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Convener
Rural Affairs and Islands Committee
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25 October 2024

Dear Convener,

Wildlife Management and Muirburn (Scotland) Act – section 6 the prohibition of use of snares

Thank you for your letter of 07 October 2024 regarding the Wildlife Management (Consequential Amendments) (Scotland) Regulations 2024.

You have asked for the Scottish Government to clarify a number of points raised in your letter in advance of the Committee's consideration of the Scottish Statutory Instrument. I have responded to each of these in turn below.

You asked *the Scottish Government to provide information about how we are supporting land managers transition to other forms of predator control and what plans we have in place to monitor the impact of the ban.*

The Scottish Government and NatureScot will be providing communications to stakeholders on the ban on the use of snares coming in to place. As part of these communications we will be making clear to stakeholders the predator control courses available which provide an opportunity to explain the range of alternatives to snaring available. This includes advances in night vision equipment such as thermal sights which have increased the effectiveness of shooting.

Further to this, licences will remain available for the use of more than two dogs to flush foxes. NatureScot are currently reviewing the hunting with dogs licensing scheme and are looking to make efficiencies which should help those requiring licences to gain them without unnecessary effort.

Funding is available through the Agri-Environment Climate Schemes (AECS) for control of certain species to benefit ground-nesting birds, such as black grouse and waders which are vulnerable to predation.

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There is also funding available to benefit Scottish wildcat populations by undertaking legal predator control using methods that reduce the risks to the Scottish wildcat.

Further information on AECS schemes can be found here: [Management options and capital items \(ruralpayments.org\)](https://www.ruralpayments.org/management-options-and-capital-items)

There is also support available through the Forestry Grant Scheme to undertake predator control for capercaillie and black grouse within a 1.5 kilometre radius around active lek or breeding sites. This includes labour costs for shooting and trapping of pest mammals and birds, the monitoring of traps, the humane despatch of live animals, the completion of annual monitoring returns, and associated material costs such as traps.

Further information on this scheme can be found here: [Sustainable Management of Forests – Species Conservation – Predator Control for Capercaillie and Black Grouse \(ruralpayments.org\)](https://www.ruralpayments.org/sustainable-management-of-forests-species-conservation-predator-control-for-capercaillie-and-black-grouse)

We are currently reviewing the financial support available for future agri-environment and climate schemes through development of the future agricultural support work which is ongoing. As this develops we will be considering the funding available for predator control activity and any additional costs as a result of increased effort required as a result of the ban on the use of snares.

In regards to monitoring the impact of the ban on the use of snares, we have a statutory requirement under Section 32 of the Wildlife Management and Muirburn (Scotland) Act 2024 to review the operation and effectiveness of the snaring ban within five years of the Act receiving Royal Assent.

There are established ground nesting bird surveys in place which will continue to monitor the population trends of these species. This information can be used to help determine whether the ban on the use of snares is having any significant role in ground nesting bird population declines.

Further to this, changes in livestock loss can be monitored through survey information and assessments of records gathered through the Scottish Government Rural Payments and Inspectorate Division. As with the AECS, any potential increases in livestock losses will be considered through the development of the future agricultural support work which is ongoing.

You stated that the Committee has received a letter on 4 October from a number of land management organisations in which they raise concerns over the decision not to provide a BRIA with this instrument. It would be helpful, therefore, if you could also provide information explaining the reasons for this decision.

The letter from stakeholders appears to confuse the purpose of the SSI 2024/268 “The Wildlife Management (Consequential Amendments) (Scotland) Regulations 2024”.

As stated in the [Policy Note](#) for this SSI that the letter from stakeholders refers to:

“This instrument in consequence of the commencement of the prohibition of the use of snares under the 2024 Act, the effect of this instrument is revoke provisions which are no longer required and to remove the WCS Collarum (a type of snare) from the Spring Trap

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Approval (Scotland) Order 2011.”

This is a consequential amendment which removes the WCS Collarum (a type of snare) from the Spring Trap Approval (Scotland) Order 2011. As the use of snares will be prohibited in Scotland from 25 November 2024, the WCS Collarum will no longer be able to be used in Scotland legally and therefore should no longer be on the Spring Trap Approval (Scotland) Order 2011.

SSI 2024/268 does not prohibit the use of snares. This is simply a technical amendment and therefore no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

I hope this clarifies the Scottish Government's position.

Yours sincerely



JIM FAIRLIE

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