

UK SPAR SCIENTIFIC WORKING GROUP

MEETING 2009/2

20th October 2009

10.30 - 15.30 EcoInnovation Centre, Peterborough

Approved minutes

Attendees:

Ian Bainbridge – Chair (SNH)	Melanie Kershaw (Defra)**
Ed Mountford – Secretary (JNCC)	Miranda Davis (Northumbrian Water Ltd)
Ant Maddock (JNCC)	Nigel Buxton (SNH)
Ben Fraser (NE)	Phil Alcock (Scottish Government)
David Stroud (JNCC)	Richard Hearn (WWT)
Jeremy Wilson (Scottish Environment Link)	Sally Thomas (Scottish Government)
Jim Reid (JNCC)*	Simon Hopkinson (Defra)
Kate Jennings (RSPB)	

* *afternoon session only*; ** *mid-morning session only, via telephone*

Apologies:

Andrea Graham (NFU)	John Clorley (Defra)
Andy Tully (Defra)	Peter Clement (NE)
Claire Collyer (CLA)	Steven Dora (Scottish Government)
Ian Enlander (NIEA)	Sian Whitehead (CCW)

1. Welcome and apologies

- 1.1. Ian Bainbridge welcomed members to the meeting. Apologies were received (see above) and introductions given.

2. Minutes of meetings

- 2.1. The draft minutes of the 3rd June 2009 SPAR SWG meeting were approved subject to two minor changes, the inclusion of a comment that the planned Terrestrial and Coastal Review may tie into Marine Review work (item 4.13), and a note pointing out that the endorsement of the SPA Terms of Reference was actually achieved by correspondence between Defra and the country administrations given the lack of a timetabled N2KRSC meeting.

Action Point 1 (20/10/09): SECRETARIAT to amend and then publish approved minutes of last meeting on SPAR SWG webpage

- 2.2. Procedures to improve the publication of minutes and action points from meetings were discussed. In future, the Secretariat will aim to send out draft minutes within two-three weeks of meetings with a three week deadline for comments. If the minutes are agreed on by correspondence before the next meeting, they may be put onto the SPAR SWG web page. However, members will have to confirm they agree to this by email and final approval will still take place at the next meeting. In addition, a list of immediate action points for members to respond to will be circulated by the Secretariat within a few days of meetings.

Action Point 2 (20/10/09): SECRETARIAT to circulate a list of immediate action points for members to respond to (within a few days of the meeting)

3. Membership

- 3.1. The Secretariat reported that the Group membership list has been updated and circulated by email. It was agreed that a link to the membership list could be added to the SPAR SWG web page, but only the names of individuals and their organisations should be released.
- 3.2. Consideration was given to the current scope of the membership to see if was fit for purpose. Reference was made to SWG's Terms of Reference, which state that the Group should be representative of the Government departments/devolved administrations and their statutory agencies across the UK, the Joint Nature Conservation Committee (JNCC), the voluntary conservation sector as well as 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 will be asked to attend where there is the need for information of a specific nature to be discussed. The Chair commented that an invitation letter had been sent to various groups a few years ago to seek wider representation. Members remarked on the need to take account of changes due to devolution (e.g. including NFU Scotland), reflect land-use sectors such as forestry, and include the Environment Agency and SEPA. Members were asked to propose additional members via email, preferably with a named contact (deadline = by end of 3rd November).

Action Point 3 (20/10/09): ALL MEMBERS to notify the Secretariat and Chair about additional members to invite onto the SWG, preferably with a named contact (deadline = by end of 3rd November)

4. SPA Review

Update on revisions to Terms of Reference & progress with approval

- 4.1. JNCC (David Stroud) advised that the Terms of Reference for the planned SPA Review had been finalised following discussions at the last meeting and comments received from Members subsequently. David was thanked for his work to complete the ToR. It was confirmed that the list of species in the appendix had been amended (including a number of additions). Scottish Environment Link queried the rationale for inclusion/exclusion of specific species from the list as this is not clear and there appear to be some anomalies: they considered that there is a need for an audit of the reasons for inclusion and exclusion of individual species. The Site Provision Index, which is being developed alongside the Phase 1 contract, may highlight species for which the current SPA suite is inadequate. It was agreed that in the process of Phase 1 of the Review, additional species may be added, for example where new population data comes to light. JNCC confirmed that the Phase 1 contract had been written so that minor adjustments such as this could be negotiated with the contractor. It was also confirmed that the Technical Advisory Group for the Review is the UK SPAR SWG, though for particular tasks sub-groups of members may be created.
- 4.2. Defra had gained approval for the finalised ToR from the Natura 2000 & Ramsar Steering Committee and relevant Ministers. The approved version was circulated to the SWG via email. Gibraltar will also be invited to undertake their own review along the same or similar lines, with assistance from JNCC if necessary.

Formation of Executive Steering Group

- 4.3. Arrangements for the first meeting of the SPA Review Executive Steering Group (which should take place on 20 November) were being made by Andy Tully at Defra. This will include the four country governments and agencies, JNCC and the SWG Chair.

Response to issues raised at last meeting

- 4.4. At the last SWG meeting, issues were raised with regard to the coherency of the SPA network, policy input and the science-policy interface within the SPA Review, and the review timetabling. No decisions had yet been made regarding policy input into the review, but these matters will be addressed at the forthcoming meetings of the Natura 2000 & Ramsar Forum (10 November), SPA Review Executive Steering Group (20 November), and Natura 2000 & Ramsar Forum Steering Committee (8 December).
- 4.5. The Chair confirmed that he had spoken to Defra to express the SWG's desire to see the dates of SWG meetings coordinated with those of the N2K and Ramsar steering Committee. The Chair had also spoken to Defra regarding the relationship between the SWG and Defra's Marine Biodiversity Policy Group. Defra have confirmed that they are happy to receive recommendations from the SWG, and the Chair of the SWG will attend Marine Biodiversity Policy Group meetings in future.
- 4.6. The RSPB re-iterated that their principal concerns were the interface between Phases 1 and 2, the open-ended nature of delivery in Phases 2 and 3 (especially in the context of the failure to fully implement the 2001 SPA Review), and lack of clarity about quality assuring the outcome. SNH remarked that the procedures and supporting information required to classify SPAs are demanding and that some delays were inevitable in implementing any recommendations made by the Review. The RSPB acknowledged that different sites might need to be progressed on different timescales (for example based on data availability and requirements), but reiterated that, in their view, a timetable (which could reflect this) was none-the-less required.

Site Provision Index

- 4.7. JNCC (David Stroud) gave an update on planned work to complete the Site Provision Index, which has been previously discussed by the SWG. The work will be completed by David Stroud and RSPB. In the next month or so the SWG should receive papers to comment on. The aim is to get the first draft of the final paper ready for circulation in December. Although the fine detail of the existing method may be adjusted, no fundamental changes are expected since considerable work has already been undertaken. To get an independent view of the SPI outputs, a questionnaire will be circulated to a range of interested organisations and individuals. This will ask for opinions about what proportion of a species population seems appropriate to include in the SPA network, using a representative selection of around 20 species. In addition, a literature review will be undertaken which will include examination of alternative approaches. It was agreed that a key issue that will need to be addressed is how the SPI is to be used as a decision-making tool. The Chair welcomed the planned work as a means to further develop this SPA decision support tool. The outcomes will be revisited at a future meeting of the group.

Contract work supporting Phase 1¹

- 4.8. Defra (Melanie Kershaw) and JNCC (Ant Maddock) gave an update on developments with the contracted out work to support Phase 1 of the Review. The project outline and a detailed specification had been drawn-up by JNCC and Defra based on the SPA Review ToR. Out of 14 Expressions of Interest received in the work, four had been sent the full specification with an invitation to tender by 20 November.
- 4.9. Production of the specification had proved to be a difficult task and only included those elements that seemed suitable for a contractor to complete. JNCC confirmed that the contractors had been asked to focus on data gathering. Providing advice on what to do with the information that is assembled will be an important role for the (SWG) Technical Advisory Group.
- 4.10. The contractor will liaise closely with a Project Steering Group, with Ed Mountford at JNCC providing the point of contact (the contact has since changed to Ant Maddock). The contract is still expected to take two years to complete. An outline of the contract was presented, including its objectives, outputs, management, timing, tasks for the Project Steering Group and (SWG) Technical Advisory Group, and points for consideration.
- 4.11. The RSPB asked if the project specification could be circulated. They were concerned that the SWG had not seen or been asked to input this. RSPB acknowledged that the specification could not now be amended, but suggested that comments from the group should be used to inform discussions with the successful contractors. This was agreed, subject to internal approval within Defra.

Action Point 4 (20/10/09): SECRETARIAT to circulate the Defra SPA Review project specification (subject to approval from Defra)

- 4.12. SNH were unclear what the contractors had been sent and confused by some of the content and terminology in the summary paper that had been circulated beforehand, in particular the references to 'phases' and 'sections' and by Table 2. It was explained that in Table 2 the top row referred to the five sections outlined in the appendix to the paper, whilst the left column included items for the Project Steering Group and/or (SWG) Technical Advisory Group to assist with. Members asked for clarification on the roles and tasks that the Project Steering Group and (SWG) Technical Advisory Group are expected to perform within Phase 1 of the SPA Review. A GANTT project schedule, showing the work elements, linkages and timings, was also requested.

Action Point 5 (20/10/09): JNCC to clarify what roles and tasks the Project Steering Group and (SWG) Technical Advisory Group will perform within Phase 1 of the SPA Review; and to also produce a GANTT project schedule for Phase 1 for discussion at the next SWG meeting

- 4.13. NE and SNH raised concerns about how 'sites' would be identified when the contract work was undertaken to generate 'site-level' population counts. It was explained that the contractor will collate count data at the lowest scale at which it was collected, so any subsequent allocation to 'sites' will be dependent on the way in which it was initially aggregated and attributed to particular geographical areas. At a later stage this count data would be assembled into whatever geographical units the Project Steering Group advised, based on the advice of the (SWG) Technical Advisory Group. A facility to disaggregate any 'site' counts to the lowest level at which they were collected is to be included.

¹ the WWT SWG member left the meeting for this item as WWT Consulting were one of the organisations invited to tender for the contract

- 4.14. NE asked if the work on national population estimates would result in an update of numbers via the Avian Population Estimates Panel (APEP) and if non-published data sources would be used for this work. It was explained that it is intended that the data assembled would be used to update the APEP estimates and will be based only on published peer-reviewed sources, as is current practice. The intention is to consider publication of an APEP 3 paper on the basis of this work.
- 4.15. SNH asked who would be assessing the tenders received. It was explained that this would be done by a Defra-led Tender Evaluation Panel using set criteria. It was agreed that, in addition to four nominated staff from Defra and JNCC, the SWG Chair would be included on this Panel. It was confirmed that the (SWG) Technical Advisory Group would be involved in the design of the project work and provide necessary guidance. The project will start with an inception meeting between the contractor and Project Steering Group, where a timetable will be presented and other details ironed out with the input of the (SWG) Technical Advisory Group.
- 4.16. The Chair enquired about the composition of the Project Steering Group. In addition to staff from Defra and JNCC, it was agreed that the SWG Chair should be included, in addition to others where particular expertise are required. It was agreed that the Project Steering Group would meet two or three weeks prior to (SWG) Technical Advisory Group meetings (but see paragraph 5.2), so that it can report on progress and highlight issues for discussion.
- 4.17. The RSPB enquired how the implications of relevant ECJ rulings would be considered. It was explained that consideration of the Irish ECJ ruling (Case C418/04) forms part of the work in the contract specification. The policy implications of other ECJ rulings will be for the SPA Review Executive Steering Group to address.

SPA web-information

- 4.18. Phase 1 of the SPA Review ToR includes completing an audit and updating documentation (related to both sites and species) summarising the extent of SPA suites for those species where modifications to species' suites have occurred since the publication of the 2001 Review. In response, JNCC presented proposals to improve SPA web-information. The outputs from this work will be up-to-date information presented in two ways: (i) web pages for each SPA suite, which will include a UK map of sites and a table of classified and formally proposed SPAs (i.e. including those listed in the 2001 Review, but not yet classified); and (ii) web pages for each SPA, which will include a map showing the SPA location and a table listing species for which the SPA qualifies (including those listed in the 2001 Review, but not yet classified). This exercise will provide an opportunity to undertake a stock-take of progress with delivery of the 2001 Review, i.e. the implications of additional site classifications and the inclusion of additional qualifying species since 2001. It will be important to differentiate between those sites and features which have, and those which have not yet been classified, and rules will need to be established about how uncertainties (e.g. conflicts between features cited on data forms and citations for individual sites) will be handled. The aim is to complete this work by March 2010.
- 4.19. The Group approved this proposal, including undertaking a stock-take of progress with delivery of the 2001 Review. Mention was made of a few amendments to the wording of the paper circulated beforehand. Members agreed to identify these and a revised version of the paper that takes accounts of comments received is given in Appendix 1.

Action Point 6 (20/10/09): JNCC to implement the proposed improvements to SPA web-information

Action Point 7 (20/10/09): ALL MEMBERS to notify the Secretariat of amendments to the paper on ‘Proposed improvements to SPA web-information’ (deadline = by end of 3rd November); Secretariat to then published this paper on the SPAR SWG web page

- 4.20. NE enquired about the way in which JNCC responded to enquiries about SPA web information and specifically the status qualifying species on individual SPAs. JNCC indicated that the continued lack of implementation of the 2001 SPA Review continued to give problems. There were frequent queries from consultants and others about the ‘correct’ list of qualifying species to use at sites. The current response – which has been previously agreed with the statutory country nature conservation agencies – is that for sites where citations have still to be updated as a consequence of the 2001 Review, the list of ‘qualifying’ species given comprises *all* those qualifying on the existing SPA citation together with *any additional species* identified in the 2001 Review, noting, however, that this might contain species on the current citation that would eventually be dropped, and species in the 2001 Review which had yet to be included in the citation.
- 4.21. The Group agreed that it would be helpful – as a stop-gap until the 2001 Review was fully implemented by the country agencies – if this advice was made available via the relevant SPA web pages. JNCC undertook to circulate a form of words and to post these on the relevant SPA pages once these had been agreed.

Action Point 8 (20/10/09): JNCC to circulate an explanatory note about how JNCC deals with enquiries about the status of ‘qualifying’ species on individual SPAs

5. SPAR SWG work programme

- 5.1. JNCC (Ant Maddock) introduced a paper that had been circulated beforehand concerning the SWG work programme.
- 5.2. The Chair commented on the importance of the SPA Review and the role of SWG as the Technical Advisory Group for this process. It may become necessary to increase meetings to every three months to accommodate this. The contractor undertaking the work to support Phase 1 of the SPA Review should attend the next SWG meeting. Items that were flagged-up for inclusion in the work programme included: updating on marine SPA work (e.g. European Seabirds at Sea report, maintenance extensions and tern work); Defra SPA & Climate Change project (CHAINSPAN) (updates on this project will become a regular agenda item as necessary at future meetings); Short-eared Owl methodology report (suggested item for next SWG meeting); terrestrial eider work; consideration of ‘new’ species population survey data (e.g. SCARAABS); international developments (e.g. Ramsar); EU Birds Directive conservation status assessment; monitoring of SPAs; and impact of renewable energy developments (see section 7.2). The various strands of work could be brigaded into three main work areas: the first dealing with the SPA Review; the second with on-going ‘normal’ SWG business; and the last with international matters, including aspects of marine work.
- 5.3. The Chair requested that Members should flag-up potential issues to add to the work programme via email following the meeting. The Secretariat would contact CCW and NIEA as they had not been able to attend the meeting.

Action Point 9 (20/10/09): ALL MEMBERS to notify the Secretariat of potential issues to include in the SWG work programme (deadline = by end of 23rd October)

6. Update on Marine SPA work

- 6.1. JNCC (Jim Reid) updated the Group on progress with Marine SPA work. In relation to Strand 1 (maintenance extensions to breeding colonies), some 31 SPAs in Scotland are being extended into the marine environment. In relation to Strand 2 (inshore aggregations), various inshore site analyses are underway, including an end-of-year report on ten sites and potential boundaries for these. Liverpool Bay and the Outer Thames are currently subject to informal dialogue with stakeholders, and a report on the Wash has been completed and suggests that this site does not qualify. Inshore survey work is now being scaled down as much has been completed. In relation to Strand 3 (offshore aggregations), major progress has been made, with the analysis of the European Seabirds at Sea database and production of an accompanying draft report² that has been circulated for peer review. Individuals were thanked for their peer-review input. The report has identified several important candidate areas for consideration. The ESAS work is to be presented to the Chief Scientists Group in December 2009 and the JNCC Committee in March 2010. Mention was made of progress with work on Red-throated Divers, Balearic Shearwaters, Shags and Terns. In relation to 'other' (Strand 4) work, mention was made of progress with work on Red-throated Divers, Balearic Shearwaters, Shags and Terns.
- 6.2. The Group encouraged the publication of methodological and other work related to marine SPAs, recognising its value, variety and ground-breaking nature in the identification of marine protected areas for birds. A consolidated publication of the work, perhaps through a conference and/or book publication, would be especially valuable to support site designation both in the UK and other countries, particularly whilst the work is contemporary. It was agreed that the SWG Annual Report should include a formal recommendation to this effect to the Natura 2000 & Ramsar Steering Committee.
- 6.3. The RSPB stated their concern at the lack of coordinated survey and monitoring programme for birds at sea in relation to a number of key issues including the identification, management and monitoring of SPAs and other marine protected areas, and the deployment of renewables. The RSPB has repeatedly called for a workshop for relevant specialists as a way to start to address this, and a conference such as that suggested might provide the perfect opportunity for this.

7. Outstanding actions from last meeting/other matters

- 7.1. The action points from the last SWG meeting were checked. Virtually all had been undertaken and many were taken forward during the meeting. To complete Action Point 13 it was agreed that the 2007 CHIP paper³ presented previously to the Natura 2000 & Ramsar Steering Committee should be re-circulated.

Action Point 10 (20/10/09): SECRETARIAT to circulate 2007 CHIP paper presented previously to the Natura 2000 & Ramsar Steering Committee

² Kerstin Kober, Andy Webb, Ilka Win, Mark Lewis, Sue O'Brien, Linda J. Wilson and James B. Reid (2009) *An analysis of the numbers and distribution of seabirds within the British Fishery Limit aimed at identifying areas that qualify as possible marine SPAs*. JNCC Report No. 431. Joint Nature Conservation Committee, Peterborough.

³ Baker, H. and Stroud, D.A. (2006) *An assessment of the use of cropped habitats by birds represented in the UK Special Protection Area network*. Unpublished Report. Joint Nature Conservation Committee, Peterborough.

- 7.2. The Scottish Government reported on a partnership project that will look at the impact of Renewable Energy Developments in the Pentland Firth, specifically on the important seabird populations within the area. The partners in the project include JNCC, SNH and Crown Estate, and although at preliminary stages in establishing Terms of Reference, it is expected to report in 2-3 years time. It was suggested that renewable energy development could be considered as a general theme for the SWG work programme to consider in future.

8. Dates and venues for future meetings

- 8.1. The next meeting is intended to take place at Slimbridge, hosted by WWT, in the 2nd half of January 2010. The following meeting is planned for Edinburgh, hosted by Scottish Government, in the 2nd half of May 2010.

Action Point 11 (20/10/09): SECRETARIAT to make arrangements for forth-coming SWG meetings

UK SPAR SCIENTIFIC WORKING GROUP

MEETING 2009/2

List of Action Points

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Appendix 1 – Proposed improvements to SPA web-information

Revised information paper for the UK SPAR SWG, prepared by Dave Chambers & Ed Mountford (JNCC), December 2009

Background

The species accounts for the SPA Review from 2001, as presented in the published book and the [JNCC website](#), are now out of date. For example, for Capercallie there are now several sites not mentioned in the 2001 review that have now been classified for this species. These additional sites can be derived from the JNCC website, but only by downloading a [spreadsheet](#) and querying it. This is difficult for many users and rather obscurely presented. In addition to a need for a clearer presentation of updated species data, there are also site accounts from the 2001 Review that are out of date, as new species have been added that were not in the Review.

Recognising this situation, Phase 1 of the current SPA Review includes completing an audit and updating of documentation (related to both sites and species) summarising the extent of SPA suites for those species where modifications to species' suites have occurred since the publication of the 2001 Review. This information will be made more accessible via the JNCC SPA web pages, with new summary web pages that take into account all classifications/site amendments submitted to the EU during 2001 to 2009. Links will be added so that this information can be accessed from various parts of the web area. The presentation of the 2001 Review species/site information will nevertheless be retained as an historical record, and no attempt will be made to update the text or status figures in the 2001 Review species and site accounts.

The plan

The outputs from the proposed work will be:

1. Web pages available for each SPA suite, which will include a UK map of sites and a table of classified and formally proposed SPAs (as per the 2001 Review). The table will be in a format similar to table **6.1a.1** in the 2001 Review species accounts and will highlight sites where the 2001 SPA Review proposals have yet to be implemented. There will have to be clear rules for presenting data where the SPA review count is different to the classified site account (i.e. the figures on the Natura data form) or where the percentages figures for classified site counts do not use the 2001 Review biogeographic/GB/all Ireland count figures.

[NB: the text in the species accounts (i.e. the text and numbers in sections 1 to 6) will not be altered]

2. Web pages for each SPA, which will include a map showing the SPA location and a table listing species for which the SPA qualifies, including population size and percent of relevant biogeographic/GB/all Ireland figures.

Links to the above information will be added to the 2001 SPA review website content, and a menu page for users to select from a list of sites or species.

If this task proves too difficult or confusing to deliver the fall back option is to generate species and site pages just for the classified information i.e. not try to interweave the data from the 2001 SPA review. The interweaving should only be done if the presentation is clear to users. At the moment many users are very confused about the difference between information from the 2001 Review and the information as classified and presented in the Natura 2000 forms. About 80 already classified sites have information in the SPA Review that has not yet been subject to stakeholder consultation and formal submission to the EU via the Natura data forms (many of these relate to stage 1.3 qualifiers i.e. nationally important species that are components of an important seabird/waterfowl assemblage).

Timetable

The target deadline for the proposed work is end of March 2010.

Advantages of the proposed approach

All of the information required to reflect new classifications since the 2001 Review are available from the JNCC International Designations Database. This information sits alongside the data presented in the 2001 Review and can be built into the same reporting outputs.

The proposed solution fits well with other work planned by Data Services in JNCC. This intends to update the technical delivery method for SAC site/feature data on the JNCC website, and can develop solutions that would partially meet the requirements for SPAs and allow automated building of webpages. This means that it does not make much sense for an external contractor to build the web pages described above.

When new sites are classified, the new web pages can be updated readily because the species and site pages are dynamically generated from a database. This means that when the database is updated, the pages will update automatically.

This exercise will provide an opportunity to undertake a stock-take of progress with the 2001 Review, i.e. the implications of additional site classifications and the inclusion of additional qualifying species since 2001.