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Finlay Carson
Convener
Rural Affairs and Islands Committee

By email: rural.committee@parliament.scot

30 October 2025

Dear Convener,

I am writing to make the Rural Affairs and Islands Committee aware of my intention to bring forward an amendment to the Natural Environment (Scotland) Bill at Stage 2, to amend the grouse licensing provisions within the Wildlife and Countryside Act 1981 (“the 1981 Act”) (as inserted into the 1981 Act by the Wildlife Management and Muirburn (Scotland) Act 2024 (the “2024 Act”).

As the Committee are aware, the original policy intention for the grouse licensing scheme 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, following the introduction of the licensing scheme concerns have been raised that the provisions in the 1981 Act are being 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.

NatureScot has since added a condition to all licences to try to mitigate against the issue caused by the applicant being able to choose to have a restricted licence area. 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.

The purpose of my proposed amendment is to enable the licensing scheme to operate as originally intended, ensuring that it provides a meaningful deterrent.

The proposals for the grouse licencing provisions were subject to formal consultation prior to the introduction of the 2024 Act and subject to rigorous parliamentary scrutiny during its passage through Parliament.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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In bringing forward an amendment I am not seeking to alter the licensing scheme that was agreed by Parliament, rather I am seeking to address the uncertainty surrounding the interpretation of the provision within the 1981 Act in order to ensure that the licensing scheme operates in the manner members intended when they voted to pass the 2024 Act.

Yours sincerely,



JIM FAIRLIE

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