

Briefing for the Public Petitions Committee

Petition Number: [PE1850](#)

Main Petitioner: Les Wallace

Subject: Natural flood prevention on grouse moors

Calls on the Scottish Parliament to urge the Scottish Government to make the use of natural flood prevention methods a condition for obtaining a grouse moor licence.

Background

On 26 November 2020, [the Scottish Government announced that it will introduce a licensing scheme for grouse moor shooting](#). This decision was in response to a [report by the Grouse Moor Management Group](#) (GMMG), which was established by the Scottish Government in 2017 to examine the environmental impact of grouse moor management practices such as muirburn, the use of medicated grit and mountain hare culls, and advise on the option of licensing grouse shooting businesses.

The GMMG report (also known as the Werritty review) recommended that a licensing scheme be introduced for the shooting of grouse if, within five years of publication of the review, there was no marked improvement in the ecological sustainability of grouse moor management, as evidenced by populations of breeding golden eagles, hen harriers and peregrines on or within the vicinity of grouse moors being in favourable condition.

However, the Scottish Government decided that it would bring forward legislation to license grouse moor management earlier than recommended. This was because [wildlife crime on grouse moors was still taking place despite a range of measures introduced to tackle it as well as other "problematical issues" in relation to grouse moor management](#).

In addition to considering the licensing of grouse moors, the [Werritty review also recommended](#) increased regulation of muirburn, in particular due to concerns around the detrimental effects of burning on peatlands. Management of grouse moors tends to include muirburn - the practice of burning old growth on a heather moor to encourage new growth, which is also undertaken as part of other land management. The previous Scottish Government committed that during the next parliamentary term, following a

public consultation, it would bring forward legislation including a ban on muirburn on peatland and refresh the muirburn code of practice.

The petitioner has identified the proposed grouse moor licensing scheme as an opportunity to require land owners to introduce natural flood protection measures in upland areas as a condition for obtaining a grouse moor license.

Natural flood management

The [Scottish Environment Protection Agency's Natural Flood Management Handbook](#) provides the following description of natural flood management:

“Natural flood management involves techniques that aim to work with natural hydrological and morphological processes, features and characteristics to manage the sources and pathways of flood waters. These techniques include the restoration, enhancement and alteration of natural features and characteristics, but exclude traditional flood defence engineering that works against or disrupts these natural processes”.

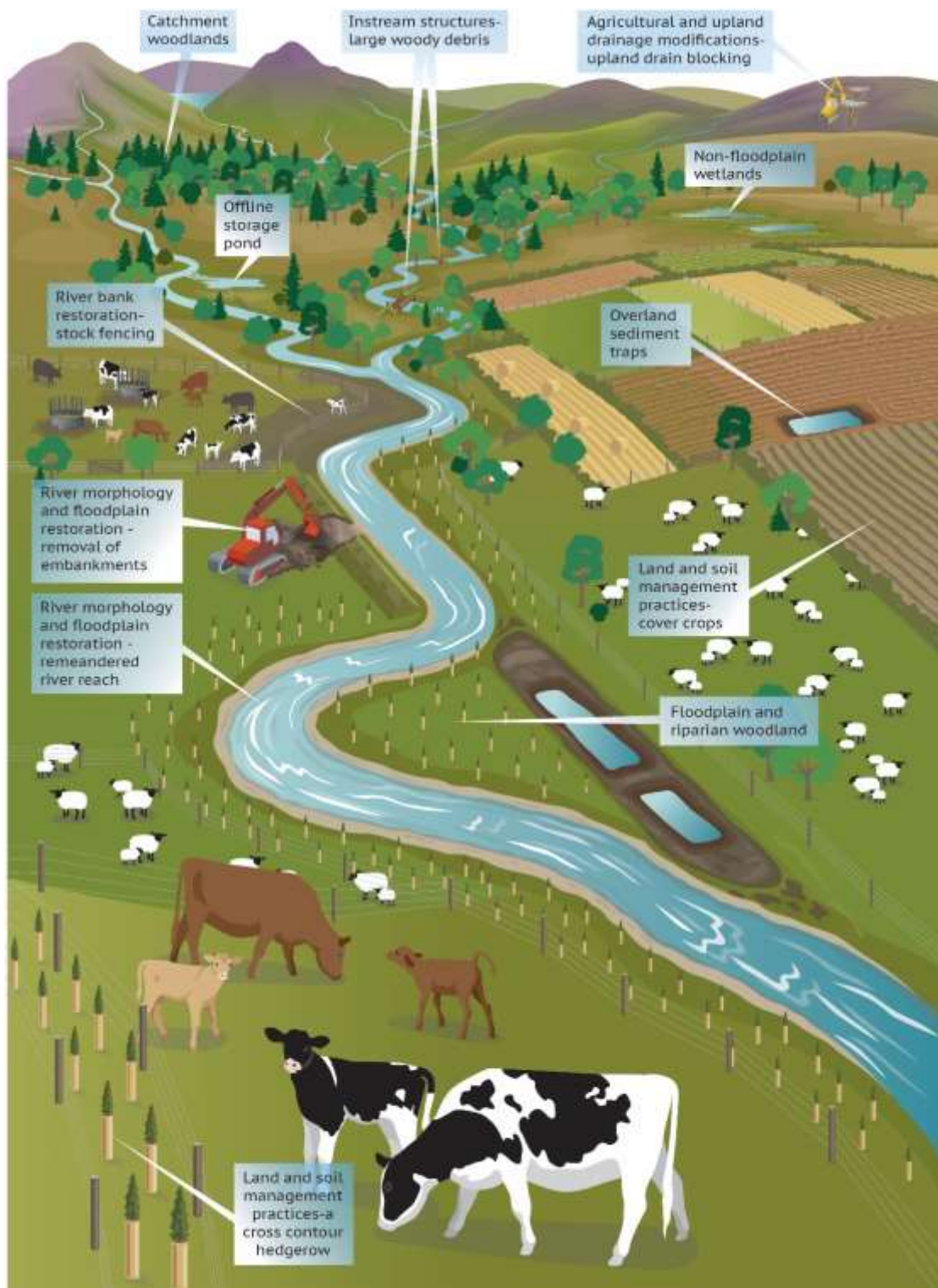
Natural flood management is an ‘ecosystem service’ i.e. a service or function provided by the environment benefitting people, and it can include measures such as:

- Woodland creation
- River and floodplain restoration
- Land and soil management practices including peatland restoration

[Scotland's National Peatland Plan \(published 2015\)](#) sets out that natural and restored peatlands store water, help to maintain steady flow rates on salmon rivers and provide reduced downstream flood risks compared to damaged peatlands.

These measures can also contribute to improvements in biodiversity, water quality and carbon storage – other ecosystem services.

Figure 1: Examples of Natural Flood Management Measures



Source: SEPA

Flood management in Scotland

It is a landowner's responsibility to manage flood risk in relation to their property. However, there are also powers and responsibilities held by local

authorities and by the Scottish Environment Protection Agency (SEPA) as well as other responsible authorities. The [Flood Risk Management \(Scotland\) Act 2009](#) is one of the most relevant pieces of legislation.

SEPA is Scotland's national flood forecasting, flood warning authority and strategic flood risk management authority. Local authorities are responsible for producing Local Flood Risk Management Plans and work in partnership with SEPA, Scottish Water and other responsible authorities to develop these.

The desirability of natural flood management is embedded in legislation. The [Flood Risk Management \(Scotland\) Act 2009](#) requires flood risk management planning to consider the potential contribution of alteration, enhancement or restoration of natural features of a river basin or coastal area in a flood risk management area – such as natural flood plains, woodlands and wetlands, or in slowing the flow of such water through woodlands and other vegetation.

Flood protection schemes can include traditional measures such as flood walls and/or may also use natural habitats across a catchment to reduce flood risk. To do this, land managers can be actively involved, by:

- making voluntary changes in land management in response to advice
- applying for relevant Scottish Rural Development Programme (SRDP) funding if eligible
- negotiating changes in land management with councils, to allow them to work with natural habitats to manage flood risk

Flood risk management in relation to grouse moors

A key aspect of the debate around the regulation of grouse moors is the extent to which they are fulfilling their potential, under current management practices, to provide 'ecosystem services' – in particular, how they support biodiversity, but also in areas including water quality, carbon storage and flood risk management.

The Scottish Government has commissioned research in this area [which was published in 2018](#), in addition to commissioning the Werritty review. This research sets out that demonstrating the role of grouse moors or their potential role in flood risk mitigation is difficult, due to a lack of studies directly assessing areas managed for grouse shooting, or the types of habitat commonly associated with driven grouse shooting.

Moorland areas are thought to be vulnerable to climate change, including flood and wildfire risk. [A 2015 report to NatureScot \(then SNH\) on sustainable moorland management](#) advised that the threat of these impacts "will require an adaptation strategy if moorlands are to support both healthy ecosystems and vibrant rural communities". It also noted that moorlands can play a major role in mitigating climate change through interventions such as peatland restoration, a practice which can also support flood risk management.

Scotland's [Climate Change Plan update published in 2021](#) sets out aims to restore 250,000 ha of degraded peatland by 2030, and to increase new woodland creation from the current target level of 12,000 hectares per year, to 18,000 hectares per year in 2024/25. The [Werritty review states that](#) woodland and peatland targets are likely to generate significant changes in moorland use and habitat with effects on grouse moors.

Damon Davies
Researcher

05/05/2021

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