

Wildlife Management and Muirburn (Scotland) Bill: Financial Memorandum

Question page 1

1 Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

Yes.

No specific comments were made relating to financial assumptions as no reference to finance was made in the consultation.

2 If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

Please provide your response in the box provided.:

No.

As above, no reference to finance was made in the original consultation, or other preceding consultations on this issue and as such the Scottish Countryside Alliance has not commented on the financial implications of this Bill.

3 Did you have sufficient time to contribute to the consultation exercise?

Please provide your response in the box provided.:

Yes.

Sufficient time was given to respond.

4 If the Bill has any financial implications for you or your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

Please provide your response in the box provided.:

No, the Scottish Government is already considering charging for licences on the basis of cost recovery (despite the document recognising there is a public interest involved, which is the usual basis for public subsidy of licensing costs). Assuming it proceeds with this proposal, that would represent a direct cost to the applicant and be an additional cumulative cost to the shooting industry and to conservation efforts. The reason for grant of the licences to enable activities, such as muirburn, to prevent wildfires etc. will also prevent or reduce economic loss in turn. Although the Bill does not itself require a fee to acquire a licence, the fact that its imposition is already being actively considered means that an accurate calculation of the financial impacts of the Bill must take this possibility into account.

The FM states that "it is assumed that the cost of a licence will not be passed on to the applicant, as NatureScot do not currently charge for any licences relating to wildlife management" (item 61). However, the FM then goes on to state in items 62-66 the Scottish Government is considering charging for each of the 3 licences on the basis of cost recovery and stating that for a full cost recovery basis the licences would be charged at £50 for a wildlife trap licence, £100 for a grouse licence and £250 for a muirburn licence.

When assessing the cost of each licence, the FM states that for the grouse licence it will "take staff up to double the time required for the existing registration process for wildlife traps", and for a muirburn licence "this could take up to five times as long as the existing registration process for wildlife traps". What will be the exact process of evaluation when assessing the suitability of issuing licences for grouse and muirburn purposes? Given the suggested timeframes for each, it is clear that at least some system has been considered by NatureScot?

Mapping is required for both grouse and muirburn licences. Therefore, why is the proposed cost of the muirburn licence at a much higher figure than for grouse licensing, being that it is potentially being carried out on the same or largely similar areas of moorland?

In addition to the direct cost of applying for a licence, there will also be costs associated with administering the licensing scheme. The FM states that the Scottish Government expects the existing licensing team in NatureScot to administer the process and are considering whether they need to expand the existing team to meet the increased demand. Site visits may be required, and this would incur further cost that the applicant would be liable for if this public service was provided on the basis of full cost recovery. If a licensing officer is not familiar with a specific area and (as will frequently be the case) might vary the decision based partly on such local factors, there would be a higher cost compared with an area with which the officer was familiar because they would need to visit the site to ensure the evidentiary threshold was met. This may be deemed discriminatory were some required to pay more for the same service.

Given that the draft bill is proposing 3 new licensing schemes, this will, inevitably, vastly increase the number of applications submitted to NatureScot.

The cost of the gathering of evidence and any delays in granting a licence, could be catastrophic to a sporting estate when organising their business calendar for the year, and for effective management of the moorland within the limited timeframe of the muirburn season. Licences can be granted to undertake muirburn outwith the season, but this will likely incur delays due to further evidence gathering.

The administration of these licences will incur costs to NatureScot, and no doubt these costs will be recouped by charging. Costs for an on-line platform for the 3 new licensing schemes are indicated in the FM and have been estimated at minimal for the wildlife trap licence, Grouse licence estimate £200k for a maximum of 10 development stages, and for muirburn licensing, the FM did not state how many development stages this would take, although it indicated that it "will take longer to develop". Given that the grouse licence indicates 7-10 development stages, muirburn could also incur development costs of a similar amount to the grouse licence. The FM does not accurately estimate the considerable costs for rolling out new systems for administering these licences, which we believe will have a huge knock-on financial impact on rural businesses.

With the exception of the wildlife trap licence, the grouse and muirburn licences will need to be applied for annually. Why is this the case, given the set-up of grouse estates country wide. It would seem more realistic to issue licences every 2-5 years as a minimum requirement. Once an area is mapped, can this not be used in future licence applications? Firearms licensing is a tried and tested method of licensing, with an application or renewal fee every 5 years and it is also revokable should an offence be committed.

Grouse estates often plan over a year ahead so there are grave concerns that a licence may only be granted for a maximum period of 12 months. Businesses will not be able to confidently book in customers as they will not be sure whether they will even have a licence the following year. This isn't just about the shooting of grouse. This will affect hospitality and tourism in areas that rely on it so heavily. If one removes the incentive to shoot grouse, then moorland will no longer be well managed, and the conservation status of red listed species will suffer. Investment will decline in both conservation and in the local economy. There will be a severe knock-on effect in investment and planning ahead, as is necessary, will be virtually impossible.

Roughly 9,000 full-time jobs are supported by the shooting community in Scotland (Aim to Sustain figures) and over the short grouse season, contributes around £350 million to the economy (Gift of Grouse).

The FM seems to take on faith the idea that NatureScots' licensing decisions will always be the correct ones, but that is not an assumption that can be accepted automatically.

The document makes no mention of costs to any parties related to judicial reviews brought either by anti-hunt activists or applicants who disagree with a NatureScot licensing decision. NatureScot would face costs associated with defending those actions, and if a landowner felt it necessary to challenge a negative decision because they disagreed with a licensing officer's assessment that there were effective alternatives, they too would bear costs in mounting it. Item 70 of the FM mentions costs incurred by applicants requesting a review of licensing decisions, but we consider this estimate to be far lower than what we expect if the Bill comes into force.

In short, full cost recovery will ruin some businesses.

Question page 2

5 Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

Please provide your response in the box provided.:

No. Current estimates are provided based on the situation that presents itself now. With the vastly increased number of applications for the 3 licences, potential site visits, possible judicial reviews, risks of delay in issuing licences and the likelihood that some applications will be refused, costs will far exceed those incurred under current circumstances. The picture presented in the FM is wildly optimistic.

Companies operating grouse shoots may incur considerable financial and reputational damage costs if, for example, a grouse shoot is suspended pending a police investigation, resulting in the suspension or revocation of a licence to take grouse. This means that a simple allegation may close a shoot for the duration of the investigation, and it appertains to any wildlife crime, not only to raptor related offences as was initially understood for the Bill.

6 If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

Please provide your response in the box provided.:

No, there will be a considerable potential increased cost to landowners operating shoots on areas of moorland that are now required to obtain not one but three separate licences, with the expectation that full cost recovery will be introduced, to:

- operate traps for conservation purposes, used for protecting endangered ground nesting birds. We believe this licence will not deter illegal trapping still taking place, and in fact registered trap operators would be subjected to fees and increased legislation on the use of trapping equipment that currently requires extensive training in their operation. The FM does not adequately estimate how much these training courses will cost to individuals, stating

only that "in discussing the framework to endorse training courses, the Scottish Government and NatureScot will work with stakeholders to ensure training courses are available at a cost that is accessible". Current costs of courses run by the GWCT range from £48+VAT to £72+VAT for fox control, corvid control or mustelid and rodent control.

- allow the shooting of red grouse. Companies operating grouse shoots may incur considerable costs if, for example, a grouse shoot is suspended pending a police investigation, resulting in the suspension or revocation of a licence to take grouse. These licences will need to be applied for annually, however the way grouse shoots are organised and run, these rural businesses often take bookings well in advance of a year. If they can only apply annually, they cannot guarantee that a licence will be granted every year, and this could potentially cause a considerable loss to their income and their reputation if bookings cannot be guaranteed. The shooting community support around 9,000 full-time jobs in Scotland (Aim to Sustain figures) and consequently contributes around £350 million to the economy (Gift of Grouse), via shooting activities and supporting and sustaining the hospitality sector in rural areas during the off-peak tourist season.

- Carry out muirburn on their land. It has already been indicated under item 75 of the FM, that the cost of building an on-line licensing platform for muirburn will be more involved and will take longer to develop, we therefore expect this additional cost to be fully cost-recoverable by charging for a muirburn licence. Training costs will also be incurred by muirburn practitioners via the LANTRA accredited course operated by Bright Sparks Burning Techniques company. There are no allowances made in the FM to additional costs incurred by the Scottish Fire and Rescue Service attending uncontrolled wildfires in rural areas. Between March and April 2022 the SFRS recorded 95 incidents of wildfire in Scotland. These figures could increase if muirburn licences are not granted in areas of increased fuel load. These wildfires have a negative environmental impact, have the potential to burn for days and place a drain on emergency service resources. Humberside FRS estimate a cost of approximately £393.73 to their service for every appliance call-out.

As it stands the rural sector already contributes towards conservation by operating such practices as muirburn and pest and predator control free of charge, or at minimal cost. More often than not it actually costs those who own the land or run the schemes. This is not subsidised and comes at no cost to the Scottish Government. To charge these operators to continue providing this service is unreasonable since very few wish for a licence to be introduced in any case, whether it is for trapping or muirburn, these professional operators do not ask for their costs to be covered and so should not be charged for conducting a public service. If full cost recovery was to be introduced in relation to any licensing scheme, many applicants would either not apply, in which case conservation efforts would suffer, or they would be forced to make a business decision based on comparing the application costs against the losses they would otherwise incur.

7 Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?

Please provide your response in the box provided.:

No. The FM is vague in stating when the Scottish Government might move to full cost recovery and this lack of precision risks its overall accuracy. As previously stated, the costs that the FM estimates are likely to be far lower than the actual cost of processing licences under this Bill. The overall costs to applicants are not mentioned and have possibly been ignored, nor has there been adequate consideration of the time it may take to gather sufficient evidence and complete an application, or the costs incurred during that period of delay.

Costs will also be accrued as part of the evidence gathering process, whether measuring peat depth or assessing areas suitable for muirburn. Those who have already invested heavily in new and expensive traps after the Fenn became illegal may not be able to afford to apply for a licence, rendering their important investment void. Just one DOC trap costs around £45 and the A24 Goodnature would be somewhere in the region of £150 each.