

Licences, Consents and Protected Species

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Consents and licences

When preparing to apply for AECS, if you consider that a consent or licence may be required, you should contact the relevant organisation for advice as soon as possible.

Their staff or their websites will provide details on consent / licensing requirements in your specific circumstances and advise on how to proceed.

It is your responsibility to make sure that you have any necessary authorisation for the work that you wish to carry out.

Some examples of where you might require a particular authorisation include:

- felling permission from [Scottish Forestry](#) for removing heavy scrub under the Control of Scrub / Woody Vegetation capital item
- abstraction licence from the [Scottish Environment Protection Agency](#) (SEPA) under the Water-use Efficiency – Irrigation Lagoon capital item
- consents and letters of support from [Historic Environment Scotland](#) (HES) relating to [Scheduled Monuments \(PDF, Size: 799.9 kB\)](#) (please also refer to the [Designations page](#))
- if you apply for Ditch Blocking for peatland restoration you will need approval from your planning authority, under the [Prior Notification and Prior Approval process](#)
- licences for trapping of birds or mammals (see below*)

If your AECS application includes work which will affect a Site of Special Scientific Interest (SSSI) and which requires NatureScot consent, your AECS application will be treated as a request for consent. And if you receive an AECS contract, it will act as a consent, but only for the duration of the contract. Please refer to the guidance on [Designations](#).

If you have already received consent or written approval from a consenting authority:

- upload a copy of the relevant documentation to accompany your online application
- keep a copy available for inspection

If you have not received a necessary consent or licence from the relevant authority by the time you submit your application, you must submit evidence that you are in discussion with the relevant authority about this.

For the avoidance of doubt, **you must ensure that you hold any required licence or consent before you start the management for which a licence or consent is required.**

* If applying to control birds or mammals under the AECS Predator Control option, check that you can meet the relevant licensing requirements. Please note the following points:

- for crow trapping, under General Licence GL01/2024, trap operators must register with NatureScot and then display the registration number on the traps
- stoat trapping: trapping of stoats is now controlled through General Licence GL14/2024. There have been changes to the types of traps which can be used to take or kill stoats. Most significantly, Fenn traps can no longer be used to take or kill stoats

- as of 25 November 2024, it is illegal to set any snare in Scotland
- if trapping within one of the European sites (SPAs or SACs) listed in Annex 2 of GL01/2024 you must comply with the [Standing Conditions for the site](#), covering disturbance of species and damage to habitats

Protected species and ecological surveys

There are several pieces of legislation giving protection to species found in Scotland. In many cases it is an offence to kill or capture animals including birds, or to uproot plants. The law also protects some wild creatures from disturbance or harassment, or disturbance of their nests or resting places. Examples of commonly encountered species are shown below. Further details can be found on the [NatureScot protected species webpage](#).

You should therefore consider whether the management options or capital items you propose will affect any protected species. Please take into account the timings and locations of works (for example avoiding disturbance of birds during the [breeding season](#)). You should note the presence of any protected species in your application.

You must organise an appropriate ecological survey of the area if you know that your land supports protected species which may be affected by your proposal.

The survey report should include ways to mitigate unavoidable damage or disturbance and suggest ideas to compensate for any losses. The report should also identify any licensing requirements which might allow the work to go ahead in spite of the protected species.

You should also submit the report along with your application.

The [interactive tools on NatureScot's data services](#) may be helpful, over and above your own knowledge of the land and [NatureScot staff](#) can provide further guidance where necessary.

Please contact the [NatureScot licensing team](#) if you need more advice on survey requirements and licensing.

Commonly encountered protected species include:

- bats, otters, great crested newts and natterjack toads – these are protected under the Conservation (Natural Habitats, andc.) Regulations 1994 (as amended)
- wild birds protected under the Wildlife and Countryside Act 1981 (as amended)
- red squirrels, pine martens, water voles and other animals – these are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended)
- badgers are protected under the Protection of Badgers Act 1992 (as amended)
- plants listed on Schedule 8 of the Wildlife and Countryside Act 1981 (as amended)
- beavers are fully protected under the Conservation (Natural Habitats, andc.) Regulations 1994 (as amended). This protection also extends to lodges and burrows used for breeding and can apply to dams
- eurasian beaver have been reintroduced to parts of Scotland and are a European Protected Species which is protected by law. Information on beavers is available from the NatureScot website; [Protected Species: Beavers](#)
- all applicants to AECS are encouraged to manage riparian land in an appropriate way e.g. by undertaking the Management of water margins option. Where beavers are present, applicants must consider the best way to take that management forward noting that as ecological engineers, beavers may modify the riparian environment in ways not anticipated in the option outcomes. Beavers can bring many benefits for biodiversity and nature restoration, but some beaver activity may not be desirable. NatureScot can offer advice on mitigation of beaver impacts by contacting: Beavers@nature.scot
- while AECS can fund traditional tree protection, this may not be effective where beaver are active. Advice on alternative approaches is available from NatureScot. Where beaver activity impacts on work being undertaken under your AECS contract, no penalties will be accrued

Recent changes

Section	Change
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Consents and Licences	More information added regarding beavers. Quotes section moved to Funding, Claims and Payments page. Other minor updates.
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