



Wildlife Management

Consultation response, December 2022

Introduction to Scottish Environment LINK

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organizations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment. Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This consultation response was written by LINK's Aquaculture Subgroup.

1. Response

Section 1 – Licensing of Grouse Shooting

1. Do you agree that the licensing of grouse shooting should be introduced to deter raptor persecution and wildlife crime linked to grouse moor management?

YES

3. Do you agree that the landowner/occupier/person responsible for or accountable for the management decisions and actions should be responsible for acquiring and maintaining the licence for the taking of grouse on a particular piece of land?

YES

5. Do you think that the person wishing to shoot grouse on land that they do not own, or occupy, should be required to check that the person who owns the land has a licence which allows for the taking of grouse on that area of land?

YES

7. If we introduce a licensing scheme, do you agree that NatureScot should be the licensing authority?

YES

8. Do you think that a licence should be granted for a maximum period of one year (renewable on an annual basis thereafter)?

YES



10. Do you think that the civil rather than the criminal burden of proof is an acceptable test for the application of sanctions in relation to grouse moor licences?

YES

12. Do you agree that record keeping or reporting requirements should be part of the licence conditions?

YES - both.

14. Do you agree that, where a person holds a valid licence, and there is sufficient evidence to show that, on the balance of probabilities a wildlife crime has been committed on their property, NatureScot should have the power to impose the following penalties:

Issue a written warning

Temporarily suspend a licence

Permanently revoke a licence

YES

16. Please provide any further comments on the questions in this section here.

The current, largely unregulated, approach to grouse shooting has led to increasingly intensive and unsustainable land management practices on a large proportion of grouse moors designed to increase grouse numbers - often to very high densities – and for the purpose of sport shooting for paying clients. LINK is concerned about the illegal killing of birds of prey impacting their populations; burning on peatland soils; medicating red grouse; and use of lead ammunition, which is toxic to wildlife. In the context of the climate and nature emergencies these forms of land management have no place.

LINK believes that NatureScot should charge for licences on a cost recovery basis to ensure that there is no impact on their wider conservation resources.

Licences should apply to both a named responsible individual who controls gamebird shooting and to the geographical area of the grouse moor. In line with the requirement for other licences, annual reporting of all grouse shot as well as other animals and birds killed to promote grouse shooting should be required.

LINK supports a Code of Practice for grouse moor management and that this must be an evidence-based approach signed off by the NatureScot Scientific Advisory Committee. The Code should indicate what must be done rather than what should be done.

Landowners who behave responsibly and legally should have nothing to fear from such a system. This is a proportionate response to a longstanding and systemic problem, especially when it comes to the illegal killing of birds of prey.



Section 2 - Muirburn

17. Currently a licence is only required to undertake Muirburn outwith the Muirburn season. Do you agree that a licence should be required to undertake Muirburn regardless of the time of year that it is undertaken?

YES

19. If we introduce a licensing scheme, do you agree that NatureScot should be the licensing authority?

YES

20. Do you agree that there should be a ban on muirburn on peatland unless it is done under licence as part of a habitat restoration programme approved by NatureScot?

YES

21. Other than for habitat restoration, public safety (e.g. fire prevention), and research, are there any other purposes for which you think muirburn on peatland should be permitted?

NO

22. Do you agree that the definition of peat set out in the muirburn code should be amended to 40 cm?

YES

23. If you answered 'No' to question 22, please outline why you believe this (max 150 words):

LINK supports a deep peatland definition of 30cm and not the current 50cm. A 40cm definition is already used in England within protected areas (eg blanket bog SACs in Pennines), and for forestry planting in England it is 30cm. We would like to see some consistency of approach at a lower peatland depth reference level.

24. Please provide any further comments on the questions in this section here.

The Scottish Government is spending £250m over the next decade to restore peatlands, which are vital carbon stores. This investment must not be undermined. The best management for peatlands is to restore them by re-wetting and not to burn them. Re-wetting acts as a natural block to wildfire, as well as creating healthy bogs which sequester carbon (see IUCN Peatland Programme guidance).

We support a "precautionary approach" to muirburn through a licensing scheme, involving muirburn plans and constraint mapping for areas such as peatlands, native woodlands, steep slopes and montane areas which should not be burned. Important areas for rare and threatened species should also be considered as constraints. Muirburn plans should encourage smaller patches of burning at lower frequencies between burns to minimise negative impacts on less mobile species. Aquatic species are particularly susceptible to changes caused by muirburn. Plans should therefore avoid burning adjacent to watercourses and provide buffer areas along watercourses to limit runoff from burned areas.



Section 3.1 Wildlife Traps

25. The Scottish Government proposes that a person operating a wildlife management trap must apply for a unique identification number which they must then attach to any traps that they set outdoors, do you agree that this proposal should apply to (select all that apply):

Live capture traps for birds

Live capture traps for mammals (except rodents)

Traps listed in the Spring Trap Approval Order

Rodent kill traps

Live capture traps for rodents

None of the above

Unsure

All of the above.

26. The Scottish Government proposes that a person operating a wildlife management trap outdoors must successfully complete an approved course dealing with the relevant category of trap, do you agree that this proposal should apply to (select all that apply):

Live capture traps for birds

Live capture traps for mammals (except rodents)

Traps listed in the Spring Trap Approval Order

Rodent kill traps

Live capture rodent traps

None of the above

Unsure

All of the above.

27. This question should only be answered if you agree that training should be required for at least one of the traps listed in question 26. The Scottish Government proposes that a person operating a wildlife management trap outdoors must undergo refresher training every 10 years, do you agree that this proposal should apply to: (select all that apply)

Live capture traps for birds

Live capture traps for mammals (except rodents)

Traps listed in the Spring Trap Approval Order

Rodent kill traps

Live capture rodent traps

None of the above

Unsure

All of the above.

28. Do you agree that record keeping and reporting requirements should be part of the registration scheme?

Please note that record keeping would involve noting down the activities carried out under the licence (e.g. the number of days on which grouse shooting took place and the number of grouse shot on each day) and providing these if/when they are requested. Reporting requirements would involve the active reporting of activities carried out under the licence on a regular basis.



Record keeping
Reporting requirements
Neither
Unsure

Both record keeping and reporting requirements.

29. Do you agree that an individual found guilty of the offence of:
using a trap without valid training from an approved body
using a trap without being registered to do so
using a trap without displaying an identification number correctly on the trap
falsifying records or identification number
using a trap on land without landowner permission
failing to comply with the duty to keep trapping records
should be liable, on summary conviction, to imprisonment for a term not exceeding 6 months or
a fine not exceeding level 5 on the standard scale (or both). A level 5 fine is currently £5,000.

YES.

31. Please provide any further comments on the questions in this section here.

LINK is not opposed to legal trapping provided it is carried out in accordance with the General Licence and other relevant legislation, although we would like to see some changes to species that can be controlled and other tightening up of regulations.

We support greater detail on who is setting traps (individual markers); greater standardisation of trap design; controls on seasonality of use (avoiding main bird breeding season and thereby risk of by-catch of non-target species at the critical breeding period); and avoiding use in woodland and open moorland where by-catch of non-target species is likely or is deliberately intended.

We would like to see full reporting to NatureScot of all species that are trapped, especially under the General Licence, to inform conservation status and actions. This is standard for other NatureScot licences.

Section 3.2 Glue Traps

32. Do you agree that the use of glue traps designed to catch rodents should be banned in Scotland?

YES

33. Do you agree that the sale of glue traps designed to catch rodents should be banned in Scotland?

YES

34. Do you agree that there should be a two year transition period before the ban on glue traps comes into force?

NO



Section 3.3 Snares

36. Do you agree with the recommendations from the statutory review of snaring that operators should be required to update their records at least once every 48 hours, unless they have a reasonable excuse not to and that these records should be made available to the Police on demand if the police arrive at the location where the records are kept, or within 7 days to the police station?

YES

37. Do you agree that a power of disqualification should be introduced for snaring offences? A disqualification order can stop you from owning, keeping, selling, transporting or working with animals or running a service which involves being in charge of animals.

YES

This response was compiled on behalf of LINK Wildlife Crime Group and is supported by:
Amphibian and Reptile Conservation

Badenoch & Strathspey Conservation Group
Bat Conservation Trust
Buglife
The Cairngorms Campaign
Froglife
National Trust for Scotland
Plantlife Scotland
Scottish Badgers
Trees for Life

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Scottish Environment LINK the voice for Scotland's environment



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