information; and
- the application of processes to monitor the SPAs individually and collectively.

There is a significant range of potential issues to be addressed by the UK SPA Scientific Working Group. The attached Annex seeks to outline the principal activities and orders these into short, medium and long-term priorities. An initial task for the Group will be to develop a more detailed work programme, with key 'milestones', based on this Annex.

The activities of the Working Group in assisting government to meet the scientific and technical requirements of the Birds Directive will be complemented by discussions taking place within each of the countries. It will work closely with the UK Natura 2000 Steering Group. A UK Natura 2000 Liaison Group will provide an opportunity for stakeholders to consider broader issues regarding the development and management of the Natura 2000 network.

Composition

The Group will be representative of the Government departments/devolved administrations and their statutory agencies across the UK, Joint Nature Conservation Committee (JNCC), and representation from the voluntary conservation sector as well as other stakeholder groups. The Group will thus comprise representatives of: Department of the Environment, Food and Rural Affairs; Scottish Executive; National Assembly of Wales; English Nature; Scottish Natural Heritage; Countryside Council for Wales; Environment and Heritage Service; JNCC; and a representative selection of voluntary conservation agencies plus other stakeholder groups, such as those representing land-owning, land management, water industry, marine and business sectors, with the necessary scientific expertise.

On occasion, representatives from other organisations may be asked to attend where there is the need for information of a specific nature to be discussed by the Group.

Method of operation

It is anticipated that the Group will hold about three meetings per year, with actions between these periods being taken forward by electronic communications.

Chair and Secretariat

The Chair will be appointed by government prior to the first meeting. The Secretariat will be provided by JNCC who will convene and support the Group.

Sub-groups

It may, from time-to-time, be desirable to establish smaller sub-groups to resolve certain issues. These will be time-limited and will focus on concluding specific tasks on behalf of the Working Group as a whole.

Reporting

The Scientific Working Group will provide regular updates of its activity to the UK Natura 2000 Steering Group.

Issues for attention

The Scientific Group will develop a work programme with priority given to the following issues:

1. Appraisal of any further sites/boundaries/species which may qualify on the basis of high quality data from the 1992/97 data window of the 2001 network review.
2. Development of a strategic approach to further work to resolve issues outstanding from the 2001 Review.
3. Appraisal of further sites based on substantial high quality datasets collected during 1997-2000, and later 2001-2004.

4. Development of a strategic approach to the collection and interpretation of new data, information on population sizes, and site monitoring.
5. 'Sweep-up' review of outstanding network needs commencing with data window concluding 2005/6 (*i.e.* review starting in autumn 2006) informed by outcomes of monitoring processes.

Framework for future update of UK SPA network

	Bilateral contact at country level	UK SPA Scientific Working Group	UK Natura 2000 NGO Liaison Group	UK Natura 2000 Steering Group	
Forum and process	Lead organisation	<i>Country agencies</i>	<i>JNCC</i>	<i>DEFRA</i>	
	Geographic scope	<i>Country</i>	<i>UK</i>	<i>UK</i>	
	Objective	Detailed consideration of site-related issues within countries.	Consideration of UK-scale scientific issues related to the SPA network (note not policy issues).	Government to disseminate key messages regarding the future development of the <i>Natura 2000</i> network in the UK, and Liaison Group to be a sounding board for relevant advice and opinion. Includes broad range of non-conservation stakeholders and sectors	Government to consider and decide upon policy and management issues, including those raised that the Scientific Working Group
Agenda	Issues for resolution and timescale				
	Immediate (by end 2001) <i>Issues for attention = 1</i>	<ul style="list-style-type: none"> Consideration of additional SPA provision for Capercaillie (any data up to 2001) 	<ul style="list-style-type: none"> Establishment of SPA Scientific Working Group and determination of timetabled workplan based on items listed below: Confirmation of issues outstanding from the 2001 SPA Review 		
	Short-term (by end of March 2003) <i>Issues for attention = 1 and 2</i> <i>Commence 3</i>	<ul style="list-style-type: none"> Consideration of SPA provision for wintering Smew Possible cases for boundary extensions Initiate discussion on sharing knowledge of site management regimes for SPAs 	<ul style="list-style-type: none"> Consideration of SPA provision for species where major new national surveys or existing data are already available since SPA review data window (ie 1997-2000: eg Spotted Crake, Ring Ouzel, Twite?) Consider broad implications of new population estimates nationally (Avian Population Estimates Panel 2 in early 2002) and internationally (waders in 2002) Planning of national survey timetables to align with SPA reporting timetable 	<ul style="list-style-type: none"> The context of UK network of Natura 2000 sites and its contribution to conserving UK wildlife and habitats in relation to obligations under the Birds and Habitats Directives Sustainable development in relation to SPAs and the wider countryside The SAC network 	<ul style="list-style-type: none"> Consider the views of the scientific working group and offer it and the Liaison Group opinions and reactions.

	Bilateral contact at country level	UK SPA Scientific Working Group	UK Natura 2000 NGO Liaison Group	UK Natura 2000 Steering Group
<p>A g e n d a</p>		<ul style="list-style-type: none"> ● Review specific cases of site/species rejection at Stage 2 ● Review specific “sites no longer qualifying” ● Develop shared understanding of use of data in site selection processes, and advise on new or supplementary data collection, and data collection standards ● Commence processes to monitor site series and its performance in national and site contexts (including alerts processes, and to guide management) ● Issues surrounding treatment of sites for waterbirds on passage and on rocky shores ● Look at policies in other EU Member States regarding the scientific basis for incorporation of cropped habitats within SPAs 		

	Bilateral contact at country level	UK SPA Scientific Working Group	UK Natura 2000 NGO Liaison Group	UK Natura 2000 Steering Group
<p>Medium-term (2003/4 to end March 2005)</p> <p>Issues for attention = conclude 1, continue 3 commence 4 and 5</p>	<ul style="list-style-type: none"> ● Consideration of additional SPA provision under Stage 1.4 where additional high-quality data are currently available ● Site specific management issues 	<ul style="list-style-type: none"> ● Consideration of SPA provision for species where major new national surveys have become available since SPA review data window (2001-2004: eg Chough, Red Kite, Golden Eagle, Peregrine, Nightjar, Merlin). Consideration of implications of Seabird 2000 results for seabird colonies. Overall priorities to be discussed and agreed. ● Continue to consider, if necessary, issues regarding incorporation of cropped habitats within SPAs ● Monitoring and reporting protocols for the UK SPA network including consideration of Common Standards Monitoring and WeBS Alerts scheme ● Generic Site management issues at UK level ● Develop site selection approach for rare Annex I non-breeding birds ● Consideration of data issues surrounding possible SPA provision for wintering gulls and wintering raptors (especially on coasts) ● Possible SPA provision for re-establishing raptors (Red Kite & Sea Eagle) ● Review needs for longer term research requirements to determine movements of birds between component parts of composite sites 	<p>Continued discussion of issues listed above and any other topical issues arising from the issues of the day</p>	<p>Consideration of respective roles of site-based as contrasted with wider-countryside measures for conserving UK wildlife and habitats in relation to obligations under the Birds Directives</p>

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	Bilateral contact at country level	UK SPA Scientific Working Group	UK Natura 2000 NGO Liaison Group	UK Natura 2000 Steering Group
<p>Long-term (2005/6 to end March 2008)</p> <p>Issues for attention = conclude 3, 4 and 5</p>		<ul style="list-style-type: none"> ● Consideration of SPA provision for relevant species as major new national surveys become available ● ‘Sweep-up’ review of outstanding network needs commencing with data window concluding 2005/6 (<i>i.e.</i> review starting in autumn 2006) informed by outcomes of monitoring processes 	Ditto	Ditto

APPENDIX 3

List of briefing papers presented to the SPA Scientific Working Group during 2001-2002

Note: Many of these papers are available from the JNCC website. However, some of the papers presented to the Group were confidential in nature and so will not be published (they are denoted by an asterisk). In addition, some papers were preliminary briefings and most of these will not be published (these are noted).

November 2001

Outstanding Issues Identified by RSPB

January 2002

Avian Population Estimates Panel (APEP)

National and international waterbird population estimates

The Statutory Conservation Agency/RSPB Annual Breeding Bird Scheme (SCARABBS)

Rare Breeding Birds Panel

Developing the Wetland Bird Survey

Possible SPAs for Ring Ouzels? (Preliminary briefing)

Common Standards Monitoring

March 2002

The public release of bird data

The Issue of Inclusion of Cropped Habitats in "Most Suitable Territories"

Additional SPAs for Chough

Review of SPA suite for Spotted Crakes

Twite *Carduelis flavirostris* in the UK: consideration of treatment under Article 4 of the Birds Directive

Review of national datasets available since the finalisation of the SPA review (Preliminary briefing)

May 2002

Selection of sites for wintering waterbirds: 'minimum of 50' rule

Passage waders: progress report

Winter Gull Roosts in the UK - update

SPAs for Ring Ouzels

September 2002

Seabird use of waters adjacent to colonies: Implications for seaward extensions to existing breeding seabird colony Special Protection Areas. 2003. McSorley, C.A., Dean, B.J., Webb A. & Reid J.B.

JNCC Report No. 329, Peterborough. (Presented as a draft)

The inclusion of cropped habitats in SPAs designated for non-breeding swans and geese: a preliminary analysis of the approach taken by EU Member States (Preliminary briefing)

Cropped Habitats Information Project (CHIP)

A Framework for Developing 'Guidelines for Promoting Bird Surveys' (Preliminary briefing)

Winter Gull Roost Survey 2003/04 (Preliminary briefing)

Site management issues (Preliminary briefing)

*Additional SPAs for non-breeding chough

APPENDIX 4**Glossary**

APEP	Avian Population Estimates Panel; a small group of representatives from organisations that have a role in producing national bird population estimates. JNCC provides the chair. The aim of the Panel is to publish a revision of national population estimates every three years. In 2002, the Joint Committee adopted the APEP publication as the sole source of national population estimates for statutory use – this will come into effect from the next publication (expected in 2003).
CHIP	Cropped Habitats Information Project; a JNCC project to collate information on the use of cropped habitats by a range of birds. CHIP will inform consideration by the SPA SWG of the need for designation of cropped habitats as SPAs.
Common Standards Monitoring	CSM; The process by which the statutory conservation agencies will monitor designated features on statutory sites to assess their condition, and by which JNCC will report to Government on the state of the designated sites networks at the UK level.
Marine Natura 2000 Project Group	A statutory group, made up of government and conservation agency representatives, responsible for development of Natura 2000 in the marine environment and accountable to the Natura 2000 Steering Group. The group is chaired by an independent member of the Joint Committee and JNCC provides the Secretariat. The chair of the SPA SWG is a co-opted member.
'Minimum of 50' rule	A rule used to assess the suitability of sites for designation for common non-breeding waterbirds that occur in the UK in very small numbers and for which the UK can therefore contribute little to overall population conservation. For these species, only sites regularly supporting 50 or more individuals would be considered for designation.
RBBP	Rare Breeding Birds Panel; made up of representatives of JNCC, RSPB, BTO, and the Association of County Report Editors (ACRE), together with two independent members and a Secretary. The Panel's prime function is to act as a secure depository of sensitive information on the breeding of rare birds in Britain. [www.indaal.demon.co.uk/rbbp.html]
SCARABBS	Statutory Conservation Agency/RSPB Annual Breeding Bird Scheme; an agreement made in 1998 with the aim of providing a framework for a collaborative programme of regular national surveys of bird species that are not effectively covered by other national monitoring schemes. Some species are monitored annually, while others are monitored less frequently - principally every ten years.
SPA Review	The working name of the published results of the review of the SPA network; <i>The UK SPA network: its scope and content. JNCC 2001</i> (cited as Stroud <i>et al.</i> 2001). [www.jncc.gov.uk/UKSPA/default.htm]
SPA selection guidelines	Guidelines developed and adopted by UK Government and the statutory conservation agencies for the selection of SPAs in the UK (published by JNCC in 1999; available from JNCC or at www.jncc.gov.uk/idt/default.htm)
Stage 1/Stage 2	Refers to the two stages of the UK SPA selection guidelines.
UK Natura 2000 NGO Liaison Group	A large group, with representatives from a wide range of stakeholders, established by Defra in 2002 to act as a consultative group on policy issues related to Natura 2000.

UK Natura 2000 Steering Group	A statutory group, made up of government and conservation agency representatives, responsible for development of Natura 2000. Chaired by Defra.
Waterbird Population Estimates (WPE)	A publication of Wetlands International; WPE presents international population estimates for non-breeding waterbirds throughout the world. This is the standard reference for the Ramsar Convention and for statutory use in the UK. The most recent revision is WPE3, published in 2002 and adopted for UK statutory use from January 2003.
WeBS	Wetland Bird Survey; a joint scheme of the BTO, WWT, RSPB and JNCC to monitor non-breeding waterbirds in the UK. The principal aims of the scheme are to identify population sizes, determine trends in numbers and distribution, and to identify important sites for waterbirds.
WeBS Alerts	A method of assessing changes in national, country, regional and site populations of non-breeding waterbirds over the short, medium and long term, drawing on WeBS data. The alerting system shows when these changes exceed certain thresholds and when evaluated in the context of wider changes will help inform conservation needs.
Wetlands International	A leading global non-profit organisation dedicated solely to the crucial work of wetland conservation and sustainable management. The organisation's mission is to sustain and restore wetlands, their resources and biodiversity for future generations through research, information exchange and conservation activities, worldwide. Well-established networks of experts and close partnerships with key organisations provide Wetlands International with the essential tools for catalysing conservation activities worldwide. [www.wetlands.org]