



**NORTH FALLS**

*Offshore Wind Farm*

# **HABITATS REGULATIONS ASSESSMENT**

Update to Breeding Season Apportioning of  
Lesser Black-backed gull at the Alde-Ore  
Estuary Special Protection Area

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## Glossary of Acronyms

Acronym	Definition
AEOI	Adverse Effects on Integrity
AOE	Alde-Ore Estuary
LBBG	Lesser Black-Backed Gull
MaRD	Maximum Rotor Diameter
MMFR	Mean Maximum Foraging Range
NF	North Falls
OWF	Offshore Wind Farm
RIAA	Report to Inform Appropriate Assessment
RR	Relevant Representation
SD	Standard Deviation
SMP	Seabird Monitoring Programme
SPA	Special Protection Area
VE	Five Estuaries

## 1 Introduction

1. This technical note presents an update of the North Falls project alone apportioning for lesser black-backed gull (LBBG) at the Alde-Ore Estuary (AOE) Special Protection Area (SPA).
2. The update is provided in response to the following Relevant Representation (RR) from Natural England [RR-243], specifically:
  - (F25) [RR-243] *Natural England note that the Applicant has used population counts from 2012 to align AOE SPA counts with the concurrent urban colony counts reported by Piotrowski (2013). In the pre-application period, Natural England requested that the North Falls apportioning should be aligned with [Five Estuaries] VE [Offshore Wind Farm] OWF. We note that while the underlying methodology applied is the same for both projects, the colonies and their populations under consideration are not. Given their proximity and similar application stages, Natural England continues to advise that North Falls and VE apportioning approaches should be aligned. Natural England note that a more precautionary approach to apportioning has been presented by the Applicant compared to that of VE OWF. However, we advise that using historic population counts that do not align with the baseline data collection does not follow best practice guidance. We continue to advise that VE OWF and [North Falls] NF OWF should collaborate and align their approaches to apportioning where appropriate. We anticipate that should this take place, the estimated project-alone impacts to lesser black-backed gull at AOE SPA from North Falls should be reduced.*
3. Responses to Natural England's relevant representations are provided in the Applicant's Response to Relevant Representations from Natural England (Document reference [9.1]).

## 2 Revised breeding season apportioning for lesser black-backed gull at the Alde-Ore Estuary SPA

### 2.1 Background

4. As detailed in the North Falls Report to Inform Appropriate Assessment (RIAA) Part 4 Offshore Ornithology [APP-178], section 4.4.2.5.2.1, lesser black-backed gulls recorded in the array area during the breeding season are likely to include birds from the AOE SPA as well as other non-SPA breeding colonies within foraging range.
5. The apportioning calculations, using the (NatureScot 2018) methodology to estimate the proportion of adult LBBGs present at the North Falls array area during the breeding season that originate from the AOE SPA (see para 193 in the RIAA part 4, [APP-178]), have been updated in response to the relevant representations from Natural England (as per Section 0 above) as follows.

## 2.2 Revised Breeding Season apportioning

6. Additional LBBG colonies have been included in the apportioning for North Falls to align with the apportioning by Five Estuaries (VE) (Table 2.4 in GoBe 2024), as well as more recent count data where this is available.
7. All LBBG colonies in Table 2.4 of the VE Apportioning Note (GoBe 2024) were cross-checked with the Seabird Monitoring Programme (SMP) database<sup>1</sup>, to verify the location and check for the most recent available count data. The most recent count and associated date for each colony is included in Appendix A, which shows that these counts range from 1994 to 2023.
8. The LBBG colonies used by VE were also cross checked against the urban colonies in Suffolk and south Norfolk counted in 2012 and reported in Piotrowski (2013). These were the colonies used in the original apportioning calculations for North Falls (Table 4.21 in the RIAA Part 4, [APP-178]). As all these colonies were within Mean Maximum Foraging Range (MMFR; 127km, Woodward *et al.* 2019) of LBBG from North Falls and the count data fall within the range of dates for the sites used by VE, any sites not included in the VE apportioning were retained in the long list for North Falls. These sites are also listed in Appendix A.
9. While VE is understood to have included LBBG colonies within MMFR + 1 Standard Deviation (SD) (236km (=127+109km) Woodward *et al.* 2019) in their apportioning, the revised apportioning for North Falls considers colonies within MMFR only. It is acknowledged that MMFR + 1SD is identified by Natural England (2022) for screening seabird breeding colonies for connectivity with OWFs. However, the available tracking data for LBBG breeding at the AOE SPA indicate that the maximum distances travelled were 124km for birds nesting at Orford Ness (Woodward *et al.* 2019) and 178.2 km for LBBG nesting at Havergate Island (Green *et al.* 2023); with all except one trip in the latter study being less than 100km. This suggests that birds breeding at colonies beyond MMFR from the North Falls array are very unlikely to be travel as far as the array area in the breeding season, and that MMFR is an appropriate area of search for colonies to be included in the apportioning calculations. In this context, For VE it is noted that apportioning was zero (i.e. no LBBG nesting at a given colony were predicted to occur at the VE array) for all colonies >103km from the array, except for the (relatively) large colony at Outer Trial Bank (with reference to Table 2.4 in GoBe 2024). Although Outer Trial Bank is within MMFR + 1SD of North Falls, given its location in the Wash it is considered highly unlikely that LBBGs breeding at Outer Trial Bank would travel by sea around the coast of East Anglia, or by land across Norfolk, Suffolk and Essex, as far south as the North Falls array in the Outer Thames. Therefore, Outer Trial Bank, (as well as other breeding colonies beyond MMFR), is not included in the apportioning for North Falls.
10. The LBBG colonies included in the revised apportioning and the estimated percentage of adult LBBGs likely to occur at the North Falls array area from

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<sup>1</sup> <https://app.bto.org/seabirds/public/>

each colony is shown in Table 2.1. The count data included for Havergate Island and Orford Ness are respectively from 2023 and 2022, as these were the counts recommended by Natural England to derive the population estimate for the AOE SPA (comment F24 in Natural England RRs [RR-243]).

11. Based on the revised apportioning, 42.7% of adult lesser black-backed gulls at the North Falls array area during the breeding season are predicted to come from the AOE SPA (36.9% from Havergate Island, and 5.8% from Orford Ness) (Table 2.1). This is reduced from the 57% estimated from the more precautionary apportioning undertaken in the North Falls RIAA Part 4 submitted for the DCO examination (Section 4.4.2.5.2.1 in [APP-178]).

**Table 2.1 Counts of breeding lesser black-backed gulls at colonies within foraging range of North Falls and estimated apportioning (updates Table 4.21 in the North Falls RIAA Part 4, [APP-178]).**

Colony	No. Pairs	Distance to North Falls (km) <sup>1</sup>	Proportion of sea within MMFR <sup>2</sup>	Colony size weighting <sup>3</sup>	Distance weighting <sup>3</sup>	Proportion of sea weighting <sup>3</sup>	Combined weighting <sup>3</sup>	% of birds at North Falls array area from colony <sup>3</sup>
Aldeburgh	1	53	0.62	0.000	6362	0.014	0.0	0.0
Arc Pit RSPB	6	110	0.51	0.001	1514	0.018	0.0	0.0
Ashford (urban)	4	96	0.49	0.001	1980	0.018	0.0	0.0
Beccles	34	85	0.70	0.006	2514	0.014	0.2	0.2
Berney Marshes	20	99	0.69	0.004	1865	0.013	0.1	0.1
Breydon Water	18	102	0.71	0.003	1759	0.013	0.1	0.1
Birchington	40	57	0.49	0.007	5579	0.018	0.7	0.8
Burntwick Island	3	93	0.41	0.001	2105	0.022	0.0	0.0
Burrowes Pit RSPB	0	111	0.51	0.000	1481	0.018	0.0	0.0
Canterbury	3	75	0.48	0.001	3212	0.019	0.0	0.0
Chelmsford Town	2	100	0.28	0.000	1805	0.032	0.0	0.0
Clacton Railway Station	3	53	0.44	0.001	6462	0.020	0.1	0.1
Cobmarsh Island	2	71	0.38	0.000	3659	0.024	0.0	0.0
Ellough	12	83	0.70	0.002	2670	0.013	0.1	0.1
Elmley RSPB Reserve	0	86	0.44	0.000	2488	0.020	0.0	0.0
Faversham (buildings)	5	84	0.46	0.001	2557	0.019	0.0	0.1
Felixstowe Docks	1401	48	0.51	0.252	7768	0.018	34.4	38.7



Colony	No. Pairs	Distance to North Falls (km) <sup>1</sup>	Proportion of sea within MMFR <sup>2</sup>	Colony size weighting <sup>3</sup>	Distance weighting <sup>3</sup>	Proportion of sea weighting <sup>3</sup>	Combined weighting <sup>3</sup>	% of birds at North Falls array area from colony <sup>3</sup>
Flanders Mare	0	83	0.44	0.000	2627	0.020	0.0	0.0
Folkstone Rooftops	3	86	0.51	0.001	2448	0.018	0.0	0.0
Gillingham Business Park	0	101	0.41	0.000	1791	0.022	0.0	0.0
Great Blakenham	1	72	0.47	0.000	3514	0.019	0.0	0.0
Great Cob Island	0	72	0.37	0.000	3494	0.024	0.0	0.0
Great Yarmouth	743	100	0.71	0.134	1812	0.013	3.0	3.4
Greenborough	33	93	0.41	0.006	2107	0.022	0.3	0.3
Hamford Water	83	49	0.49	0.015	7558	0.019	2.1	2.4
Havergate Island <sup>4</sup>	1524	48	0.58	0.274	7747	0.015	32.8	36.9
Hollesley Marsh	2	49	0.57	0.000	7615	0.016	0.0	0.0
Ipswich: East Ipswich	93	59	0.50	0.017	5153	0.018	1.5	1.8
Ipswich: Fox's Marina / Docks	9	64	0.47	0.002	4512	0.019	0.1	0.2
Ipswich: Ransomes & Rapiar (Industrial Site)	15	64	0.48	0.003	4455	0.019	0.2	0.3
Ipswich: West Ipswich	36	66	0.47	0.006	4160	0.019	0.5	0.6
Lowestoft	627	86	0.71	0.113	2481	0.013	3.6	4.0
Maidstone (buildings)	8	108	0.43	0.001	1553	0.021	0.0	0.1
Maplin Bank	1	76	0.42	0.000	3121	0.021	0.0	0.0
Marden	1	116	0.46	0.000	1360	0.020	0.0	0.0

Colony	No. Pairs	Distance to North Falls (km) <sup>1</sup>	Proportion of sea within MMFR <sup>2</sup>	Colony size weighting <sup>3</sup>	Distance weighting <sup>3</sup>	Proportion of sea weighting <sup>3</sup>	Combined weighting <sup>3</sup>	% of birds at North Falls array area from colony <sup>3</sup>
Margate, Kingsgate, Ramsgate & Broadstairs	20	51	0.50	0.004	6996	0.018	0.4	0.5
Mendlesham	22	83	0.48	0.004	2663	0.019	0.2	0.2
Medway City Estate	6	103	0.39	0.001	1708	0.023	0.0	0.0
Minsmere RSPB (Scrape & Beach)	2	62	0.64	0.000	4735	0.014	0.0	0.0
Mocketts Saltmarsh	2	103	0.39	0.000	1708	0.023	0.0	0.0
Nor Marsh, RSPB	2	98	0.40	0.000	1899	0.022	0.0	0.0
North Point Pit	6	118	0.51	0.001	1318	0.017	0.0	0.0
Orford Ness <sup>4</sup>	225	48	0.56	0.041	7959	0.016	5.1	5.8
Packingshed Island	2	71	0.38	0.000	3643	0.024	0.0	0.0
Pakefield	31	83	0.70	0.006	2670	0.013	0.2	0.2
Pewet Island	10	72	0.38	0.002	3550	0.024	0.1	0.2
Quarry Wood industrial Estate	4	111	0.42	0.001	1483	0.021	0.0	0.0
Rat Island	8	66	0.40	0.001	4202	0.023	0.1	0.2
Shell Ness (isle of Sheppey)	0	77	0.46	0.000	2332	0.020	0.0	0.0
Southtown/Gorleston	467	97	0.71	0.083	1951	0.013	2.1	2.3
Stowmarket	6	82	0.44	0.001	2690	0.020	0.1	0.1
Sunken Island	1	72	0.37	0.000	3543	0.024	0.0	0.0
Whitstable (urban)	7	73	0.47	0.001	3415	0.019	0.1	0.1

Colony	No. Pairs	Distance to North Falls (km) <sup>1</sup>	Proportion of sea within MMFR <sup>2</sup>	Colony size weighting <sup>3</sup>	Distance weighting <sup>3</sup>	Proportion of sea weighting <sup>3</sup>	Combined weighting <sup>3</sup>	% of birds at North Falls array area from colony <sup>3</sup>
Totals	5554	4266	26	1	181753	1	89	100
<p>1. Distance between the central point of North Falls and the approximate centre of the colony based on grid references in the SMP database or descriptions in Piotrowski (2013).</p> <p>2. The proportion of sea within a circle from each colony with radius equivalent to the foraging range (in this case MMFR, 127km) = (area of sea within 127km of colony / (total area (land and sea) within 127km of colony).</p> <p>3. The likely proportion of birds from each breeding site at North Falls during the breeding season estimated based on NatureScot (2018) apportioning guidance. Colony weighting = site population (individuals) / sum of site populations (individuals); distance weighting = (sum of site distances)<sup>2</sup> / (site distance)<sup>2</sup>; proportion of sea weighting = (1 / colony sea proportion ÷ (sum of (1 / colony sea proportions))); combined weighting = colony weight x distance weight x proportion of sea weight; % of birds from site a North Falls = combined site weighting / sum of combined site weight x 100.</p> <p>4. Counts for breeding colonies within the AOE SPA; the count for Orford Ness is from 2022 and for Havergate 2023. These were the counts used to derive the population estimate for the AOE SPA for the purposes of this assessment (see Section 2.1 above).</p>								

## 2.3 LBBG collisions at North Falls apportioned to the AOE SPA

12. Applying the revised breeding season apportioning for North Falls reduces the number of predicted collisions of adult LBBG apportioned to the AOE SPA during the breeding season and annually. During the breeding season 83% of predicted collisions are assumed to involve adult birds (para 195 in the RIAA Part 4, [APP-178]), and 47.2% of these birds are predicted to be breeding at the AOE SPA.
13. Seasonal and annual collisions of LBBG at North Falls and updated numbers apportioned to the AOE SPA are shown in Table 2.2. Numbers are shown for the worst-case turbine scenario only, the Maximum Rotor Diameter (MaRD). The non-breeding season apportioning to the SPA (Autumn and Spring migration and Winter) is as described in Section 4.4.2.5.2.2 of the RIAA Part 4 [APP-178].
14. The estimated annual total of predicted collisions at North Falls involving breeding adult LBBG from the AOE SPA is 2.3 (95% CLs 0-8.0). This is a reduction from 3.1 (95% CLs 0-10.6) presented in the RIAA Part 4 [APP-178].
15. Assuming an SPA population of 1749 breeding pairs (with reference to Natural England [RR-243] F24), this is equivalent to an 0.58% (95% CLs 0.0-2.0%) increase in the baseline mortality rate for LBBG at the AOE SPA. (A reduced effect compared with the estimated 0.7% (95% CLs 0.0-2.5%) increase in Table 4.22 of the RIAA Part 4 [APP-178].
16. The revised apportioning results described above do not change the conclusions of the shadow appropriate assessment for LBBG from the AOE SPA (section 4.4.2.5 of the RIAA Part 4 [APP-178] which states that there will be no adverse effect on integrity (AEOI) from North Falls alone, however an AEOI in-combination with other plans and projects cannot be ruled out. A compensation proposal is provided for LBBG in the LBBG Compensation Document [7.2.2, Rev 1] and Outline LBBG Compensation Implementation and Monitoring Plan [7.2.2.1, Rev 1].

**Table 2.2 Lesser black-backed gull – seasonal and annual predicted collisions at North Falls apportioned to the AOE SPA and increase in SPA population mortality rates, for the Maximum Rotor Diameter turbine scenario (MaRD). (Updates Table 4.22 in the North Falls RIAA, [APP-178])**

WTG scenario	Statistic	Apportioning <sup>1</sup>	Predicted collisions (SCRM) <sup>2</sup>					Annual collisions as % increase in SPA population mortality <sup>3</sup>
			Breed-Ing	Autumn Migr.	Winter	Spring Migr.	Annual	
MaRD	Mean	All	6.5	0.8	1.2	0	8.5	
		Apportioned to SPA	2.3	0.0	0.0	0.0	2.3	0.58 %
	LCL	All	0	0	0	0	1.7	
		Apportioned to SPA	0	0	0	0	0	0.0 %
	UCL	All	22.2	5.3	5.8	0	21.3	
		Apportioned to SPA	7.9	0.0	0.1	0.0	8.0	2.0 %
<p>1. The seasonal number of collisions apportioned to the Alde-Ore SPA is as follows: breeding, 42.7% (and assuming 83% of predicted collisions involve breeding adults); autumn migration 0.61%; winter 1.63%; spring migration 0.65% (see section 4.4.2.5.2.2 of RIAA Part 4, 7.1.4 [APP-178]).</p> <p>2. Seasons are as follows: breeding (full), Apr – Aug; Autumn migration, Sep - Oct; Winter, Nov – Feb; Spring migration, Mar (See Table 13.10 of Chapter 13 Offshore Ornithology, 3.1.15 [APP-027]).</p> <p>3. Assuming an SPA population of 3948 breeding adults (1749 pairs) ([RR-243] F24) and an adult mortality rate of 0.125 per annum ((1-0.885) Table 13.11 of Chapter 13 Offshore Ornithology, 3.1.15 [APP-027]).</p>								

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## Appendix A. LBBG colony counts and dates

Colony	No. Pairs	Date	Location	Source*
Aldeburgh	1	2012	TM463567	Piotrowski, 2013
Arc Pit RSPB	6	2019	TR07001950	SMP database
Ashford (urban)	4	2021	TR01054275	SMP database
Beccles	34	2012	TM429895	Piotrowski, 2013
Berney Marshes	20	2019	TG464048	SMP database
Breydon Water	18	2021	TG500077	SMP database
Birchington	40	2002	TR28176935 to TR36286413	SMP database
Burntwick Island	3	2018	TQ85027218	SMP database
Burrowes Pit RSPB	0	2015	TR07001800	SMP database
Canterbury	3	2019	TR150580	SMP database
Chelmsford Town	2	2002	TL70050605	SMP database
Clacton Railway Station	3	2000	TM17751535	SMP database
Cobmarsh Island	2	2023	TL99981212	SMP database
Ellough	12	2012	TM445 884	Piotrowski, 2013
Elmley RSPB Reserve	0	2018	TQ956675	SMP database
Faversham (buildings)	5	2019	TR010610	SMP database
Felixstowe Docks	1401	2013	TM28753355	SMP database
Flanders Mare	0	2006	TQ98596690	SMP database
Folkestone Rooftops	3	1999	TM28753355	SMP database
Gillingham Business Park	0	2019	TQ79186608	SMP database
Great Blakenham	1	2012	TM118507	Piotrowski, 2013
Great Cob Island	0	2018	TL98291113	SMP database
Great Yarmouth	743	2012	TG526076	Piotrowski, 2013
Greenborough	33	2023	TQ85907029	SMP database
Hamford Water	83	2023	TM24372586	SMP database
Havergate Island <sup>4</sup>	1524	2023	TM413474	SMP database
Hollesley Marsh	2	2023	TM37414500	SMP database
Ipswich: East Ipswich	93	2012	TM207415	Piotrowski, 2013
Ipswich: Fox's Marina / Docks	9	2019	TM16354225	SMP database
Ipswich: Ransomes & Rapiar (Industrial Site)	15	2001	TM16754365	SMP database

Colony	No. Pairs	Date	Location	Source*
Ipswich: West Ipswich	36	2012	TM147446	Piotrowski, 2013
Lowestoft	627	2012	TM547928	Piotrowski, 2013
Maidstone (buildings)	8	2019	TQ760560	SMP database
Maplin Bank	1	2003	TQ98558315	SMP database
Marden	1	2019	TQ74064493	SMP database
Margate, Kingsgate, Ramsgate & Broadstairs	20	1994	TR390680 to TR390700	SMP database
Mendlesham	22	2012	TM103657	Piotrowski, 2013
Medway City Estate	6	2019	TQ75106930	SMP database
Minsmere RSPB (Scrape & Beach)	2	2023	TM476666	SMP database
Mocketts Saltmarsh	2	2002	TQ75106930	SMP database
Nor Marsh, RSPB	2	2018	TQ80626999	SMP database
North Point Pit	6	2000	TQ93751985	SMP database
Orford Ness <sup>4</sup>	225	2022	TM410466	National Trust
Packingshed Island	2	2022	TL99831224	SMP database
Pakefield	31	2012	TM526896	Piotrowski, 2013
Pewet Island	10	2023	TL98840746	SMP database
Quarry Wood industrial Estate	4	2019	TQ72335744	SMP database
Rat Island	8	2000	TM05161739	SMP database
Shell Ness (isle of Sheppey)	0	2018	TR05256765	SMP database
Southtown/Gorleston	467	2012	TG531040	Piotrowski, 2013
Stowmarket	6	2012	TM049587	Piotrowski, 2013
Sunken Island	1	2002	TL98851255	SMP database
Whitstable (urban)	7	2002	TR08006508 to TR14396777	SMP database
* For SMP database, see footnote 1.				





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## **HARNESSING THE POWER OF NORTH SEA WIND**

*North Falls Offshore Wind Farm Ltd*

*A joint venture company owned equally by SSE Renewables and RWE.*

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