



## **Proposed changes to Liverpool Bay / Bae Lerpwl Special Protection Area: comment on proposals**

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**November 2016**

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## **Purpose of this document**

This document provides guidance to stakeholders for the formal consultation on Liverpool Bay / Bae Lerpwl pSPA

It explains:

- the proposal
- the background information which is helpful in understanding the proposal
- how to respond

## **Site maps**

Available to view on the [consultation page](#)

## **A proposal for Liverpool Bay / Bae Lerpwl as a potential SPA**

Liverpool Bay / Bae Lerpwl SPA was classified as a marine SPA in August 2010 under the European Commission Conservation of Wild Birds Directive (the Birds Directive) as the site supports internationally important populations of red-throated diver and common scoter.

The UK Government has an ongoing obligation under the Birds Directive to “classify in particular the most suitable territories in number and size as Special Protection Areas for the conservation of these species in the geographical sea and land area where this Directive applies”.

Liverpool Bay / Bae Lerpwl pSPA lies in English and Welsh territorial waters and partly in UK offshore waters. While Natural England and Natural Resources Wales have the responsibility to advise their respective governments on conservation matters in territorial waters (within 12 nautical miles), the Joint Nature Conservation Committee have an equivalent responsibility in UK offshore waters (beyond 12 nautical miles). Natural England, Natural Resources Wales and the Joint Nature Conservation Committee have jointly recommended this pSPA to the Department of Environment, Food and Rural Affairs (DEFRA) and Welsh Government. Natural England, Natural Resources Wales and the JNCC are jointly consulting on behalf of the involved governments, but all consultation responses should be submitted to Natural England.

The recommendation proposed is to extend the boundary of the existing marine SPA to provide protection for little gull and extend further inshore to offer protection to foraging common tern and little tern. The pSPA comprises areas for foraging seabirds, and non-breeding waterbirds and a water bird assemblage. Cormorant and red breasted merganser will be additional named components of the water bird assemblage.

The site summary and the potential economic impacts summary provide the background information to support the proposal.

The departmental brief provides the full scientific rationale for the proposal.

## Site summary

Liverpool Bay supports important numbers of seabird species, including little gull. The site supports the third highest aggregation of little gull in the UK. The boundary of Liverpool Bay / Bae Lerpwl SPA is contiguous with the boundaries of The Dee Estuary SPA, Mersey Narrows and North Wirral Foreshore SPA, and Ribble and Alt Estuaries SPA.

Liverpool Bay/Bae Lerpwl SPA is an important foraging site for a number of species protected in these SPAs, including little tern in The Dee Estuary SPA and common tern in the Mersey Narrows and North Wirral Foreshore SPA. The breeding colonies for little tern and common tern are protected in these SPAs respectively, however both little tern and common tern utilise foraging areas outside the existing Dee Estuary SPA and Mersey Narrows and North Wirral Foreshore SPA boundaries. Therefore, their foraging areas also need to be considered for protection.

The total area of the Liverpool Bay / Bae Lerpwl pSPA is approximately 252,774 ha. The new area proposed comprises approximately 82,481 ha. The proposed extension to the site extends out to, and beyond 12 nautical miles at the northwest point of the existing boundary to Liverpool Bay / Bae Lerpwl SPA and also into Welsh waters offshore of the mouth of the Dee Estuary. The landward boundary of Liverpool Bay / Bae Lerpwl pSPA will continue to follow the Mean Low Water mark or the seaward boundaries of existing SPAs, whichever is the furthest seaward, except where the boundary is extended for foraging terns in which case it will follow Mean High Water mark or the seaward boundaries of existing SPAs.

The potential Liverpool Bay / Bae Lerpwl SPA site overlaps with the potential site for Anglesey Tern pSPA. This site is an extension of the existing SPA on Anglesey Yns Feurig, Cemlyn Bay and The Skerries SPA, which is an SPA for common tern, Arctic tern, Sandwich tern and roseate tern.

## Summary of potential economic impacts

A preliminary assessment of the potential economic impacts of extending Liverpool Bay / Bae Lerpwl SPA has been completed. A summary of the potential economic impacts predicted should the site become a marine protected area is provided below. This concluded that the costs imposed by the site's classification are relatively low as:

- a) With regards to the extension area for foraging terns, Article 3 of the Birds Directive already requires the "*upkeep and management in accordance with the ecological needs of habitats inside and outside the protected zones.*" Natural England therefore already advises authorities to consider the impact of activities on areas outside of the current SPA boundary that support features of the SPA. . This includes the management of supporting habitats for foraging terns which are qualifying features of the existing SPAs.
- b) With regards to new species (little gull, cormorant, red-breasted merganser) within the boundaries of the existing SPAs, the ecological requirements of the new species being added are the same as for those species already protected by the existing designations. Therefore no new management measures are required for these new species within the boundaries of the existing SPAs.

The potential costs that can be attributed directly to the classification of the site are those required for a review of consents. The estimated costs are too low to trigger a requirement for Natural England to produce a full socio-economic impact assessment.

## How to respond

This consultation runs for 13 weeks from 9 November 2016 to 8 February 2017 and is run in accordance with the [government consultation principles](#).

- Read the departmental brief setting out the scientific case for the pSPA on the [consultations page](#)

You may also find it useful to read:

- Establishing marine Special Protection Areas TIN 120 - (<http://publications.naturalengland.org.uk/publication/1476400>)
- Little gull: species information for marine Special Protection Area consultations TIN133 (<http://publications.naturalengland.org.uk/publication/3731530>)
- Little tern: species information for marine Special Protection Area TIN 139 (<http://publications.naturalengland.org.uk/publication/3747021?category=9001>)
- Common tern: species information for marine Special Protection Area TIN 138 (<http://publications.naturalengland.org.uk/publication/3742516?category=9001>)

Use these documents to help with your response. Submit your response by completing the survey on the consultation page.

Results from the consultation will be submitted as a report to the Secretary of State for the Environment Food and Rural Affairs (SoS) and to Welsh ministers. Following consideration of that report, they will decide whether or not to classify the site as a SPA.

If you don't have access to the Internet, please contact us for copies of the documents you need.

If you have any queries regarding the SPA consultation **in England**, please email them to [Liverpool.BaySPA@naturalengland.org.uk](mailto:Liverpool.BaySPA@naturalengland.org.uk) or post to:

FAO: Liverpool Bay / Bae Lerpwl pSPA  
Natural England  
Hornbeam House,  
Electra Way,  
Crewe  
CW1 6GJ

If you have any queries regarding the SPA consultation **in Wales**, please email them to [marine.n2k@naturalresourceswales.gov.uk](mailto:marine.n2k@naturalresourceswales.gov.uk) or post to:

FAO: Liverpool Bay / Bae Lerpwl pSPA

Natural Resources Wales  
Maes y Ffynnon  
Bangor  
LL57 2DW

If you have any queries regarding the SPA consultation **in offshore waters**, please email them to [Seabirds@jncc.gov.uk](mailto:Seabirds@jncc.gov.uk) or post to:

FAO: Liverpool Bay / Bae Lerpwl pSPA  
JNCC  
Marine SPA consultation  
Inverdee House  
Baxter Street  
Aberdeen  
AB11 9QA

Natural England, Natural Resources Wales and the JNCC are providing joint advice to Defra and the Welsh Government respectively.

## **Confidentiality**

Using and sharing your consultation response(s)

The data controller for this consultation is Natural England, Foss House, Kings Pool, 1-2 Peasholme Green, York, Y01 7PX.

Your information will be stored and processed in accordance with the Data Protection Act, 1998. This Act gives you, as an individual, the right to know what data we hold on you, how we use it with whom we share it and to ensure that it is accurate.

Natural England will share all responses in full with Natural Resources Wales and the Joint Nature Conservation Committee in order to prepare a report for the UK and Welsh Government. In preparing that report, all responses received will be taken into account. The report will be published online in due course. We may also share responses that we receive with other UK Government bodies to ensure a coordinated approach towards the consultation.

All representations made during the formal consultation period together with any recommendations arising from the consultation will be submitted to UK and Welsh Governments to consider before potentially resubmitting the site to the European Commission as eligible for re-designation as an European Marine Site.

In the interests of transparency and openness, all responses including names of respondents, however submitted, will be considered public and the information may be made publicly available either proactively or on request.

Please ensure you do not mention individuals by name, or include other personal information within the body of your response.

An automatic confidentiality disclaimer generated by your IT system will not be regarded as binding on Natural England.

## **Use of maps**

Natural England and Natural Resources Wales have provided maps which show the complete boundary and additional maps where necessary to support the explanations given for the boundary locations.

Maps which accompany the site summary should ideally be printed on A3 paper. If you don't have this facility:

- print the relevant chapter text
- view the associated map on your computer screen, using the zoom tool to view it at a suitable size