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Scottish Parliament
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11 November 2025

Dear Convener,

Amendments to Grouse Licensing regime

Thank you for your letter of 7 November, requesting further information on the issues that resulted in my decision to amend the grouse licensing scheme.

The purpose of my proposed amendment to the Natural Environment (Scotland) Bill (“the Bill”) is to achieve the original policy intention for the grouse licensing scheme in section 16AA of the Wildlife and Countryside Act 1981 (“the 1981 Act”), inserted by section 10 of the Wildlife Management and Muirburn (Scotland) Act 2024 (“the 2024 Act”). The amendment was lodged on Friday 7th November and is available for the Committee to consider.

The original policy intention for the grouse licensing scheme introduced by the 2024 Act was that licences could be suspended or revoked if NatureScot were satisfied that the licence holder (or a person involved in the management of the grouse moor) had committed a ‘relevant offence’ in connection with the management of the grouse moor. However, that has been narrowly interpreted as only allowing a licence to be suspended or revoked where a relevant offence is committed in the area specified in the licensing application and in many cases, the areas being specified are much smaller than the landholding. While the majority of estates have adhered to both the spirit and the letter of the law, it is clear that a small number have not. This is why the need to act has arisen.

Currently, the 1981 Act requires the applicant to “specify” the area of land to which the licence is to relate, therefore it is for the applicant to determine where the licence boundaries are. There is no scope for NatureScot, when considering an application, to licence a different area of land than the area specified in the application. This has resulted in applications being made for licences for just the grouse moor itself, or even just a part of the grouse moor, and not for any of the surrounding land on which management actions might take place.

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Therefore, there is the potential for an applicant to set an even narrower licensable area, for example just the grouse butts, which would allow the shooting of grouse in only that area of land, and any relevant offences committed outside of that small area of land would not be sanctionable by suspension or revocation of the licence.

NatureScot has since added a condition to all licences to try to mitigate against this issue, however, the condition does not include the full list of relevant offences and requires reliance on licensing conditions as opposed to express provision in the primary legislation.

Following the notification of modification of the licence conditions by NatureScot, of the 245 active licences, 94 maps were updated. Some of those updated maps however, showed a clear reduction in the licenced area from the whole estate boundary to the area where grouse shooting is taking place.

My proposed amendment will ensure that a meaningful deterrent is in place to stop relevant offences occurring just outside of the licenced area and that the licensing scheme is as effective as intended. It will do so by enabling NatureScot to take action to suspend or revoke a licence if they have evidence that a relevant offence has occurred not just within the area that the licenced activity is taking place but on any land providing that the offence (or suspected offence) supports or benefits the activity being carried out under the licence. In addition, it will allow NatureScot to propose a different area to that specified in the application for a licence. The licence will only be granted if NatureScot and the applicant agree on the area of land that the licence is to cover, otherwise, the application will be refused.

The amendment will not unfairly penalise or increase burdens on the vast majority of estates who are already complying with both the spirit and letter of the law. It deals with the circumstances under which a licence can be suspended or revoked where a relevant offence has been committed (or NatureScot have grounds to suspect has been committed) and as such it will only impact estates who are not complying with the law.

The main changes will be for new applicants, as the proposed amendment will set out that the applicant must describe the area of land to which the applicant proposes the licence should relate.

For existing licence holders there should be no material impact unless a relevant offence is suspected to have been committed after the new provisions come into force, and then the new grounds for suspension and revocation will apply to them.

I recognise the important economic contribution that grouse moor management makes to rural communities and am committed to ensuring that the licensing regime remains pragmatic and workable. The Scottish Government will work closely with stakeholders and NatureScot to provide clarity and guidance for licence holders.

Yours sincerely,



JIM FAIRLIE

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