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Convener  
Rural Affairs and Islands Committee

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02 October 2023

Dear Convener,

Thank you for your letter of 26 September setting out some concerns expressed to you by the Scottish Countryside Alliance regarding NatureScot's interpretation of the law in producing guidance for licensing as set out in the Hunting with Dogs (Scotland) Act 2023.

NatureScot have updated their draft guidance following feedback from stakeholders, and this has now been published on the NatureScot webpages. NatureScot have responded directly to the Scottish Countryside Alliance on the concerns they have raised, however, I have outlined these concerns below as you have requested.

### Licensable period

The published guidance sets out further detail on the licensable period as follows:

- “Licences granted for **preventing serious damage to livestock, crops or woodlands** can permit licensable activities for a maximum of 14 days, which must fall within a period of 6 consecutive months.
- “Applications must specify as accurately as possible the specific time periods of proposed licensable activity (including the proposed total period of licensable activity and the proposed start and end date of each period making up that total) within the relevant 6 month or 2-year period. Applications should include evidence which the applicant considers demonstrates that it is necessary for licensable activity to be undertaken at those times in order to achieve the licensable purpose.
- “In assessing applications, NatureScot will consider any need for flexibility around the points in time at which licensable activities can be carried out.”

### Definition of cover

The definition of cover as stated in the Act is clear and to avoid any confusion NatureScot have removed the reference to “dense woodland” or “gorse or other thick vegetation” in their guidance.

### Licensable activities

The published guidance reflects the wording of the Act in respect of licensable activities and the definition of cover and states:

“The Act defines ‘cover’ as a place above ground in which a wild mammal may be concealed from sight, but not including an enclosed place from which a wild mammal could not be flushed.”

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NatureScot have now published a finalised version of the guidance on their website, and can be found here: [Hunting with dogs and licensing | NatureScot](#).

Yours Sincerely



**Gillian Martin**

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