



Forestry and
Land Scotland
Coilltearachd agus
Fearann Alba

Logan Steele

Via e mail: logan.steele@live.co.uk

Our ref: SEC-19-128

4 November 2019

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Dear Mr Steele

Ard-Oifigear/Chief Executive
Simon Hodgson

FREEDOM OF INFORMATION REQUEST: USE OF FOOT PACKS ON SCOTTISH FORESTRY ESTATES.

Thank you for your e mail dated 11 October 2019 requesting information in relation to the above.

Information requested

You have asked about obtaining the following:

1. How many individual foot packs are using FS ground?
2. What is the frequency of such visits?
3. What is the geographical spread of such activity?
4. How many foxes have been shot on FS ground in the last two years, and FC before that, and what is the split between those killed by your own staff and those by the foot packs?
5. What processes do you have in place for foot pack operators to report back the number of, all, mammals killed and what checks are made as to the accuracy of such figures?
6. What safeguards have you established to ensure that protected mammals such as wild cat, pine marten and badger will not be 'accidentally' killed by the hounds?
7. What checks are made to ensure the area where foot packs will be operating do not contain any protected mammals?
8. What process is in place to handle requests from foot pack operators and what are the terms and conditions around such access, such as geographical or timeframes?
9. What checks are made on foot packs to ensure that they hold the appropriate SNH licences to 'accidentally' disturb protected, and possibly, breeding protected mammals?
10. How does FS ensure that they are not in breach of the appropriate legislation protecting such mammals by allowing foot packs access to their land?
11. During what times of the year do you allow such activity to take place?
12. What measures are taken to warn members of the public that such activity could be undertaken and in particular the discharge of firearms in such a public amenity?

13. Where SF have knowledge of rare breeding birds, such as the goshawk, is this information taken into account when considering requests for access with a view to refusing or restricting access?

Response to your request

Please see attached Annex A which contains responses to each question.

Right to Review

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision within 40 working days of the date of this letter. Should you wish to complain about the way your request has been handled please contact:

The Head of Corporate Services
Scottish Forestry
Silvan House
231 Corstorphine Road
Edinburgh
EH12 8RP

Tel: 0131 370 5250

E-mail: Scottish.forestry@forestry.gov.scot

Complaints regarding non-compliance with the open access legislation obligations should initially be made to Forestry and Land Scotland (FLS) itself. We aim to resolve any complaints with you directly. However, should the matter fail to be resolved, you may make an appeal to the Information Commissioner's Office at:

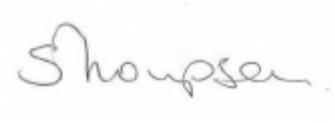
Scottish Information Commissioner,
Kinburn Castle,
Doubledykes Road,
St Andrews,
Fife
KY16 9DS

Telephone: 01334 464610

Fax: 01334 464611

e-mail: enquiries@itspublicknowledge.info/Complaints

Yours sincerely

A handwritten signature in cursive script that reads "Siobhan Thompson". The signature is written in dark ink on a light-colored background.

Siobhan Thompson
Secretariat Officer

1. How many individual foot packs are using FS ground?

One

2. What is the frequency of such visit?

Frequency of visits are determined each year by reported sightings and requests from neighbouring land owners or their representatives. An identified woodland block may be visited 1 -3 times per year depending on the results of previous visits.

3. What is the geographical spread of such activity?

Currently there is a permission in place that covers some forest blocks in South Inverness area known as; Wester Lairgs, Farr, Loch Farr and Morinsh in Moray.

4. How many foxes have been shot on FS ground in the last two years, and FC before that, and what is the split between those killed by your own staff and those by the foot packs?

	17/18	18/19	19/20 (to date)
FLS	65	52	56
Contractors	31	12	2
Recreational Deer Management Permits	1	0	0
Foot Packs	0	0	0
Total.	97	64	58

No foxes have been killed by using dogs to flush to guns. i.e. foot packs.

5. What processes do you have in place for foot pack operators to report back the number of, all, mammals killed and what checks are made as to the accuracy of such figures?

A condition of the permission is to report back to the Wildlife Ranger Manager the quantity, sex and gird reference of each fox taken during visits.

In addition, during each foot pack visit there is a member of FLS staff present to oversee and record the day's activity. The purpose of this is to ensure compliance with permission conditions, health and safety and legislation.

6. What safeguards have you established to ensure that protected mammals such as wild cat, pine marten and badger will not be 'accidentally' killed by the hounds?

There are a number of mitigation measures in place to reduce the risk of non-target species being targeted:

- Hound footpicks are authorised to operate during September to March. This mitigates the risk of young non-target species coming into contact with hounds.
- Activity is carried out during daylight hours to mitigate contact with badger.
- Hounds are highly trained dogs which are specifically trained to follow fox sent only. During training, any non-complying dogs are quickly removed from the pack as this would be considered counterproductive to the objectives of the pack.
- Any and all known badger sett locations within the activity area are guarded by a trained huntsman. This is in order to dispatch foxes which may take cover in a badger sett and to ensure hounds do not disturb badger setts.
- FLS Environment team highlights sensitive conservation locations including, but not restricted to, wild cat, pine martin and badger. These areas are given a significant exclusion zone and omitted from the foot packs operational area.
- A condition of the permission is that all dogs are to remain under control at all times and stay within the identified work area. FLS Staff monitor this activity on the day and any non-compliance will be quickly followed up.
- If there is a breach in either permission conditions or legislation on any given day, the FLS Staff member will terminate the day's activity until the issue is resolved and/or dealt with appropriately.

7. What checks are made to ensure the area where foot packs will be operating do not contain any protected mammals?

FLS Environment team is continually updated with current knowledge of our forest habitat network and wildlife locations. During forest visits and forest operations, all staff are encouraged to record and report wildlife sightings to their local environment team. These sightings are then recorded on our national digital mapping system which can produce detailed maps of conservation layers and exclusion zones. This method is used to create constraints maps for a variety of forestry operations. This method is the first step in mitigating against non-target species coming into contact with hounds.

8. What process is in place to handle requests from foot pack operators and what are the terms and conditions around such access, such as geographical or timeframes?

Requests to use foot packs come from registered fox hound associations who communicate with the local WRM(Wildlife Ranger Manager).

Access conditions are strictly restricted to previously identified forest blocks which have been approved for use by all internal forestry teams, such as, Harvesting, Forest Management, Environment, Visitor Services and Civil Engineering. Foot packs may not alter the work area without the prior consent of FLS.

Permissions are in place from September to March to avoid young wildlife. Foot pack days are operated during daylight hours only.

9. What checks are made on foot packs to ensure that they hold the appropriate SNH licences to 'accidentally' disturb protected, and possibly, breeding protected mammals?

With the above mitigation measure in place there is not a requirement to hold disturbance licenses as there is no intention to disturb protected/breeding wildlife.

10. How does FS ensure that they are not in breach of the appropriate legislation protecting such mammals by allowing foot packs access to their land?

FLS ensure compliance with current law, legislation and best practice by monitoring the day's activity. The required legislation and law is best outlined in the Code of Practice for Scottish Mounted Foxhound Packs. Although we are not operating mounted foxhound packs the same law and legislation applies. Please see Appendix 1 of Code of Practice for Scottish Mounted Foxhound Packs. (Copy attached)

11. During what times of the year do you allow such activity to take place?

1st September to 31st March.

12. What measures are taken to warn members of the public that such activity could be undertaken and in particular the discharge of firearms in such a public amenity?

Foot packs are only operated in remote and low public use areas. No firearms are permitted during foot pack days. Only the use of shotguns are permitted. All personnel authorised to use shotguns on FLS property have completed the BASC Shotgun Safe Shot course and are competent gun handlers.

The public are not pre warned of foot pack days. On the day, all gun handlers are in communication via radio and spotters are used to inform teams to terminate the activity if any unforeseen events occur, such as a member of public approaching.

13. Where SF have knowledge of rare breeding birds, such as the goshawk, is this information taken into account when considering requests for access with a view to refusing or restricting access?

Yes. Either forest blocks are omitted or large exclusion zone are imposed around conservation areas to protect the conservation interest. This is managed through the aforementioned mapping system.