



Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Mr Philip Stubington

By email: request-480516-9f1351b2@whatdotheyknow.com

Our Ref: SIR150362/A2651594

15 June 2018

Dear Mr Stubington

Information Request – Strathbraan Licence

Thank you for your information request, which we received on 26 April. We have considered your request under the Environmental Information (Scotland) Regulations 2004 ('the EIRs').

Your Request

- “1) What conservation organisations or raptor groups have been consulted and/or are involved in the collaborative trail?
- 2) What is the evidence base for your organisation to publicly state "We are satisfied this licence will not affect the population of ravens overall"?
- 3) What independent organisations will be involved in the assessment of efficacy of the cull?
- 4) How and when the success or failure of the cull will be assessed?
- 5) Will the data be published and peer assessed?
- 6) What are the obligations placed on the counter-parties are to justify the statement “The licence places significant responsibility and expectations on all those involved – to be able to show that this approach can work and will help deliver what are essentially shared objectives.”
- 7) How you will monitor the counter-parties' compliance?
- 8) What penalties are available in the event that the counter-parties fail to meet their obligations?”

Our Response

We have carried out a detailed search of the information we hold, and copies of all the relevant documents are available at: <https://www.nature.scot/strathbraan-licence-information-released>.

The information includes the licence application, the licence application assessment, the issued licence and all the relevant internal and external correspondence.

Some parts of the documents provided have been marked out (redacted). The reasons for this are:

- We have marked out (redacted) some parts of the documents where they contain personal data.

Releasing the personal into the public domain in response to an access to information request would breach the Data Protection Act 1998. We are therefore withholding the information under EIRs Regulation 11(2) (Personal data).

- We have redacted some information that was provided to us voluntarily and in confidence. There are no other circumstances that entitle SNH to disclose this information, and the correspondent has not consented to its disclosure. Making the information publicly available would be likely to substantially prejudice the interests of the correspondent. We are therefore withholding the information under EIRs Regulation 10(5)(f) (Interests of the individual providing the information).

We have concluded that, in this case, the public interest in making the information available is outweighed by the public interest in withholding it and maintaining the confidence in which the information was provided.

- We have redacted a small amount of information in the documents that falls out-with the scope of your request.

Additional information is provided in the Annex to this letter to help address your specific requests and provide further context on our responsibilities, the licence application and its assessment.

How We Handled Your Request

We believe you have asked for environmental information as defined in the Environmental Information (Scotland) Regulations 2004 ('the EIRs'), so we are dealing with your request under those regulations. To be able to use the EIRs, we must apply an exemption under section 39(2) of the Freedom of Information (Scotland) Act 2002 ('FOISA'). The Scottish Information Commissioner's guidance recommends that public authorities apply this exemption to environmental information and handle requests under the EIRs.

If you would like to find out more about the access to information legislation there is a guidance booklet available on the Scottish Information Commissioner's website:
<http://www.itspublicknowledge.info/nmsruntime/saveasdialog.aspx?IID=5487&SID=5024>.

Review and Appeal

I hope this information meets your requirements but if you are dissatisfied with how we have responded to your information request, please write to us within 40 working days explaining your concerns. You can contact us at Battleby, Redgorton, Perth, PH1 3EW or email us at foi@snh.gov.uk. We will carry out a review of our response and contact you with our findings within 20 working days.

If you are not satisfied following this, you can make an appeal to the Scottish Information Commissioner. The Scottish Information Commissioner can be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Online appeal service: www.itspublicknowledge.info/Appeal

Website: <http://www.itspublicknowledge.info/>

Telephone: 01334 464610

Yours sincerely

Rhoda Davidson

Rhoda Davidson
Information Officer
FOI@snh.gov.uk

Annex – Further information

Licensing and how we licence

SNH issue around 2,500 licences and authorisations in relation to protected species every year. The legislation sets out the specific purposes and criteria under which licences can be granted. These purposes include preserving public health and safety, preventing serious damage to crops or livestock, or for the purpose of science, research and education as is the case here. We have to treat any licence application objectively and proportionately, on its merits and against these criteria.

The application, licence and assessment

Populations of some of our wading bird species are declining rapidly. The causes of these declines are not fully understood but predation, habitat quality and climate are all likely to be important factors. Declines are largely thought to be due to low levels of productivity rather than adult survival, and studies involving the removal of predators have been shown to boost productivity.

Many of these studies have looked at the removal of species that can either be controlled without a licence (e.g. foxes), or of protected species that can already be controlled under general licence (e.g. crows). This means that it can be difficult to differentiate between the relative impacts of these species and that the impacts of any other predators, including ravens, are poorly understood.

A correlative study looking at relative abundance of ravens and productivity of waders found no significant relationship between the two but did find a weak negative relationship worthy of further investigation. Furthermore the data used for this study is now quite old and in the meantime the abundance of waders has decreased further, whilst raven numbers have increased. A useful review of the relevant literature including on population trends of both predators and prey and potential causes of these changes can be found in the [Understanding Predation](#) report.

The licence application was submitted by the Strathbraan Community Collaboration for Waders (SCCW) and was developed with input from scientists at the Game and Wildlife Conservation Trust and the intention is that they would be involved in the analysis of the data collected. This licence was granted on 4th April 2018 for the purpose of *Science, Research and Education*. It permits the control of up to 69 ravens this year over an area of c.30,000Ha. We are confident that this will not affect the wider conservation status of ravens in Scotland on the basis of recent modelling work on raven populations undertaken on our behalf by the British Trust for Ornithology.

The community-led proposal aims to compare productivity of curlew, lapwing and golden plover in the study area before and after licenced reduction in raven numbers. Productivity data is also being collected outside of the licence area and the land is managed positively for waders.

Monitoring will be undertaken by trained land-managers, and the licence remains in place. The project may run for up to five years, with progress reviewed annually with SNH before any

further licences are granted. The licence is subject to strict conditions and failure to meet them could result in the licence being revoked or the commission of an offence.

We accept that this proposal is not a full-scale academic study. However, the project is designed to help contribute to our understanding of the factors affecting wader populations, the usefulness (or otherwise) of potential interventions for their conservation, and the feasibility of these more adaptive, community-led and co-productive ways of working. This proposal is about testing an approach, on a limited scale and for a limited time-period, and adapting it if needed, in order to improve our understanding. The potential benefits of the project in this respect outweigh the impacts of the proposal on raven populations. We will monitor the project and review it to ensure that this continues to be the case and that any lessons learnt or results are used to inform discussion and action on wader conservation.

SNH's Scientific Advisory Committee (SAC) are currently reviewing the application and will report their findings to the SNH board who will in turn consider how best to proceed in light of that information.

You had also asked about wider consultation on the licence application. We do not consult non-government organisations or individuals on licence applications. However, both the RSPB and Scottish Raptor Study Groups had been aware of the applications since at least November 2017. The application was considered by a range of SNH staff and the decision on the licence made in accordance our obligations as licensing authority and the merits of the application.