

NatureScot submission of 7 March 2022

PE1895/E - Mandatory accountability for Naturescot's decision making procedures

Our wildlife laws are a vital tool to protect our native wildlife. NatureScot, as the licensing authority in Scotland has the ability to grant licences in accordance within the provisions of a number of pieces of environmental legislation. These set out the circumstances under which licences can be granted, not all of which relate to conservation objectives. These licensing 'tests' vary according to the legislation in question but generally include an assessment of; whether the applicant's proposal is covered by the purposes for which a licence can be granted, that there is no satisfactory solution or alternative which doesn't require a licence, and what the impacts of the proposal will be on the conservation status of the species involved. NatureScot will only grant a licence if an application can meet the relevant statutory tests.

NatureScot routinely issues licence refusals and our approach is to always explain to the applicants the reasons for the refusals against the relevant legal tests.