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Briefing for the Public Petitions Committee on PE2268: Strengthen safety protections for residents near pest bird shooting

The petitioner is calling on the Scottish Parliament to urge the Scottish Government to introduce stronger protections for residents living near pest bird shooting, including clearer safety requirements, minimum safety distances from residential properties and measures to reduce unreasonable noise and disturbance.

The petitioner sets out that residents of Baberton Mains, Edinburgh, have experienced "pest bird shooting close to residential properties every summer for several years" which "is extremely loud and can begin early in the morning and continue into evening, seriously disturbing residents". The background states that "Residents have found pellets in their gardens and dead birds close to homes" and that "Children and animals are frightened by the sudden gunshots".

Brief overview of issues raised by the petition

- All wild birds in Scotland are protected under the Wildlife and Countryside Act 1981 (as amended), or 'WCA'. NatureScot can license, for certain specific purposes, actions that would otherwise constitute an offence. 'General licences' enable people to carry out activities that would otherwise be illegal, without the need to apply for an individual licence. Operators must adhere to the terms of the general licence. Abuse of, or failure to comply with, the conditions could constitute an offence.

- Various general licences are published by NatureScot, for different purposes. The General Licence for birds (GL02/2026) allows for the killing or taking of certain birds (e.g. feral pigeons, crows, magpies, certain geese) "for the prevention of serious damage to livestock, foodstuffs for livestock, crops, vegetables and fruit". This General Licence is referred to in the petition.

- Methods of killing or taking birds permitted under GL02/2026 are listed and include "Shooting with any firearm, including semi-automatic firearms, shotguns or air guns". There are no explicit conditions relating to public safety, noise or minimum distances from residential areas etc. However, the General Licence states "This General Licence does not exempt any operator from complying with relevant firearms and public safety legislation" (that legislation is not specified).

- The regulation of firearms, with an exception for air weapons, is generally reserved under the Scotland Act 1998 (Schedule 5, Part II, Section B4). Police Scotland is the licensing authority for firearms, shotguns and air weapons. Information is available on its website – see 'Firearms and shotguns', 'Air weapons', and 'Frequently asked questions' which includes guidance on pest control. Further information is provided in a House of Commons Library briefing – 'Short guide to firearms licensing' (2026).

- The Police Scotland webpage on Firearms and explosive licensing includes a guidance document and notification form titled 'Notification of Shooting/Pest Control. It advises consideration of whether shooting will be likely to cause others concern, for example in built-up areas, and the form can be used to notify the police of planned shooting to help manage the demand on police resources.

- It may be relevant to consider whether the law on nuisance could be applicable. The Environmental Protection Act 1990 ("EPA") (as amended) defines a range of statutory nuisances and gives local authorities enforcement powers. Section 79(1)(g) for example provides that "noise emitted from premises so as to be prejudicial to health or a nuisance" constitutes a statutory nuisance. This regime includes the power to serve an "abatement notice" requiring the nuisance to stop or certain steps to avoid recurrence.

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2 November 2026

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

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