

# UK SPA SCIENTIFIC WORKING GROUP

## MEETING 2002/2 13<sup>TH</sup> MARCH 2002

10.00 - 16.00 Northminster House, Peterborough

### Approved Minutes

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#### Present (around table):

Ian Bainbridge (IB) (Chair) – SEERAD  
Helen Baker (HB) (Secretary) - JNCC  
Nigel Buxton (NB) – SNH  
David Stroud (DAS) – JNCC  
Ben Fraser (BF) – EN  
Jeremy Wilson (JW) - Scottish Environment  
Link  
Gwyn Williams (GW) – RSPB

Andrew Clark (AC) - NFU  
James Robinson (JR) – WWT  
Don Morrissey (DMo) – ABP Research  
David Mallon (DMa) - SEERAD  
Chris Spray (CS) - Water UK

#### By video-link (until 13.35):

Sian Whitehead (SW) - CCW

#### Apologies:

Dave Burges (WWF - on behalf of Wildlife & Countryside Link), Peter Clement (EN), Nicola Donlon (NAfW), Jill Thomas (NAfW), Ian Enlander (DOENI), Liam Mathers (SEERAD), Tanya Olmeda-Hodge (Country Land & Business Association), Sue Evans (CLA), Colin Hedley (CLA), Trevor Salmon (DEFRA), David Smallshire (DEFRA), Geoff Audcent (DEFRA).

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### 1. Introductions and apologies

- 1.1. The chair welcomed new representatives.
- 1.2. Apologies were received as listed above.

### 2. Minutes of last meeting (17<sup>th</sup> January 2002, 2002/1)

- 2.1. The Group approved the minutes of the last meeting without amendment.

### General items

### 3. Species risk assessment in relation to release of data (briefing paper from RSPB)

- 3.1. GW summarised the background to the issue, highlighting two particular concerns: cessation of the supply of data from volunteers due to perceived increase in risk from release of location specific data, and problems over access permission due to perceived potential use of data (e.g. for designations).
- 3.2. The Group agreed that data have to exist, be robust and verifiable by those using it for statutory purposes. The issue relates to when data need to be made public, to whom and in what form (what level of detail). There is a balance between the rights of owner/occupiers to receive detailed data relating to their land holding (during consultation over site designation and also to aid them in making appropriate management decisions) and the risk to vulnerable species of making such data public. It is also critical to build confidence of land managers in order to achieve conservation objectives. The Environmental Information Regulations (1992) allow for the withholding of data if they are confidential (as defined in the Regulations). Confidentiality can relate to data ownership and to damage to the

environment. Data are often not owned by the statutory organisation using them. There are a few cases where data have not been released by agencies or NGOs due to sensitivity of species: in designating sites for Lady's Slipper Orchid, for species in Thames Basin Heaths and Breckland. SNH has received legal opinion on withholding of data in relation to sites for birds of prey. The Group agreed that it would be useful to collate information on all cases. The level of detail of data requests can be variable from whole national data sets to the exact locations of individual nests. The Group agreed that there might be situations where it was inappropriate to make whole national data sets publicly available, but that summary information should always be made available. However, there is a need to gain general acceptance of national surveys through better release of information.

- 3.3. It was recognised that access for survey work is an important issue. Permission for access must always be sought and those collecting data must be open about the potential uses of the data collected. There is also a need to improve feedback to owner/occupiers on the outcome of surveys. In some cases, data on certain species may be gathered during survey for others and these data may be used for statutory purposes. Hence, a generally open policy about potential uses must be adopted. However, access may be denied if there is any chance that data are likely to be used for site designation, even if the original survey was not intended for this purpose. The Agencies have the statutory right to enter land to survey, giving notice to the owner/occupier, but this is a power that would be used only as a last resort. Past experience, e.g. the 1998 national hen harrier survey, has shown that well planned and timely PR can be successful in gaining full co-operation from land owners. In some cases access will only be granted if those collecting the data agree to keep them 'confidential'. In such cases those that own the data may choose not to make them available to the Agencies for statutory use. The Group agreed that there is a need to build acceptance that bird surveys are a necessary and normal part of land management practice. There are potential benefits not just to those seeking data for conservation purposes but also to land managers; surveys are a positive tool for demonstrating that there is wildlife in the countryside.
- 3.4. Publication of site specific information was recognised as an issue especially in relation to the perceived risk to species and cessation of submission of data by volunteers. Such publication, e.g. in the *IBAs in Europe* (BirdLife International 2000) and *The UK SPA network* (JNCC 2001), may increase the risk of disturbance to vulnerable species at sites that were not previously publicly known. However, some publication cannot be avoided due to legal requirements, e.g. citations for designated sites and casework needs during public inquiries. For effective site designation and subsequent management of a site for a species publication of at least summary data is unavoidable. It was agreed that more information on risk is required, particularly species specific needs for sensitive use of data.
- 3.5. The Group agreed general principles:
  - ◆ The Statutory agencies have to have data to fulfil statutory needs,
  - ◆ Openness over potential uses of data is needed with owner/occupiers when seeking access permission,
  - ◆ Better feedback on survey results to owner/occupiers is needed including openness with data,
  - ◆ There may be special cases where it is necessary to withhold data from owner/occupiers,
  - ◆ In some cases, publication of site specific information may need to be sensitive due to the potential risk of increased disturbance
- 3.6. The briefing paper will be published on the JNCC web site.

**Action Point: Agencies and RSPB to collate summary information on cases where data release has been restricted for vulnerable species to avoid likelihood of increased disturbance, and present these at September meeting.**

**Action Point: IB & HB to develop paper on principles for data release, for September meeting.**

**Action Point: JNCC/RSPB to develop paper on species-specific risks of data release, for September meeting.**

**Action Point: JNCC to co-ordinate production of ‘Guidelines for Promoting Bird Surveys’ – describing all-round best practice for communication between survey organisers, surveyors, land managers and the public when planning, conducting and reporting bird surveys at national and local levels. Drafted by September meeting.**

**Action Point: SPA SWG (Chair) to refer issue of data release to the Natura 2000 NGO Liaison Group, after the September meeting.**

#### **4. Cropped habitats (briefing paper from RSPB)**

- 4.1. GW introduced the briefing and expressed concern over the exclusion of cropped habitats as a policy rather than scientific decision. AC had not received the paper in time and reserved comment on this issue. SEERAD has no policy presumption against inclusion of cropped habitats in SPAs.
- 4.2. The Group agreed that its role was to clarify the scientific rationale for the need to consider the inclusion of cropped habitats inside SPAs for all appropriate species. This should be done at the species level prior to consideration of individual sites. The RSPB briefing introduced an example of a species/habitat matrix that identified generic information on habitat uses, site fidelity and potential approaches to designations. The Group agreed that this was too generic and required more detail for each species – possibly up to one page per species. It was agreed that information for each species should include at least the following ecological considerations at a range of spatial scales (local to biogeographical): adequacy of data, functional needs of species, intra-specific variation, degree of change of specific habitats, potential impact of habitat loss. While an example species information form will be developed by JNCC/RSPB it was agreed that the collation of information for all appropriate species should be done as a commissioned project.
- 4.3. On the basis of its findings the Group will refer the issue to the Natura 2000 NGO Liaison Group.
- 4.4. The briefing will be published on the JNCC website with a title change to reflect ‘cropped habitats’ and a definition of this term.

**Action Point: JNCC/RSPB to develop a cropped habitats species information form for one species at the appropriate level of detail – using Greenland white-fronted goose as the example species. To circulate this prior to the September meeting.**

**Action Point: SWG Members to suggest appropriate species for consideration for cropped habitat assessment. To submit to Secretariat by July 31 2002.**

**Action Point: SWG to discuss cropped habitats species information form and species list at September meeting.**

**Action Point: JNCC to present analysis of the approaches taken by other member states to include cropped habitats in non-breeding goose and swan SPAs at September meeting.**

## Species items

### 5. Chough (3-part briefing paper from CCW/SNH/RSPB)

5.1. NB introduced chough issues for Scotland. SW introduced the Welsh perspective. It was noted that nesting in buildings is normal behaviour and that appropriate management of designated sites should include maintenance of suitable buildings. In Wales, wider countryside measures are not suiting chough, and with more data becoming available it is clear that further consideration of extending SPAs to include agricultural land is required. The Group agreed that the 2002 national SCARABBS for chough will improve our knowledge of breeding locations, but will not provide information on the birds use of agricultural habitats. Some work is being done on gathering information on chough during the non-breeding period in Wales, but more may be required. Birds are site faithful while breeding and at roosts, and to an extent outside of the breeding season, but more data is needed on winter feeding behaviour. There was concern expressed over planning additional surveys of non-breeding chough as data currently available still need to be collated thoroughly. The issue of whether designation is an appropriate first step to conservation of chough was raised, the alternative being to secure appropriate land management to sustain or recover a population prior to designation. It was agreed that designation of composite sites (sites comprising ecologically linked but geographically separate areas) could be a suitable approach for non-breeding chough. In Wales, some roost sites are classified SPAs, but not all. A generic model approach could be developed to identify suitable foraging areas for consideration for classification. The Group agreed that bilateral groups should aim to collate all data and identify areas regularly holding more than 1% of the British population during the non-breeding season.

5.2. The briefing will be published on the JNCC website.

**Action Point: Bilateral groups in Wales and Scotland to collate all non-breeding chough data and identify areas that may be worthy of consideration for classification as SPAs. To present findings at September meeting.**

**Action Point: Bilateral groups to assess need for additional survey of non-breeding chough. To report back to Group in September.**

**Action Point: Group to consider results of 2002 chough SCARABBS and breeding data available since 1997 in January 2003. RSPB to inquire as to whether preliminary results will be available in September 2002.**

### 6. Capercaillie (update from SNH)

6.1. In response to bilateral discussions with the RSPB several new areas are being assessed by SNH for their capercaillie populations. Lek surveys are underway in these areas for 2002. The data from these surveys will be combined with other data available for the new areas to underpin the assessment. However, the minimum data requirement for designation is good quality lek counts in three recent years.

**Action Point: SNH to update the Group on 2002 capercaillie lek counts and status of their assessment in September.**

### 7. Hen harrier (update from SNH)

7.1. SNH presented an update on the status of hen harrier SPAs currently being designated in Scotland.

## **8. Golden eagle (update from SNH)**

- 8.1. Informal consultation over the pSPA on Mull has been extended and formal consultation will now begin in early April 2002.

## **Sites for species with data since 1997**

## **9. Spotted crane (briefing paper from JNCC)**

- 9.1. DAS introduced the briefing on spotted cranes. A significant issue for this species is the lack of data submission to the RBBP, which has meant that the interpretation of data available to date has been limited. It was agreed that additional survey was needed in areas with existing records to establish regularity of use. A questionnaire seeking information on spotted cranes will be prepared by JNCC for wardens of sites like NNRs. The question of whether the UK needs more SPAs for spotted cranes was raised, given that the European population is estimated to be more than 42,000 pairs and the UK population is estimated to be 50 calling males (= pairs). It was noted that the Birds Directive gives no indication of what proportion of a national resource should be in the Natura network. It was suggested that if spotted cranes occur regularly on existing SPAs that they should be listed as qualifying species so that management is appropriate for their conservation. The Group agreed that more data are needed and review will be needed in future.
- 9.2. The briefing will be published on the JNCC website, but without the appendices as data are incomplete.

**Action Point: JNCC and RSPB to prepare and circulate a ‘warden’s questionnaire’ to seek information and encourage surveys of spotted crane on wardened sites.**

**Action Point: JNCC and RSPB to support collation and interpretation of all data on spotted cranes, and to present this at the January 2003 meeting of the Group.**

**Action Point: Pending collation of data SNH to consider, in the medium term, addition of spotted crane as a qualifying species to several existing SPAs.**

**Action Point: In January 2003, the Group to consider the need for new surveys of spotted cranes.**

**Action Point: The Group to seek a view from the SPA Steering Group on whether an Annex I species should automatically be cited as a qualifying feature in an existing SPA if it supports a nationally important population.**

## **10. Twite (briefing paper from JNCC/EN/RSPB)**

- 10.1. BF and HB introduced this briefing. The group agreed that site-based protection for twite was appropriate given the species behaviour. On the basis of the best data available the Group agreed that there was good evidence for concluding that twite occur in two distinct biogeographical populations in the UK; the English uplands breeding population (concentrated in the southern Pennines) and the Scottish/Irish/Welsh breeding population. Of these the former is clearly migratory, while the latter is only partially migratory and would not be considered migratory under the Bonn Convention definition. With this in mind it was agreed that the geographical range of the English uplands breeding population should be all-England, and that EN should assess whether any areas may be suitable for consideration as SPAs for the species (for both breeding and wintering birds).
- 10.2. The briefing will be published on the JNCC website.

## **11. Bilateral discussions**

- 11.1. No developments reported for Northern Ireland or England. In Wales discussions concentrated on chough and ongoing issues. SNH had fulfilled a request from RSPB for a full list of classified SPAs in Scotland. RSPB have recently filled a post that will have responsibility for taking forward bilateral discussions.

## **12. Review of work programme 3**

- 12.1. Review not undertaken – action for May meeting of Group.

## **13. Any other matters arising from the minutes of the last meeting**

- 13.1. None.

## **14. Any other business**

- 14.1. **WSG wader estimates paper consultation (JNCC)** – DAS introduced the background to this paper and the framework for consultation. The consultation draft is available on the WSG website (<http://www.uct.ac.za/depts/stats/adu/wsg/index.html>) and members were invited to participate.
- 14.2. **Annual Report of the SPA SWG** – the Group agree that preparation of an annual report of the activity of the group would be useful for informing other Natura groups and the Joint Committee, and for general publication on the JNCC website.

**Action Point: Secretariat to produce an annual report of the Group's activity for approval by Group in January 2003. The approved report to be circulated to appropriate groups and published on the JNCC website.**

### **14.3. Species with data since 1997**

- 14.3.1. **Review of national datasets (JNCC briefing)** – this review has identified several issues that Group agreed it should tackle:
- ♦ Species for which no additional review needed at present: woodlark, hen harrier, snow bunting.
  - ♦ Species requiring further consideration: twite (review undertaken for this meeting), spotted crane (review ongoing – see above), ring ouzel (review ongoing), dotterel (1997/98 survey to be reviewed), corncrake (after next SCARABBS in 2003), little egret (WeBS data published recently).

**Action Point: The Group to agree at May meeting the timing for consideration of selected species with data since 1997 in the work programme.**

## **15. Dates and venues of next meetings**

- 15.1. The next meeting will be on 8<sup>th</sup> May 2002, and will be in the Board Room at SNH, Hope Terrace, Edinburgh.
- 15.2. Following that, meetings will be held in September 2002 and January 2003 - dates and venues to be confirmed by Secretariat.

### **Attachments:**

Approved minutes of 17<sup>th</sup> January 2002 meeting

# UK SPA SCIENTIFIC WORKING GROUP

MEETING 2002/2, 13<sup>TH</sup> MARCH 2002

## Action Point Summary

(In Chronological order and not minute order, batched by work period or future meeting, lead organisation underlined)

**Actions from this meeting to be discharged prior to 8<sup>th</sup> May 2002 meeting (see minutes of last meeting also):  
(Papers to be submitted to secretariat by 29<sup>th</sup> April 2002)**

Action Point: The Group to agree at May meeting the timing for consideration of selected species with data since 1997 in the work programme.

**Actions from this meeting to be discharged prior to September 2002 meeting (see minutes of last meeting also):**

Action Point: SWG Members to suggest appropriate species for consideration for cropped habitat assessment. To submit to Secretariat by July 31 2002.

Action Point: Agencies and RSPB to collate summary information on cases where data release has been restricted for vulnerable species to avoid likelihood of increased disturbance, and present these at September meeting.

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Action Point: Bilateral groups to assess need for additional survey of non-breeding chough. To report back to Group in September.

Action Point: SNH to update the Group on 2002 capercaillie lek counts and status of their assessment in September.

**General actions from this meeting for future consideration:**

Action Point: JNCC and RSPB to prepare and circulate a 'warden's questionnaire' to seek information and encourage surveys of spotted crane on wardened sites.

Action Point: Group to consider results of 2002 chough SCARABBS and breeding data available since 1997 in January 2003. RSPB to inquire as to whether preliminary results will be available in September 2002.

Action Point: The Group to refer issue of data release to the Natura 2000 NGO Liaison Group.

Action Point: JNCC and RSPB to support collation and interpretation of all data on spotted crakes, and to present this at the January 2003 meeting of the Group.

Action Point: Pending collation of data SNH to consider, in the medium term, addition of spotted crane as a qualifying species to several existing SPAs.

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