Step-by-Step Guide
Likely Significant Effect (LSE) of Wildfowling

Assessing where wildfowling may have a Likely Significant Effect (LSE) on protected sites, under the Habitat Regulation Assessments (HRA)

Prior to starting

Identify qualifying features of a designated site

To identify the relevant qualifying features of the **Special Protection Area (SPA):**

- For Marine Protected Areas, see conservation advice packages available from: https://www.gov.uk/government/collections/conservation-advice-packages-for-marine-protected-areas
- For Natura 2000 sites, see published Conservation Objectives available from: http://publications.naturalengland.org.uk/category/6490068894089216

The notified features of the **Site of Special Scientific Interest (SSSI)** are also of relevance for assessment of effects at SSSI level. Where these differ, it is important to note that only the SPA qualifying features (species and assemblage) are subject to the Habitats Regulation Assessment. To identify the relevant notified features of the SSSI, refer to the Favourable Condition Tables (FCTs) on Designated Sites View available from: https://designatedsites.naturalengland.org.uk/

Assemblages: Waterbird assemblages are frequently referred to on SPA citation documents, and Natural England has taken the view that such assemblages should be treated as features of SPAs. This has led to the requirement for conservation objectives being developed for the assemblage feature as a whole, incorporating objectives for abundance, diversity and the supporting habitat, which has itself generated a number of questions about how we define, monitor and assess assemblages at SPAs. Natural England's ornithology specialists are currently in the process of developing clarity on all aspects of work relating to bird assemblages for SPAs. This has involved the commissioning of an evidence project which will inform potential approaches to conservation advice, monitoring and assessment of impacts to assemblages. Although it may take some time to fully develop these approaches, it is recognised as an area of importance and one for which NE staff have time devoted. *Until this work is fully developed, the current position of treating assemblages as features of SPAs should be followed for assessments.*

Step by step approach to Likely Significant Effect (LSE) test

Follow steps 1-7 below for each relevant qualifying feature (species and/or assemblage) separately and consider all relevant features, as whilst only relevant qualifying features that are quarry species could be affected by direct mortality and disturbance, relevant qualifying features that are non-quarry species could be affected by disturbance.

Table A1.1 in Appendix 1 should be filled in to summarise the decisions made and provide an audit trail.

If no likely significant effects are identified **alone** on a qualifying feature, then any element of the project deemed to have an effect(s) but which is/are **not significant on their own** must now be considered for their potential to have an effect **in-combination** with other effects.

To undertake a thorough **in-combination assessment**, every effort should be made to quantify and assess the effects and likely impacts of other recreational and non-recreational disturbance factors on species' conservation status. It is important to ensure that only relevant 'plans' and 'projects' (e.g. organised events such as orienteering, kite buggy events, and, work on the England coastal path or other changes to access routes) are included within an in-combination assessment, and those deemed to be so insignificant as to be trivial or inconsequential should not be included.

1. Is the proposal for an existing wildfowling area?

YES – go to step **2**
NO (i.e. a new area) – **LSE** (for all relevant features)*

*Note: judgement should be made on a case-specific basis, for example where the number of visits may be considered to be of such a low level that there is not considered to be potential for significant effect (e.g. 1 wildfowler going out 5 times in a season).

2. What is the proposed wildfowling levels/activity (i.e. number of visits proposed)?

INCREASED from previous consent – go to step **3**
SAME as previous consent – go to step **4**
DECREASED from previous consent – go to step **5**

3. Increased wildfowling levels: What is the population trend for the estuary/site as a whole over the past 15 years (or time period when data availability allow)?
Where trend analysis has been done for the site in question this should be used*, but if not use WeBS core count data available from: https://www.bto.org/volunteer-surveys/webs/publications/webs-annual-report/waterbirds-in-the-uk

INCREASING whole site population trend – go to step **3A**
STABLE whole site population trend – go to step **3B**
DECREASING whole site population trend – go to step **3C**

*There is not extensive existing trend data available other than for large sites, for example:
- Mersey Estuary, Mersey Narrows & North Wirral Foreshore and Ribble & Alt Estuaries – Ross-Smith et al. (2015): http://publications.naturalengland.org.uk/publication/4707512471257088?category=23039
- Humber Estuary – Ross-Smith et al. (2013): Ross-Smith, V.H., Calbrade, N. A. & Austin, G.E. 2013. Updated analysis of Wetland Bird Survey (WeBS) data for the Humber Estuary SSSI, SAC, SPA and Ramsar Site. BTO Research Report No. 636, BTO, Thetford

3A. ***Increasing whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 3 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – site specific, go to step **6**
STABLE sector population trend – site specific, go to step **6**
DECREASING sector population trend – **LSE**

*Plot peak and mean counts and add in a trend line, (it may not be possible to do a trend line if there are too many gaps in the data)

3B. ***Stable whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 3 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – site specific, go to step **6**
STABLE sector population trend – site specific, go to step **6**
DECREASING sector population trend – **LSE**

*Plot peak and mean counts and add in a trend line, (it may not be possible to do a trend line if there are too many gaps in the data).

3C. ***Decreasing whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 3 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – **LSE**
STABLE sector population trend – **LSE**
DECREASING sector population trend – **LSE**

*Plot peak and mean counts and add in a trend (it may not be possible to do a trend line if there are too many gaps in the data).

4. Wildfowling levels remain the same: What is the population trend for the estuary/site as a whole over the past 15 years (or time period when data availability allow)?
Where trend analysis has been done for the site in question this should be used*, but if not use WeBS core count data available from: https://www.bto.org/volunteer-surveys/webs/publications/webs-annual-report/waterbirds-in-the-uk

INCREASING whole site population trend – go to step **4A**
STABLE whole site population trend – go to step **4B**
DECREASING whole site population trend – go to step **4C**

* There is not extensive existing trend data available other than for large sites, for example:
- Mersey Estuary, Mersey Narrows & North Wirral Foreshore and Ribble & Alt Estuaries – Ross-Smith et al. (2015): http://publications.naturalengland.org.uk/publication/4707512471257088?category=23039
- Humber Estuary – Ross-Smith et al. (2013): Ross-Smith, V.H., Calbrade, N. A. & Austin, G.E. 2013. Updated analysis of Wetland Bird Survey (WeBS) data for the Humber Estuary SSSI, SAC, SPA and Ramsar Site. BTO Research Report No. 636, BTO, Thetford

4A. ***Increasing whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 4 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – **No LSE**
STABLE sector population trend – **No LSE**
DECREASING sector population trend – **LSE**

*Plot peak and mean counts and add in a trend (it may not be possible to do a trend line if there are too many gaps in the data).

4B. ***Stable whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 4 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – **No LSE**
STABLE sector population trend – **No LSE**

DECREASING sector population trend – **LSE**

*Plot peak and mean counts and add in a trend (it may not be possible to do a trend line if there are too many gaps in the data).

4C. ***Decreasing whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 4 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – site specific, go to step **6**
STABLE sector population trend – site specific, go to step **6**
DECREASING sector population trend – **LSE**

*Plot peak and mean counts and add in a trend (it may not be possible to do a trend line if there are too many gaps in the data).

5. Decreased wildfowling levels: What is the population trend for the estuary/site as a whole over the past 15 years (or time period when data availability allow)?
Where trend analysis has been done for the site in question this should be used*, but if not use WeBS core count data available from: https://www.bto.org/volunteer-surveys/webs/publications/webs-annual-report/waterbirds-in-the-uk

INCREASING population trend – go to **5A**
STABLE population trend – go to **5B**
DECREASING population trend – go to **5C**

* There is not extensive existing trend data available other than for large sites, for example:
- Mersey Estuary, Mersey Narrows & North Wirral Foreshore and Ribble & Alt Estuaries – Ross-Smith et al. (2015): http://publications.naturalengland.org.uk/publication/4707512471257088?category=23039
- Humber Estuary – Ross-Smith et al. (2013): Ross-Smith, V.H., Calbrade, N. A. & Austin, G.E. 2013. Updated analysis of Wetland Bird Survey (WeBS) data for the Humber Estuary SSSI, SAC, SPA and Ramsar Site. BTO Research Report No. 636, BTO, Thetford

5A. ***Increasing whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 5 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – **No LSE**
STABLE sector population trend – **No LSE**
DECREASING sector population trend – site specific, go to step **6**

*Plot peak and mean counts and add in a trend (it may not be possible to do a trend line if there are too many gaps in the data).

5B. ***Stable whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 5 above), but if not use WeBS core count data via a sector level data request*.

INCREASING sector population trend – **No LSE**

STABLE sector population trend – **No LSE**
DECREASING sector population trend – site specific, go to step **6**

*Plot peak and mean counts and add in a trend (it may not be possible to do a trend line if there are too many gaps in the data).

5C. ***Decreasing whole site population trend***: What is the population trend for the WeBS sector in which the wildfowling activity occurs?
Where trend analysis has been done for sectors on the site in question this should be used (see examples listed in step 5 above), but if not use WeBS core count data via a sector level data request*.

INCREASED sector population trend – site specific, go to step **6**
STABLE sector population trend – site specific, go to step **6**
DECREASING sector population trend – site specific, go to step **6**

*Plot peak and mean counts and add in a trend (it may not be possible to do a trend line if there are too many gaps in the data).

6. Mitigation and/or avoidance measures

Are any mitigation/avoidance measures included in the notice and/or accompanying management plan? – e.g. provision of adequate, undisturbed refuges*; sufficient rest periods** (i.e. periods during the season when there is no shooting); restrictions in buffer zones around roosts or refuges etc.?

YES – go to step **6A**
NO – go to step **7**

*Note: the value of refuges should be considered – they might be quite poor if frequently disturbed by other users or vulnerable to predators (i.e. next to scrub/trees), or if not available at certain tide states.
**Note: the sufficiency of rest periods will depend on their frequency, duration, timing etc.

6A. *Mitigation/avoidance measures in notice/management plan*: Do these allow a conclusion on no LSE to be made?

YES – **No LSE**
NO – go to step **7**

7. Can the addition of appropriate safeguards/mitigation measures, lead to a conclusion of no LSE? Examples of mitigation/avoidance measures - additional provision of refuges, restriction on number of visits, rest periods (i.e. periods/days during the season when there is no shooting), spatial and/or temporal restrictions around high tide roosts or refuges.

YES* – **No LSE**
NO/CANNOT BE AGREED – **LSE**
*If these additional measures are hence considered essential to conclude no LSE, then these should be fully discussed with the proposer of the activity and included in the Notice signed by the proposer.

Appendix 1

Table A1.1 Table summarising Likely Significant Effect (LSE) screening decisions (qualifying features should be updated to reflect those for the site assessed)

Site name							
Qualifying feature	**Existing wildfowling area?** (Y/N)	**Wildfowling level** (Increased/ Stable/ Decreased)	**Estuary/site population trend** (Increasing/ Stable/ Decreasing)	**Relevant sector population trend** (Increasing/ Stable/ Decreasing)	**Avoidance measures/ mitigation** (incl. in notice/ management plan or additional that can be agreed)	**Conclusion** (LSE/no LSE)	**Notes/comments**
Bewick's swan							
European white-fronted goose							
Shelduck							
Gadwall							
Dunlin							
Redshank							
Waterbird assemblage							