The Scottish Seabird Conservation Action Plan

Safeguarding our Seabirds' Future

Scottish Government Response to the Consultation

August 2025

Scottish Government
Riaghaltas na h-Alba

Introduction

Seabird populations in Scotland are in decline. The recent seabird census, Seabirds Count and the Birds of Conservation Concern 5 report highlight that many of Scotland's internationally important seabird populations are in trouble. The census revealed that almost two thirds of Scotland's seabirds have declined over the last 20 years, with eight species declining by more than 50%.

Seabirds are vital to the marine ecosystem, and their decline signals broader environmental issues that affect livelihoods, food, and recreation. Co-ordinated action is therefore required to address seabird declines in Scotland.

The Scottish Seabird Conservation Action Plan sets out a vision for thriving seabird populations, with species showing increased abundance at breeding colonies since Seabirds Count. The action plan identifies over 50 priority actions to address the key pressures impacting seabird populations in Scotland such as, climate change, invasive mammalian predation, bycatch and reduction of prey and ultimately, where seabird conservation efforts are most needed and can be most effective. In recognition of the seriousness of declines in seabird populations at a UK level, the UK Government and other UK administrations are all working on seabird conservation plans, or equivalents. Collaborative working is embedded in these respective plans to ensure alignment where practical and consistency of approaches.

On 11 December 2024 the Scottish Government issued a public consultation seeking views on the action plan. The consultation asked four questions covering support for the implementation of the action plan, whether the action plan has identified all the key pressures on Scotland's seabird populations, and the actions required to address the vision, aims and objectives set out in the action plan. It also asked for views on how the action plan should be monitored.

Following the conclusion of the consultation on 5 March 2025, an external consultancy firm, Griesbach & Associates, was appointed by the Scottish Government to undertake an independent analysis of the consultation responses (Analysis of Consultation Responses)

A total of 107 substantive responses were received from individuals (81%) and organisations (19%) including the fishing sector, renewable energy developers and environmental non-government organisations (eNGOs), as well as 5,264 submissions from a Royal Society for the Protection of Birds (RSPB) campaign.

Questions and themes

Detailed and general comments were received, with some responses repeated across different questions. Many responses overlapped, with similar reasons given by both supporters and opponents (see Question 3). To avoid repetition, this

response has been structured to cover substantive comments under the most relevant of the four questions, regardless of where they were raised.

Support for implementation of the Seabird CAP (Question 1)

Question 1: Do you support the implementation of the Scottish Seabird Conservation Action Plan?

Overview of consultation responses

There was overwhelming support from the consultation for implementation of the action plan with 94% of respondents (both individuals and organisations) viewing it as a positive step for the conservation and protection of seabirds. In addition, all those who submitted RSPB campaign responses supported implementation of the action plan. One organisation (1%) did not support the action plan and five respondents were unsure (5%).

Respondents in support of the action plan welcomed its evidence-based, targeted, and achievable approach. Many described it as 'essential', 'critical', and 'vital' linking seabird decline to the broader degradation of Scotland's marine environment. Respondents repeatedly highlighted the national and international importance of Scotland's seabird populations and the urgency for action to address observed declines. Individual respondents often also emphasised the biodiversity, cultural, and economic value of healthy populations.

Opposition to the plan focuses a perceived disproportionate emphasis on regulating fishing while underplaying the impacts of other sectors. This view was also shared by fishing organisations who stated support for the plan. The sector highlighted the need for rigorous, evidence-based actions, and cautioned against taking action for the sake of it. Additionally, there was concern that the fishing sector might be unfairly burdened with taking responsibility for impacts caused by other factors, such as climate change, avian flu, or offshore wind developments. Specifically, they pointed to existing EU and Scottish policies that require a balance between economic and environmental sustainability (see the Scottish Government response to question 2).

Common themes raised by respondents are bulleted below:

- Call for the inclusion of black-headed gull and common gull, citing their conservation status and significant decline in Scotland.

We agree the recently evidenced declines and updated conservation status of black-headed gull (amber-listed) and common gull (red-listed) merits their addition to the action plan. Both species have been added to the plan and Vulnerability Report. The additions have resulted in no fundamental changes to the outcomes of the key pressures addressed by the action plan but ensure that all actions also now apply to black-headed gull and common gull where relevant and whilst in their coastal and

marine habitats. Actions to address inland terrestrial pressures associated with these two gull species are out with the scope of this action plan.

- Respondents identified the need for adequate and targeted funding to deliver the plan. Respondents sought clarity on short- and long-term funding plans and expressed concern about over-reliance on offshore renewable compensation. Clarity was also sought on funding delivery and the interplay between offshore wind compensation, the marine recovery fund and actions in the action plan.

- SMART[i] Objectives: Some actions lacked specificity or timelines with respondents seeking clearer targets, designated lead organisations, and a detailed delivery plan prioritising at-risk.

The Scottish Government are committed to playing a leading role in taking forward the implementation of the action plan. We are progressing policy work to inform which actions in the action plan might be suitable as compensation for offshore wind development and continue to explore the option of establishing a Scottish Marine Recovery Fund (MRF). However, considerable investment will be required to deliver the action plan and it is fundamental that this comes from a range of sources, including both Government (where we are the delivery lead) and non-government mechanisms.

We will establish a Scottish Seabird Conservation Action Delivery Partnership, to oversee the delivery, reporting of progress and ongoing review of the plan. Key stakeholders will be invited to participate in the partnership to ensure an inclusive approach that takes account of multi-faceted dependencies. The Delivery Partnership will be responsible for the ongoing review and adjustment of the final list of actions (including the development of smarter and timely targets where appropriate) to take account of emerging scientific evidence and other factors. It will also work with stakeholders to identify potential funding opportunities, who is best placed to deliver the work and establishing measures of success, recognising the need to find ways to secure longer-term funding that better reflects the timeframes required to achieve some of the actions. The Delivery Partnership will operate within the governance framework of the Scottish Biodiversity Strategy, ensuring alignment and accountability following publication of the action plan.

The announcement by the Scottish Marine Environmental Enhancement Fund (SMEEF) of a £1.6 million four-year seabird resilience fund, sourced through voluntary donations from the offshore renewable energy sector, is a significant step forward and work is already underway to ensure the SMEEF seabird work programme delivers on the action plan priorities. SMEEF will continue to fundraise for seabird resilience as one of their four priority funding areas alongside coastal, seabed and wider seas.

- Respondents welcomed the collaborative approach but advocated for a further emphasis on collaboration, stakeholder-led, co-designed solutions with more support for sectors developing practical measures such as bycatch reduction.
- Respondents also noted that the plan's success depends on cooperation across sectors, specifically mentioning the energy and fisheries sectors. Respondents urged efforts to maximise benefits and manage competing interests (see also responses to Question 2).

The Scottish Government agrees that collaborative working with communities and all sectors will be essential in taking forward the action plan.

Marine planning is a powerful tool for managing multiple use of our seas by bringing together different interests and seeks to balance the needs of people and protection of the environment through decision-making. Scotland's first National Marine Plan (NMP) (adopted in 2015) sets out how Scottish Ministers intend marine space and resources to be used and managed out to 200 nautical miles. Work is ongoing to create an updated national marine plan (NMP2), to better reflect how the sea is currently being used, and to plan for its continued and sustainable future use.

There are already good examples of collaboration between government and other sectors, for example the Scottish Marine Energy Research (ScotMER) programme and Fisheries Management and Conservation (FMAC). We also are working with the fishing sector to develop effective mitigation solutions to address seabird bycatch in the longline fleet, and welcome the opportunity to work with the Scottish Offshore Wind Energy Council (SOWEC) – Barriers to Deployment Group (SOWEC-B2D), a group co-chaired by the Scottish Fisheries Federation and Scottish Renewables, which is fostering a holistic approach to coexistence between the offshore wind and fishing sectors.

Wherever possible we will integrate delivery of the action plan into these existing mechanisms whilst also recognising that bespoke engagement will be necessary to deliver some aspects of the plan. We have provided further emphasis in the action plan to express the need for collaboration, partnership working, co-design and continued stakeholder engagement. This draws on work that is already underway in partnership with the fishing sector and researchers to develop effective mitigation solutions to address seabird bycatch in the longline fleet.

Identification of key pressures (Question 2)

Question 2: Do you agree that the key pressures to seabirds in Scotland are identified?

Overview of consultation responses

A total of 85% respondents and the RSPB campaign responses agreed that the key pressures to seabirds in Scotland were identified in the action plan, while 12% thought they were not, and 4% said they were unsure.

Irrespective of respondents answer to the closed question, additional comments did not suggest new pressures for inclusion. Instead, comments focused on the emphasis of, or prioritisation awarded to different pressures in the plan, or the interpretation and presentation of different pressures.

Common themes raised by respondents are bulleted below:

- It was noted that there was no prioritisation of the identified pressures in the action plan and that some pressures would vary in importance and impact over time and space and across seabird species.
- Whilst some respondents endorsed the prominence given to climate change in the action plan, others highlighted that the complexities between pressures, including climate change, and their cumulative effects needs to be better reflected in the plan.

The Scottish Government recognises the views regarding prioritisation of actions. However, we have avoided trying to prioritise the identified pressures in recognition that a multi-faceted approach will be required to address seabird declines at the scale and pace required. We also agree that the importance and impact of the pressures identified will vary over time, space and across seabird species.

We acknowledge that not all pressures are equal in how they affect seabird prospects or populations and that some pressures do not act alone and have clarified this in the action plan. We also recognise climate change as a key driver for several of the pressures presented within the action plan themes, however, the relationship is extremely complex and therefore, the plan does not attempt to go into detail on the interplay between pressures.

- Some respondents called for the pressure evidence-base to be strengthened to help develop a shared understanding of how these pressures affect seabird populations.

The evidence-base and methodologies used to determine the key pressures are detailed in the 'Scottish Seabird Vulnerability Report' (Marine Directorate, 2025) that accompanies this action plan. We fully recognise that the evidence base is developing and as new information emerges, we will ensure that the action plan, through the Delivery Partnership, is revised accordingly. We anticipate the establishment of a UK science group will play an instrumental role in prioritising, instigating and assimilating evidence. The group will explore the most impactful conservation science needed to address pressures on seabirds as well as building the evidence on pressures and monitoring changes to ensure collectively we can take an adaptive response. The Joint Nature Conservation Committee (JNCC) are leading on this work and will coordinate the first meeting of the group later in 2025. We also agree that funding for research as well as actions needs a longer-term approach.

- Whilst recognising the role of offshore wind in mitigating climate change some respondents expressed views that the threat presented by offshore wind was not given sufficient weight in the plan.

The action plan recognises that Scotland's ambition to be net zero through the delivery of offshore wind energy has the potential, alongside other measures, to bring benefits to seabird species in the longer term through resilience building. However, we are also explicit that the potential impacts of offshore wind on seabirds (collision, displacement and barrier effects) need to be considered. We have therefore reviewed and added further clarification on the role and impacts of offshore wind energy.

- Some respondents highlighted the impact of threats linked to fishing whilst fishing organisations expressed the view that the threat presented by the fishing sector had been overstated or misrepresented in the vulnerability report and action plan.

An evidence-based approach was used to determine the key pressures acting on Scottish seabirds. The approach, detailed in the Scottish Vulnerability Report, uses a standard and widely accepted methodology to determine a feature's (seabird species) vulnerability to know human-induced pressures. To inform the action plan, vulnerability assessments (including confidence scores) were conducted for twenty-four species of seabird regularly occurring in relatively high numbers in Scottish waters during the breeding and/or nonbreeding seasons. Only pressures that resulted in a high or medium vulnerability score for any seabird species, and where there was supporting evidence demonstrating impacts, were identified as the key pressures to address when prioritising coastal and marine seabird conservation actions in Scotland. We have made no attempt in the vulnerability report or action plan to rank/prioritise which of these pressures are more or less impactful.

The Scottish Government values Scotland's fishing sector and recognises that the industry plays a significant role in the economic, social and cultural fabric of Scotland's rural and coastal communities. Scotland's Fisheries Management Strategy and the subsequent delivery plan set out the importance of managing Scotland's fishing industry sustainably and responsibly, in order to safeguard the long-term viability of the industry and the rich marine environment that it operates within. Indeed, the industry is dependent on a healthy marine environment and sustainable management means ensuring that the right measures are in place to protect marine ecosystems and halt biodiversity loss, whilst also ensuring that the right conditions are in place to support businesses to operate profitably and with certainty.

The actions in Scotland's Fisheries Management Strategy delivery plan will help ensure that fishing activity remains sustainable, responsible and accountable, and that Scotland's vital fishing industry continues to deliver jobs and economic benefit for Scotland's communities.

- A few respondents noted that predation by native predators including other seabirds was missing from the plan. Others noted their concerns specifically for declines in predatory seabirds

Predation both from natural and non-native predators is a commonly cited important driver for population change in many seabird species. However, in Scotland even those species that may exert predation pressure on other seabirds are in themselves seeing long-term, or in the case of great skua due to avian influenza rapid declines in their breeding numbers. Great black-backed gulls have experienced a decline of 63% since the late 90's early 2000's, similarly common gulls both inland and coastal breeding have declined by 63% and 39% respectively over the same time period. Predation is a natural phenomenon and is a natural process of maintaining healthy populations. However, seabirds face multiple inter-connected human-induced pressures in addition to those occurring naturally and these drive the declines we are seeing in breeding populations today.

Identification of key actions to deliver the vision Question 3

Have we captured the key actions needed to deliver the vision, aims and objectives?

Overview of consultation responses

There was a lack of consensus in responses to the closed part of the question. Overall, 44% of respondents said that the key actions needed to deliver the vision, aim and objectives were captured in the action plan, 33% of respondents said they were not, and 22% of respondents said they were unsure. The RSPB campaign response did not specifically answer the closed part of this question however, the campaign text did identify additional key actions required in the action plan.

However, regardless of whether respondents answered ‘yes’, ‘no’ or ‘unsure’ to Question 3, there was significant overlap in their comments. In particular, many who supported the key actions also felt the actions should be more specific or ambitious. Similarly, many who responded ‘no’ did so because they believed the actions lacked sufficient detail or ambition.

Common themes raised by respondents are bulleted below:

- There was consensus that some of the actions should be strengthened to demonstrate a clear commitment to delivery. Views were expressed that actions starting with ‘continue to…’ merely supported the status quo and would not achieve anything new. It was also suggested that, as Scotland has some of the largest populations of nesting seabirds in the world, Scotland should not merely ‘contribute’ to international discussions but should lead them.

The Scottish Government recognises the views of respondents that some of the actions should be strengthened noting the decline in some populations and Scotland's position as a stronghold for seabirds. We have therefore made several amendments, where appropriate, to strengthen actions to demonstrate a shared commitment to deliver action, acknowledging that in some cases this will require discussion and agreement with stakeholders.

- A few respondents commented that prioritisation of the actions would be helpful.

We consider all actions in the plan to be a priority. We acknowledge these are wide-reaching; however, this reflects the wide range of stakeholders involved in delivering different aspects within their expertise and remit i.e. priority actions that can be delivered by the offshore wind industry may be different to priority actions that communities may wish to deliver - but this makes them no less important. A key function of the Delivery Partnership will be to maintain an overview of collaborative progress, working with stakeholders to ensure actions are coordinated, effective and provide the most benefit to seabirds whilst recognising that opportunities will vary both in time and resource.

- Respondents welcomed the sandeel closure but raised concerns over the potential for this decision to be reversed.

The Scottish Government's long-held position is not to support industrial fishing for sandeel in Scottish waters, with the sandeel (prohibition of fishing) order 2024 coming into force on 26 March 2024. On 2 May 2025 an arbitration tribunal on the UK sandeel case (The European Union v. the United Kingdom of Great Britain and Northern Ireland) ruling was announced, where the decision to close Scottish waters to fishing for sandeel was fully upheld.

- Various respondents called for the ban of bottom-trawl dredging in Marine Protected Areas (MPAs) as well as wider fisheries measures to protect seabird prey and their habitats;

- Some respondents expressed views that the MPA network should be expanded and there is a lack of enforcement of MPAs that risked creating or increasing pressures.

Significant progress has been made working collaboratively with the fishing sector to manage our fisheries sustainably (see also response to question 2). We already have a strong suite of measures in place to manage sea fisheries and safeguard fish stocks. All our sea fisheries are regulated, with measures such as quotas, effort controls and technical legislation ensuring that fishing vessels can operate responsibly and sustainably. We deliver ecosystem-based management of Scotland's fisheries through our coordinated approach to management of the marine environment and marine resources across a range of different policies and commitments.

The ongoing programme to roll-out fisheries management measures, including for bottom-contacting mobile fishing gear and set nets, in Marine Protected Areas (MPAs) and for Priority Marine Features (PMFs) will help deliver additional protections for benthic habitats and key marine species including seabirds. The Scottish Government have committed to delivering these priority measures as soon as possible. Offshore measures will come into force before the end of this year, and the consultation on the proposed inshore MPA fisheries measures will commence later this year.

We acknowledge there is always room for improvement, and we are already driving change where this is needed, for example through our commitment to introduce mandatory remote monitoring in our highest risk fisheries. The actions in Scotland's Fisheries Management Strategy delivery plan will help ensure that fishing activity remains sustainable, responsible and accountable, and that Scotland's vital fishing industry continues to deliver jobs and economic benefit for Scotland's communities.

The MPA network provides protection to seabirds through 58 Special Protection Areas (SPAs), covering over 13,000 square kilometres. These areas are designated to safeguard important breeding, resting, and foraging habitats. Our primary focus is to ensure that these protected areas are well managed. We accept the relevant action could be strengthened and have amended to include '*are well-managed, effectively monitored, and protected through enforcement where necessary*'.

- Taking forward actions to reduce predators and associated biosecurity were considered to be the area where most tangible gains could be made to seabirds.

- Respondents asked for clarity on the future biosecurity and stressed that actions to reduce predators must be evidence-based and native predators removed and re-homed, rather than exterminated.

We welcome the support for action to manage non-native predators and associated biosecurity actions. We agree there has been a considerable amount of work already undertaken to establish the feasibility, costs and benefits of predator control and biosecurity at different seabird islands.

We highlight, in the plan, the work of Biosecurity for Life and Biosecurity for Scotland, and will continue to work with RSPB to find a long-term solution to continue this crucial work. The Scottish Government is also progressing work to develop Scotland's Portfolio of Compensation Measures which includes a project to establish specific steps and actions for successful delivery of predator control and biosecurity at Scottish seabird colonies. There is still a substantial amount of work, including essential stakeholder engagement and securing funding, that requires a long led-in time to coordinate and implement these actions. Currently, there is not a delivery lead or mechanism to take forward these key actions, and we will work through the Delivery Partnership to explore stakeholder appetite for a Seabird

Predator Reduction and Biosecurity Project Advisory Group (PAG)[1] to initiate, steer and drive forward implementation of a programme of predator reduction and biosecurity work at Scottish seabird colonies.

- While creel fishing was acknowledged as posing a lower risk to seabirds compared to other fishing methods, some respondents felt that any measures to reduce bycatch should also include creels. They also emphasised that bycatch reduction efforts should not be restricted solely to seabird MPAs. Additionally, other respondents questioned the absence of actions targeting the risks associated with set nets and midwater trawl fisheries.

- There was a clear opposition from the fishing sector for a ban on gillnetting, specifically, as this offers diversification opportunities.

Through the vulnerability assessments we have taken a consistent approach to establish the sensitivity of the seabird species covered in the action plan to a list of pressures. The sensitivity assessments involved a detailed literature review and analysis to establish a sensitivity score. Bycatch of seabirds in creels and mid-water trawls was not identified as a high or medium risk and therefore not considered as a key pressure requiring priority action.

The ongoing programme to roll-out fisheries management measures includes set nets such as gillnets. We have however restructured the relevant actions to make it clearer where spatial and technical measures are being developed.

- Respondents stressed that offshore wind developments must be done in an environmentally sensitive way and should only be permitted where there will be minimal impact on key seabird feeding areas. There was also acknowledgement that tidal energy was less likely to have an impact on seabirds (see also response to Question 4).

Scottish Government published the *Sectoral Marine Plan for Offshore Wind Energy* (SMP-OWE) in 2020. This plan identified sustainable plan options for development of commercial-scale offshore wind energy in Scotland. It was developed through extensive stakeholder engagement and assessment of socio-economic and environmental impacts including consideration to minimise impacts on seabirds.

A draft updated SMP-OWE is currently open for public consultation until 22 August 2025. The updated plan sets the spatial framework for the projects from the ScotWind and INTOG leasing rounds and an additional 1GW capacity for potential future Test & Demonstration projects. The Scottish Government is also undertaking further extensive engagement with the fishing industry, environmental organisations, and nature bodies to ensure their concerns are fully understood and, where possible, addressed.

Additionally, we are looking to ensure our policy approach to strategic compensation is supporting positive investment in the marine environment overall. The Scottish Government has commissioned work to scope out detailed implementation plans for

[1] We have renamed the 'Task and Finish Group' to better reflect the role of the group.

a Portfolio of Compensatory Measures for seabirds - this includes measures for predator control and biosecurity; habitat management, restoration and reduction of disturbance at the colony; fisheries management compensatory measures; restoring and enhancing supporting prey habitats; and marine litter removal (at scale). We recognise that our ambitious plans for offshore wind will require us to carefully consider nature protection as we transition to net zero.

- There were widespread views that there should be a commitment to roll out remote electronic monitoring on all fishing vessels.

The Scottish Government's Fisheries Management Strategy 2020-2030 sets out a vision for delivering accountability and confidence in our sea fishing activities by making full use of existing tools and new available technology, including REM and vessel tracking solutions. Legislation is now in place that mandates REM on all scallop dredge vessels (since 17 June 2024) and pelagic fishing vessels (from March 2026). The legislation applies to relevant vessels operating in Scottish waters, and for Scottish vessels regardless of where they are fishing. We are considering further rollout of REM to other parts of the fishing fleet on a proportionate and risk-basis and linked to the development of our Future Catching Policy and are committed to improving the use of vessel tracking technology on the under 12 metre fleet.

- Some respondents highlighted the need to build professional seabird specialism as well as seabird volunteer capacity. Some also noting that there is an over-reliance on volunteers.

Volunteers play a vital role maintaining the Seabird Monitoring Programme (SMP). The action plan recognises the need to build this capacity and support training. We agree professional seabird specialist capacity also needs building and have made an amendment to the action to include this.

- There were numerous recommendations for research and monitoring priorities including understanding impacts of competition from other predators on seabird consumption rates, reviewing current methodologies used to identify essential fish habitats and improving monitoring of forage fish.

We welcome the recommendations and will ensure these are collated and presented to the UK Science Group once established.

Measures to monitor success (Question 4)

Do you have any views on what measures we should use to monitor progress and success?

Overview of consultation responses

Eighty-three respondents, and the RSPB campaign, provided feedback on this question. In general, there was broad consensus on the importance of monitoring

progress and success to ensure that actions are effectively targeted, adapted as necessary, and that the plan itself is reviewed and revised appropriately.

Common themes raised by respondents are bulleted below:

- Individuals, environmental NGOs and some industry sectors stressed the ongoing need for more comprehensive or robust monitoring data for example on survival rates at a colony and regional level and repeat of the national census. Respondents widely agreed that bird population data would serve as a key indicator of progress but noted the short-comings in the four overarching data sources mentioned in the action.

- Respondents provided very specific information about evidence gaps and the logistical challenges of monitoring seabird populations. They also suggested that some existing data sources could be used to better effect.

We welcome the support for continued and enhance monitoring. We recognise that seabird monitoring, including the national census, is reliant on volunteers. The British Trust for Ornithology (BTO), on behalf of the SMP published an in-depth review of the SMP with recommendations for future sampling. JNCC has also commissioned work to review demographic rates being used for assessing impacts of Offshore Wind developments, which will be published in summer 2025. Together, these reviews will inform the future development of the sampling strategy of the SMP.

Conclusion

The Scottish Government has considered all views from the consultation and has made some changes to the action plan to reflect these views. The Scottish Seabird Conservation Action Plan will be published in summer 2025.

Next steps

The Seabird Delivery Partnership once established in January 2026 will oversee progress and will publish a report annually. Through this process, the list of actions will be subject to ongoing review and adjustment to take account of emerging scientific evidence and other factors. The action plan will cover the period to 2045 with a ministerial interim report published in 2035.

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[i] SMART – Specific, Measureable, Achievable, Relevant and Time-bound

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Edinburgh
EH1 3DG

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