

## **A96 Dualling East of Huntly to Aberdeen Scheme (11 November 2018 09:19)**

Extract taken from the correspondence of 11 November 2018 to Mr Ewing as the other material is out of scope of the request.

Name and address have been redacted under regulation 11(2) of the EIRs (personal information).

11th November 2018

Mr Fergus Ewing  
Scottish Government Cabinet Secretary for the Rural Economy  
Scottish Parliament  
Edinburgh  
EH99 1 SP

Dear Mr Ewing

### **Re: A96 Dualling East of Huntly to Aberdeen Scheme**

I am writing to you in relation to the Transport Scotland's recently held public consultations on the proposed East of Huntly to Aberdeen routes for the A96 Aberdeen to Inverness Dual Carriageway. I wish to raise the following concerns primarily in relation to the proposed routes north of Inverurie (Blue, Green & Violet).

#### **BIODIVERSITY**

The Blue-Green-Violet route(s) will either destroy the habitat or reduce the habitat connectivity of a number of protected species which are listed on the Scottish Biodiversity List and which have been

recorded in the area including:

Hedgehog *Erinaceus europaeus*

Brown Hare *Lepus europaeus*

Red squirrel *Sciurus vulgaris*

Common pipistrelle bat *Pipistrellus pipistrellus*

Wildcat *Felis silvestris*

Soprano pipistrelle *Pipistrellus pygmaeus*

Daubenton's bat *Myotis daubentoni*

Eurasian otter *Lutra lutra*

Whooper swan *Cygnus cygnus*

Barn owl *Tyto alba*

Skylark *Alauda arvensis*

Tree sparrow *Passer montanus*

House sparrow *Passer domesticus*

Dunnock *Prunella modularis*

Bullfinch *Pyrrhula pyrrhula*

Siskin *Carduelis spinus*

Spotted flycatcher *Muscicapa striata*

Yellowhammer *Emberiza citrinella*

Linnet *Carduelis cannabina*

Brambling *Fringilla montifringilla*

Grey partridge *Perdix perdix*  
Woodcock *Scolopax rusticola*  
Redwing *Turdus illiacus*  
Song thrush *Turdus philomelos*  
Lapwing *Vanellus vanellus*  
Starling *Sternus vulgaris*  
Swift *Apus apus*  
Kestrel *Falco tinnunculus*

Many non-listed species are also present including Tawny owl, Sparrowhawk, Buzzard, Rook, Jackdaw, Carrion crow, Great spotted woodpecker, Roe deer and Badger. Several sites in the affected area provide important overwintering grounds for migratory species such as the previously mentioned Whooper Swans, which can often be seen in sizeable flocks on the Kintore floodplain and pink-footed geese (*Anser brachyrhynchus*), which graze on pasture and winter stubble fields in the area and roost around the pond by Bourtie House Estate which would be severely impacted by the development.

This list is not exhaustive, and a complete picture of species records can be found from the North East Scotland Biological Records Centre (NESBReC).

There are three Nationally designated SSSI in the affected area around Inverurie: two are of geological interest - at Barra Hill and Pitcaple & Legatsden Quarries, and one of biological interest at Wartle Moss.

Wartle Moss and some of the surrounding area also has a local designation as a Local Nature Conservation Site, and there are a further three LNCS which could be adversely affected by the choice of route at Burreldale Moss, Pitscurry Moss and Sunnybrae Moss. These are all wetlands or wet woodlands, and as such there is the potential for habitat destruction to be caused by road developments affecting the drainage of water either to or from these sites. Draining the sites would lead to habitat loss through drying out and inappropriate siting of any new road could affect water quality through runoff contaminated with oils, road residues and de-icing salts.

The Green route G3 runs through Sunnybrae Moss LNCS. Wartle Moss SSSI is very close to the Blue B2 route and the LNCS part of Wartle Moss is traversed by route B2. These LNCS contain habitat types such as wet woodland, lowland fen, reedbeds and ponds which are all listed as priority habitats in the Scottish Biodiversity list.

It is hard to see how the proposed road development would contribute to the Scottish Government's stated aim of protecting and improving Scotland's habitats and biodiversity given that some of the route options would destroy or seriously impact on designated sites.

Thank you for your prompt attention to this matter. I look forward to hearing from you and, should you feel any of the matters raised require further discussion, I will happily make myself available.

Yours faithfully

Name has been redacted

**From:** Ewing F (Fergus), MSP <Fergus.Ewing.msp@parliament.scot>  
**Sent:** 02 June 2018 13:11  
**To:** Cabinet Secretary for the Rural Economy  
**Subject:** Fwd: Clashindarroch Forest

Macs. Pro forma I think  
Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 2 June 2018 at 12:23:10 BST  
**To:** "Fergus.Ewing.msp@parliament.scot" <Fergus.Ewing.msp@parliament.scot>  
**Subject:** Clashindarroch Forest

Dear Fergus Ewing,

I am extremely concerned for the future of the endangered Scottish wildcats found in Clashindarroch Forest, Aberdeenshire.

Forestry Commission Scotland logging has failed to identify territories and clear felled them as a result, even in breeding and kitten season.

The disturbance this creates is against the laws that protect wildcats, their habitats, dens and resting places.

Many other rare species live in this forest and are also threatened by the logging and the disturbance it causes.

Planned wind farm installations at Clashindarroch will flatten even more of the forest, though there are so many other places wind turbines could go.

I have joined over 160,000 other people on [Change.org](http://Change.org) asking for this forest to be protected for the wildlife that lives there.

Please intervene and protect Clashindarroch from logging activities and other commercial exploitation so that future generations can enjoy living alongside animals like the Scottish wildcat.

Yours Sincerely,

[REDACTED]

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[REDACTED]

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**From:** [REDACTED]@parliament.scot> on behalf of Ewing F (Fergus), MSP <Fergus.Ewing.msp@parliament.scot>  
**Sent:** 27 March 2018 15:27  
**To:** Cabinet Secretary for the Rural Economy  
**Subject:** FW: Cat Neutering in Scotland - Update and Action - this affects your Constituency  
**Attachments:** OUR WASTEFUL HABITS WITH OWNED CATS 260318.pdf; WHAT WOULD RESPONSIBLE CAT OWNERSHIP LOOK LIKE.pdf

[REDACTED]

Should he respond to below as MSP or as Cab Sec do you know?

Thanks,

[REDACTED]

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**From:** Elspeth Stirling [REDACTED]  
**Sent:** 27 March 2018 14:36  
**To:** Ewing F (Fergus), MSP <[Fergus.Ewing.msp@parliament.scot](mailto:Fergus.Ewing.msp@parliament.scot)>  
**Subject:** Cat Neutering in Scotland - Update and Action - this affects your Constituency

**To all MSPs. This affects your constituents.**

**Dear Fergus Ewing MSP,**

Thank you for your interest in my important proposal to 'neuter all cats/with opt-in for breeding' to stop the suffering and save the Scottish wildcat. My proposal is one that strives for an effective, fair, enabling and decisive solution - keeping our cats safe and enabling our domestic cats and wildlife to live in harmony.

The pet and vet organisations agree with my figures on the explosion in the cat population but won't support mandatory neutering. This leaves the question:  
Is it moral to not take an action that would prevent mass animal suffering?

Aldous Huxley "Facts continue to be facts even when they are ignored".

I have pleasure in attaching for your update and to be freely circulated:

- 1) My 1-page What would responsible cat ownership look like?**
- 2) My 3-page Our wasteful habits with owned cats.**

Would you be kind enough to share these with your colleagues and any other interested parties letting them know that this problem is happening on their doorsteps all across Scotland and needs a swift kind solution.

Thank you.

Elspeth  
[http://www.parliament.scot/S5\\_PublicPetitionsCommittee/Submissions%202018/PE1674\\_G.pdf](http://www.parliament.scot/S5_PublicPetitionsCommittee/Submissions%202018/PE1674_G.pdf)  
Dr Elspeth Stirling  
Elspeth Stirling  
[REDACTED]

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## OUR WASTEFUL HABITS WITH OWNED CATS: PROGRESS WITH CAT NEUTERING PETITION (PE 1674)

*Asking the Scottish Government to introduce urgently new measures to promote responsible cat ownership including a new assertive approach to ensure all cats are neutered, to halt the suffering of domestic cats and save the Scottish wildcat.*

### NO CHANGE IS NOT AN OPTION

1. Our cat population is exploding; shelters are in crisis<sup>1</sup>. One million cats in the UK are kept un-neutered by their owners, 104,000 in Scotland producing **260,000 new cats each year** at a time when homes for cats are on the decline<sup>3</sup>.
2. If an estimated 80,000 vacancies come available each year through cat deaths<sup>4</sup>; that leaves 180,000<sup>5</sup> excess cats without a home to go to or displaced every year.
3. The number of homeless and displaced cats must exceed the number with homes – and rising. Their suffering is great, most of it unseen and endured without help.
4. Feral cats<sup>6</sup> are no different to the cats we call our companions at home; they are the overspill from our over-production of kittens, displaced to live on the frontline of the tide of suffering beyond human society.
5. That front line is a war zone, in which they are shot, poisoned, persecuted, and inhumanely trapped by those who do not want them. They suffer reproductive stresses, malnutrition, injuries and illness without help and struggle to survive on the margins of human society.

### “NEUTER ALL CATS/ DELIBERATE OPT-IN TO BREED”

1. The voluntary approach to cat neutering has done well but has reached the limit of what it can do.
2. Pet and vet orgs agree with my figures but won't support what we all know is the way to prevent the suffering<sup>9</sup>.
3. Pet orgs want to do more of the same but people who resist voluntary appeals don't comply with the volume turned up!
4. Smoking restrictions are now the new normal. People are now ready for regulation of the breeding of cats.
5. Feral cats aren't the problem for the wildcat. Trap Neuter Vaccinate Return can stabilise that population, but we need urgent decisive action to halt the overflow from owned cats.

### PUT CAT BREEDING ON AN EQUAL FOOTING

With other companion animals, breeding is generally done by deliberate decision including choosing a mate, placement, and arranging an outlet for the offspring in advance. With cats, offspring are generally unplanned, pregnancies are serial, and reproduction gets out of control very quickly.

Cat over-production stresses people as well as cats.

7 in 10 kittens CAN EXPECT TO BE HOMELESS during their lifespan<sup>7</sup>.

The 13% of owners<sup>2</sup> who keep un-neutered cats are more than doubling the cat population every four years<sup>8</sup>

This explosion more than cancels out the good work of the pet orgs and the 87% who neuter their cats

The Scottish wildcat needs an environment free from fertile domestic cats if it is to survive and extend

Pet and vet organisations know these facts but don't support mandatory neutering

## THE QUESTION

Is it moral, knowing the facts, NOT to take an action that would prevent mass animal suffering?

## WHAT WOULD RESPONSIBLE CAT OWNERSHIP LOOK LIKE?

1. Breeding should be by deliberate decision rather than generally unplanned as now.
2. The decision point should be at the first step. *Do I want to be an owner of a cat or a breeder?*
3. If my choice is to be an owner my cat will come to me already neutered (fit for purpose) or the producer will bear the cost.<sup>10</sup>
4. If my choice is to be a breeder I will follow the opt-in route which should include providing information about training, competencies, and general regulations compliance.
5. The EU Parliament voted in favour of mandatory identification/ registration of cats in 2016 leaving it for members to enact. Belgium, Bulgaria, France, Greece, Italy, Lithuania, Netherlands, Portugal, Spain and Slovakia are already discussing or enacting this.
6. Proposals similar to mine for mandatory neutering are being discussed or enacted in a growing number of countries including Belgium, Switzerland, France, Sweden, South Australia, States and city legislatures in the USA and at the European Parliament.

## THIS 3-STAGE MODEL HAS BEEN ENACTED IN BELGIUM

<b>STAGE 1. All cats from refuges</b>	<b>Neutered (we are already there).</b>
<b>STAGE 2. All cats sold or given for free Achieved 2014</b>	<b>Neutered before transfer, or the costs and responsibility for neutering and vaccination borne by the producer.</b>
<b>STAGE 3. All domestic cats Achieved 2016</b>	<b>Neutered (unless opt-in for breeding accepted).</b>

## THIS HAS TO BE A HIT WITH THE PUBLIC

The **81%** of households who don't keep a cat will welcome reduced nuisance and distress. The **87%** of cat owners who neuter their cats need to know their efforts aren't being undermined. That amounts to **97%** of the public who already choose humane methods of limiting the cat population.

The new 'Neuter all cats/ deliberate opt-in to breed' measure will open up more opportunities for responsible people to consider becoming breeders and maintain a gene-diverse healthy cat population.

The public will be re-assured by good welfare specifications across the board.

Australia left it too late<sup>11</sup> - cats there are widely persecuted and killed, and wildlife is decimated. As a result, many people face restrictions on keeping any pets at all, and massive fences keep wildlife separate from cats. If we don't act now we may face similar draconian measures on Scotland. TNVR for eternity would be unsustainable.

Hero's kittens were caught by the baler and crushed. Bonnie weakened by serial pregnancies was shot and took 2 days to crawl back to her kittens which had already died. 15 homeless cats 'in the wrong place' were wiped out by poisoning

**IS IT MORAL NOT TO TAKE AN ACTION THAT WOULD PREVENT HUNDREDS OF THOUSANDS MORE ATROCITIES LIKE THESE?**

## FOUR TESTS FOR AN ADEQUATE CAT POPULATION STRATEGY

To be passed before we can consider a strategy as being fit to protect the well-being of cats.

**TEST 1.** Will the strategy protect the welfare of and prevent harms to all cats not just those kept by humans?

**TEST 2.** Does the strategy recognise that street and feral cats suffer because of reproductive stresses, disease, lack of good nutrition, injuries, accidents, inhumane population control methods such as persecution/ culling/ poisoning/ inhumane trapping, and inappropriate holding in confinement facilities<sup>12</sup>?

**TEST 3.** Does the strategy recognise that prevention is more humane and successful than control, in regulating our cat population?

**TEST 4:** Does the strategy acknowledge the polluter/ producer pays principle?

Dr Ellie Stirling, Angus, Scotland. 19 March 2018.



<https://catsliberation.wordpress.com/>

### References

1. RSPCA report Animal charities warn of potential cat-astrophe 27/02/18  
[https://www.facebook.com/bbcbreakfast/?hc\\_ref=ARSZMAhR9KZkl71UWfkTBnU8Dpov2o8wbkhdIUl-rXlocv5eKRGpmBrCwhcTjSMhliA&pnref=story](https://www.facebook.com/bbcbreakfast/?hc_ref=ARSZMAhR9KZkl71UWfkTBnU8Dpov2o8wbkhdIUl-rXlocv5eKRGpmBrCwhcTjSMhliA&pnref=story)
2. PFMA 2016 regional ratio's applied to PDSA/YouGov report figures 2018.
3. PFMA historical data: 19% of households owned cats in 2012, now declined to 17%.
4. Based on an estimated average 10-year lifespan for an owned cat. The longer cats live the fewer vacancies occur annually.
5.  $260,000 - 80,000 = 180,000$  excess to the homes available i.e. homeless or displace older cats.
6. Another 1 million new cats each year born to the estimated 400k population of feral cats in Scotland of which 100k are in the highlands (Mossman, S. 2016, Highlands Scotland's Wild Heart, Bloomsbury London).
7.  $104,000 / 2 = 52,000$  females X 5 per litter = 260,000 using conservative estimates of one litter per year and not counting offspring reproduction.
8.  $180 / 260 \times 100 = 70\%$ .
9. [http://www.parliament.scot/S5\\_PublicPetitionsCommittee/Submissions%202018/PE1674\\_G.pdf](http://www.parliament.scot/S5_PublicPetitionsCommittee/Submissions%202018/PE1674_G.pdf)
10. Exception by veterinary professional clinical advice as now. Neutering procedure is safer than serial pregnancy. Vet orgs say neutering benefits individual and population health.
11. Wahlquist, Calla (2017) The Guardian 4 January Feral cats now cover 99 per cent of Australia  
<https://www.theguardian.com/environment/2017/jan/04/feral-cats-now-cover-99-per-cent-of-australia>
12. International declaration of responsibilities to cats  
[https://icatcare.org/sites/default/files/PDF/international\\_declaration\\_of\\_responsibilities\\_to\\_cats\\_final\\_12\\_pages.pdf](https://icatcare.org/sites/default/files/PDF/international_declaration_of_responsibilities_to_cats_final_12_pages.pdf)

[REDACTED]

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**From:** Ewing F (Fergus), MSP <Fergus.Ewing.msp@parliament.scot>  
**Sent:** 29 September 2017 12:54  
**To:** [REDACTED]  
**Cc:** Cabinet Secretary for the Rural Economy  
**Subject:** Re: Press Release from [REDACTED]

Dear [REDACTED],

Thanks for your letter and comments which are very useful. I am taking this up with my colleagues and officials and shall revert to you in due course

Yours sincerely

Fergus

Sent from my iPad

On 29 Sep 2017, at 11:24, [REDACTED] > wrote:

Dear Cabinet Secretary, [REDACTED]

#### NATURAL ENGLAND CONSIDER LYNX RELEASE

Please find attached a press release out this week from NSA.

I am not sure what the press uptake shall be as there is nothing concrete on record from Mr Gove but we have on good authority been informed that the decision on Lynx Reintroduction lies with Natural England and that Mr Gove is eager to run quickly with their decision and assurances. After discussion between Natural England and Mr Gove on the matter it is being seriously and rapidly considered at the moment by a quite divided committee.

I do not know if this development is something you or SNH have been made aware of but if this release goes ahead on the recommendation of a single pressure group, without a proper impartial inquiry with all relevant stakeholders then it is a bad day for rural UK and will have severe implications for Borders sheep farmers and in time beyond the border.

Our Chief Executive [REDACTED] has been active in this matter and [REDACTED] who you will know is our Scottish Development Officer and if we can provide any further information please let us know but it would be useful to find out if there has been a Scottish approach and what measures will be taken to have wild Lynx recognise devolved administrations policies if it is a decision taken by Westminster only on Natural England advice. (you may have to watch how you argue this as it does make a case for overall strategy but we were told SNH would be fully involved, [REDACTED] knows more..) I also copy in Roseanna Cunningham as this straddles both portfolios, as do many of the sheep industries issues but hope it will be recognised as a holistic debate on what rural Scotland economy and ecology benefits most from, not just Sheep v Lynx.

Any input or support of the sheep industry would be warmly appreciated, and I am sure you will have the backing of Capercaillie, red squirrels, wildcats and ground nesting birds also...

Kind regards

[REDACTED]

P.S Lynx UK Trust is linked to the Wildcat Haven (who SNH have had to publicly cite as "inaccurate" "misleading" and "antagonistic"), [REDACTED]

[REDACTED] it is vital than an impartial inquiry is held and that Scotland gets to see and hear a fair and informed debate with those most involved, not a rushed announcement from Westminster based on a one sided presentation.

[REDACTED]

Agricultural Consultancy & Valuation,  
Farm & Land Management Services

[REDACTED]

[REDACTED]

Member of the Institute of Auctioneers and Appraisers in Scotland and Scottish Agricultural Arbiters and Valuers Association  
Fellow of Central Association of Agricultural Valuers.

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**From:** [REDACTED]  
**Sent:** 28 September 2017 09:35  
**To:** [REDACTED]  
**Subject:** Press Release [REDACTED]

Hi [REDACTED]

Please find attached the press release you requested from [REDACTED]

Regards

[REDACTED]

**The Sheep Centre, Malvern, Worcestershire, WR13 6PH**  
**NSA Office:** [REDACTED]  
**Websites:** [www.nationalsheep.org.uk](http://www.nationalsheep.org.uk) and [www.nsanextgeneration.org.uk](http://www.nsanextgeneration.org.uk)

My normal office hours are:  
Tuesday to Friday 8.30am-5.30pm

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<0926 NSA calls allies to oppose lynx decision.pdf>

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E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Mr Patrick Grady MP  
House Of Commons  
LONDON  
SW1A 0AA

Your ref: PG6949

Our ref: 2018/0022759

July 2018

## **CLASHINDARROCH FOREST AND SCOTTISH WILDCAT**

Thank you for your email dated 27 June 2018 in relation to concerns raised by your constituent in their letter to the First Minister regarding the future of the endangered Scottish wildcats found in Clashindarroch Forest.

Across all of Scotland's National Forest Estate (NFE), and in relation to all of the management activities that occur on it, Forest Enterprise Scotland (FES) goes to great lengths to protect wildlife.

There is a hierarchy of planning, with its origins in the Scottish Forestry Strategy, subsequently interpreted for FES into a National Strategy for the Estate, which in turn develops a local Strategic Plan for each Forest District and a Land Management Plan for each forest. These embed robust statements for the conservation and enhancement of species and habitats and put these at the heart of all of FES's activities.

For each felling operation, FES staff and/or contractors working on their behalf adhere to a formal Work Plan process. All known and potential wildlife issues are identified and appropriate mitigation is developed. To inform the development of these plans, FES carried out on site surveys before operations commence. Liaison with individual stakeholders and conservation organisations, to obtain additional information, is an important part of that process.

In the case of Scottish wildcat in Clashindarroch, close collaboration and data sharing with staff and volunteers from Scottish Wildcat Action is crucial and ongoing.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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[www.gov.scot](http://www.gov.scot)



FES undertakes a huge range of actions to contribute to the Scottish Biodiversity Strategy and to satisfy the environmental requirements of forest certification. Species such as Scottish wildcat, red squirrels, capercaillie and raptors benefit from wide-ranging and long-term conservation management. This includes habitat management and the use of 'buffer zones' to minimise disturbance.

Clashindarroch is a particularly important forest in terms of supplying materials to the timber industry in Scotland. Its significant scale enables FES to maintain significant volumes of timber production whilst clearfelling and then re planting less than 2% of the area each year. The result of the management is a forest comprising clear fells, restocked areas, and stands of mature timber.

Published and ongoing research strongly indicates that this mosaic of habitats is very beneficial for Scottish wildcats and FES is funding research to improve their knowledge in this regard.

FES and its partner Scottish Wildcat Action have already produced background information on both Clashindarroch and Scottish Wildcat which may be of further interest to your constituent:

<https://scotland.forestry.gov.uk/news/2005-managing-forests-for-wildcats>

There are currently two windfarm proposals, both of which are at a relatively early stage of development, and will be considered by the planning system: therefore no felling proposals have been agreed at this stage.

I trust this response reassures you that FES are working, along with other government agencies and partners, to ensure the management of Clashindarroch, and other forests on the NFE, for the protection of Scottish wildcats and other protected species habitats.

I hope this is helpful.

**Roseanna Cunningham**

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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[www.gov.scot](http://www.gov.scot)



[REDACTED]

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**From:** Ewing F (Fergus), MSP <Fergus.Ewing.msp@parliament.scot>  
**Sent:** 25 May 2018 20:43  
**To:** Cabinet Secretary for the Rural Economy  
**Subject:** Fwd: On the ground  
**Attachments:** Fox Hunting Permission response [REDACTED].pdf; ATT00001.htm; Response to G Dey MSP SEC-18-23.pdf; ATT00002.htm; response to G Dey MSP re SEC-18-23 Follow up email.pdf; ATT00003.htm

I wish briefing on this from FE FCS

Obviously foxes must be controlled

I wish to make sure I fully understand what has been the approach to this

I have raised this matter before in other areas and have as a result reached a good outcome and wish the same here

F

Sent from my iPhone

Begin forwarded message:

**From:** "Dey G (Graeme), MSP" <[Graeme.Dey.msp@parliament.scot](mailto:Graeme.Dey.msp@parliament.scot)>  
**To:** "Ewing F (Fergus), MSP" <[Fergus.Ewing.msp@parliament.scot](mailto:Fergus.Ewing.msp@parliament.scot)>  
**Subject:** On the ground

Fergus

Hope you don't mind me bringing this to your attention.

It relates to an estate in my constituency that is an example of exactly how you would want such a business to operate.

The attached outlines my exchanges with FCS and failed attempts to find a sensible compromise.

Below, reproduced as sent to me, is from the head keeper/manager of the estate within the last few days.

The final letter from FCS means there can be no compromise because of the identified presence of Wildcats.

And I get that.

But [REDACTED] email lays out what that means in practice for a responsible land manager.

I care passionately about enhancing our natural environment and protecting biodiversity but when threatened species of ground nesting birds are in jeopardy because FCS are not dealing with vermin then something surely needs to give.

I'm not seeking an intervention from you on this. But I promised [REDACTED] I would share details of the impact in the hope that might lead to commonsense prevailing in future such cases.

Have a good weekend.

Graeme

Graeme

"So foxes and the forestry, this one is not going to go away. I feel the need to keep you informed on such things. Very few have a clue on real countryside matters, and you have become my ear to burn on such matters, sorry. You do however have some understanding of some of the burning issues, and are in a position to influence what happens next.

You will remember the story, I seek permission to run hounds through the commission woods pre lambing / nesting, Forestry say no due to presents of wildcats etc etc, they tell us they are killing foxes and all is well.

Here's the reality, [REDACTED] here who has just become a father again at [REDACTED] not recommend!!) has spent at least half of the thirty odd nights since his daughter was born laid on the hillside in a sleeping bag trying to kill foxes that are taking sanctuary with the FCS wood of [REDACTED]. Why, because I fully understand and have witnessed the destruction these animals cause to ground nesting bird whilst they feed their young. There are at least three foxes currently hunting from within the forestry into neighbouring land.

Number one priority for me is to have a shootable surplus of grouse each summer, that is what keeps me and the six other full timers here in jobs and homes. Key to this is vigorous and thorough legal vermin control. Bye product of this, is an abundance of waders.

Here's my point, a privately funded half educated project protecting cats that have be cross breeding with domestic cats since the Romans first brought cats to the country is directly working against the Scottish government funded working for waders project, and baring heavy on the financial strains of [REDACTED]

These foxes need to be controlled and the easiest most time affective, and financially viable option is the use fox hounds in the woods pre spring.

These countryside matters need to be managed by people experienced in the consequences of decisions and not office bound civil servants."

---

**From:** [REDACTED]  
**Sent:** 25 May 2018 10:14  
**To:** Dey G (Graeme), MSP <[Graeme.Dey.msp@parliament.scot](mailto:Graeme.Dey.msp@parliament.scot)>  
**Subject:** FW: Was it just the responses you wanted?

---

**From:** [REDACTED]  
**Sent:** 24 May 2018 10:09  
**To:** Dey G (Graeme), MSP <[Graeme.Dey.msp@parliament.scot](mailto:Graeme.Dey.msp@parliament.scot)>  
**Subject:** Was it just the responses you wanted?

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Dear [REDACTED],

We have carefully considered your request for permissions to carry out a foot pack fox hunt with hounds in the area's named below in your email and during the dates you have given. I understand that a number of initial concerns were raised around risk assessment, qualifications for guns taking part and securing appropriate insurance for the event and thank you for working very positively with us to address these issues.

Our conservation records show that we have a number of European Protected Species using these areas of woodland including for breeding which enhances the sensitivity around this time of year. Of particular concern are the Scottish Wildcats, including potential breeding females, which have been recorded in these areas over the last couple of years. For this reason we are unable to authorise this permission request. I am sure you would agree with us that it would be irresponsible and potentially illegal for us to permit an activity that is likely to disturb protected species in our forests.

For clarity I have listed below some of the legal requirements covering European protected species for your information and I am sure you will agree that running a Fox hunt through the properties in question would be likely to result in a breach of some of these conditions.

For European protected species, it is an offence to deliberately or recklessly:

- capture, injure or kill such an animal
- harass an animal or group of animals
- disturb an animal while it is occupying a structure or place used for shelter or protection
- disturb an animal while it is rearing or otherwise caring for its young
- obstruct access to a breeding site or resting place, or otherwise deny an animal use of a breeding site or resting place
- disturb an animal in a manner or in circumstances likely to significantly affect the local distribution or abundance of the species
- disturb an animal in a manner or in circumstances likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young

We understand that you are proposing this activity to reduce the breeding fox population pre-spring to safeguard the estates interests in field sports and farming, as well as to protect breeding waders. This is an entirely legitimate request. As neighbouring land managers FES are willing to carry out culling of foxes in these forests during March utilising our contractors and staff normally engaged in deer control activities. This may include shooting at night during spotlight activities and during the daytime while carrying out deer culling operations. I believe that this will be a more effective approach given the risks outlined above of disturbing protected species which we know to be using these areas.

In imposing a restriction on Fox Hounds in these forests during the early part of the year I am responding to the specific sensitivities associated with species known to be using these areas. This does not represent a national approach or change of policy, although similar issues may arise in other areas.

Thanks

[REDACTED]

[REDACTED]

**Deer Management Officer**

## Central Scotland

**Deer Management Officer  
Central Scotland**

Cowal & Trossachs Forest District  
Aberfoyle  
FK8 3UX

**Switch Board:** 0300 067 6600

**Direct Dial:** [REDACTED]

**Mobile:** [REDACTED]

[www.forestry.gov.uk/scotland](http://www.forestry.gov.uk/scotland)

[www.facebook.com/forestrycommissionscotland](https://www.facebook.com/forestrycommissionscotland)

*Forest Enterprise Scotland is an agency of Forestry Commission Scotland charged with managing Scotland's National Forest Estate*

Graeme Dey MSP  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Via E-mail: [Graeme.Dey.msp@parliament.scot](mailto:Graeme.Dey.msp@parliament.scot)

Our ref: SEC-18-23

28 February 2018

Dear Graeme

## FOX CONTROL BY [REDACTED]

Thank you for your e mail dated 20 February 2018 to [REDACTED], Forestry Commission Scotland, regarding fox control by [REDACTED]. This has been passed to me to respond as it falls within the remit of Forest Enterprise Scotland (FES).

I have looked into the issues you have raised regarding the [REDACTED] and their application for a permission to carry out fox control using the [REDACTED]. I have attached a copy of the response which the District team have issued to the Estate in response to their permission request.

In refusing this request there is no change in policy; only a response to the known presence of certain European Protected species in these particular forests. This is an area where our information base has been significantly enhanced over the past few years and we must now act upon guided by this improved knowledge. Of most concern is the known presence of Scottish Wildcat in these areas including potentially pregnant females. In particular our work with Scottish Wildcat Action has progressed and information about survey work undertaken this winter will be available shortly.

The lease mentioned in your email covers driven shooting but gives no rights to carry out predator control, hence the separate permission request. We continue to work with our neighbouring landowners on issues such as predator control as described in the response to [REDACTED]

**Forest Enterprise Scotland**  
**Head Office**

1 Highlander Way  
Inverness Business Park  
Inverness IV2 7GB

Tel/Fòn 0300 067 6000  
fescotland@forestry.gsi.gov.uk

Árd-Oifigear/Chief Executive  
[REDACTED]

If you would like to learn more about the work that FES is carrying out with protected species in the Angus Glens area the team in Tay would be happy to host a meeting with you on this issue, please contact [REDACTED] the current FDM, directly at [REDACTED].

Yours sincerely



**Head of Land Management Forest Enterprise Scotland**

Graeme Dey MSP  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Via email: [Graeme.Dey.msp@parliament.scot](mailto:Graeme.Dey.msp@parliament.scot)

Our Ref: SEC-18-23

16 March 2018

Dear Mr Dey

**FOX CONTROL BY** [REDACTED]

Thank you for your e mail dated 1 March 2018 and your continued interest in this area.

Forest Enterprise Scotland undertakes predator control across the estate on an ongoing basis either guided by our Environment leads or in response to requests from neighbours. Our records show that over the two forest blocks covered by the permission request from [REDACTED] FES staff have controlled foxes in every year since 2010. Removals have been both adults (38 individuals) and immature animals (71) from dens. Over the same period the removals assisted by hounds and reported to FES from the same blocks has been significantly lower (12 adults).

In responding to the permission request from [REDACTED] FES again signalled our willingness to undertake fox control where problems have been identified by neighbours. The continued sharing of information of where foxes are active is key to targeting known foxes and reducing the overall fox population to a level where it does not impact significantly on other landowners' business interests or indeed the numerous ground nesting birds and mammals which can be affected by fox predation.

Undertaking fox control alongside regular deer cull activity, we believe, results in a lower risk of disturbance to other non-target species. Our staff are equipped with effective tools such as thermal imaging devices which greatly improve the efficiency of night shooting. There is minimal extra cost for either staff or contractors to carry out fox control in this way as they are already working in the forest seeking deer.

**Forest Enterprise Scotland  
Head Office**

1 Highlander Way  
Inverness Business Park  
Inverness IV2 7GB

Tel/Fòn 0300 067 6000  
[fescotland@forestry.gsi.gov.uk](mailto:fescotland@forestry.gsi.gov.uk)

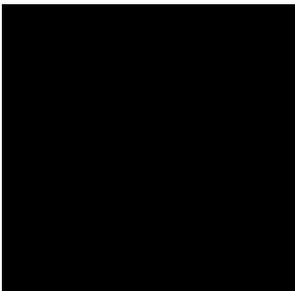
Árd-Oifigear/Chief Executive  
[REDACTED]

Our concerns relating to potential disturbance of protected species are based on survey results and field observations positively identifying their use of these areas over the last couple of years. In particular we have more information on Scottish Wildcat as a result of work undertaken in partnership with Scottish Wildcat Action.

The decision to refuse this permission request is based on an assessment of the risks associated with two different methods of fox control given the known presence of protected species. We have no knowledge of previous hunts through these woods causing problems. What has changed is our level of knowledge about the presence of protected species vulnerable to disturbance.

I hope this information demonstrates to you how FES is effectively managing the range of complex issues which come together in these forests. As ever the team at Tay Forest District would be happy to discuss further the management of the National Forest Estate woodlands within your constituency area.

Yours sincerely



**Head of Land Management**

Cabinet Secretary for Environment, Climate Change and Land Reform  
Roseanna Cunningham MSP



T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Mr Fergus Ewing MSP  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

By email: [Fergus.Ewing.msp@parliament.scot](mailto:Fergus.Ewing.msp@parliament.scot)

Our ref: 2016/0018437  
June 2016

Thank you for your letter of 6 June raising the concerns of your constituent, [REDACTED], regarding methods being used to conserve the endangered Scottish wildcat under the Scottish Wildcat Action Plan (SWCAP).

I fully appreciate the concerns of your constituent on this very sensitive issue and I am also aware of the recent media coverage which has highlighted some concerns over the proposals, some of which have been misleading. I therefore wish to clarify the current position, which I hope will allay any concerns that your constituent may have.

The Scottish Government is acutely aware of the issues of animal welfare and concerns over the welfare of domestic cats, and that hybridisation with domestic and feral cats poses the greatest threat to the Scottish wildcat. In addition to hybridisation, close proximity to feral and pet animals exposes the species to novel diseases, e.g. Feline Influenza. Although these diseases are treatable in feral and domestic animals, they can be fatal to the Scottish wildcat as they have no natural immunity to them.

The wildcat in Scotland has become the subject of a concerted national conservation effort under the SWCAP, launched by the then Environment Minister Paul Wheelhouse MSP, in September 2013. The Action Plan describes a series of tasks required to be delivered in parallel to reduce pressure on the existing wildcat population and increase wildcat numbers and their geographic range. A captive breeding programme is identified as one of the key points of the Action Plan work to underpin a wider conservation programme.

<http://www.snh.org.uk/pdfs/publications/wildlife/wildcatconservationactionplan.pdf>

The Scottish Wildcat Action Plan is supported by the Scottish Government and the Heritage Lottery Fund and consists of the following member organisations: Scottish Natural Heritage; Cairngorms National Park Authority; National Museums Scotland; Royal Zoological Society of Scotland; Scottish Gamekeepers Association; The Royal (Dick) School of Veterinary Studies – University of Edinburgh; Aigas Field Centre; British Association for Shooting and Conservation; Chester Zoo; Forestry Commission Scotland; Highland Council; Highland

Foundation for Wildlife; John Muir Trust; Loch Lomond and Trossachs National Park Authority; National Farmers Union Scotland; National Trust for Scotland; Royal Society for the Protection of Birds; Scottish Land and Estates; Scottish Wildlife Trust; and the Wildlife Conservation Research Unit, University of Oxford.

Under the Plan, the Royal Zoological Society of Scotland is responsible for coordinating a programme of captive breeding for release, in which an insurance population of genetically viable cats is established, maintained and conditioned for wild release. This programme includes fieldwork to identify capture and release sites, the establishment of quarantine and holding facilities and the development of a coordinated network of extensive enclosure facilities to create a single managed population of wildcats in Scotland. The captive breeding programme therefore involves a wide range of stakeholders including established private animal collections and conservationists.

There have been accusations of proposals to kill domestic cats as part of the Plan to conserve wildcats. At no point in the SWCAP is it proposed that domestic cats should be culled. The SWCAP will be promoting responsible domestic cat ownership (including neutering and vaccination of domestic cats) and will be taking measures to avoid accidentally live-trapping domestic cats. Scottish Wildcat Action has therefore already agreed an approach of Trap, Neuter, Vaccinate and Release (TNVR) as highlighted by the petition. This is the primary mechanism through which feral cat populations will be managed within Wildcat Priority Areas, and has always been the main thrust of our approach to wildcat conservation, as outlined in the Scottish Wildlife Conservation Action Plan.

Potential wildcats will be trapped under licence by RZSS for the purpose of breeding for release. RZSS is working with landowners outside the six priority areas to target areas of potential wildcats, at sites where predator control is standard practice. These animals will be removed from the wild to undergo veterinary, pelage and genetic screening. Cats deemed not to be suitable for captive breeding, being identified as poor hybrids following screening results, will be humanely euthanized if the landowner requests the cat not to be returned to the site of capture. This is the most acceptable solution in terms of the welfare of the individual cat in this situation when compared with release or translocation.

Under existing laws, land managers may legally control feral cats on their land. The licence does not enact a new right, but stipulates the control method that must be used to ensure that animal welfare standards are met when feral cats are trapped. A separate licence permits Scottish Wildcat Action (SWA) to use a Trap Neuter and Release (TNR), approach for feral cats within six Wildcat priority areas in Scotland.

As well as promoting responsible cat ownership and training regarding the management of feral cats, the SWCAP will also undertake land management actions for wildcats. This will include promoting wildcat-friendly management on estates, including proper storage of foodstuffs and advice on rat and mice control and avoiding secondary poisoning. The Plan will also promote wildcat-friendly forestry practice and will revise and promote FCS guidance on forestry operations and carry out trials of a limited range of habitat management on the National Forest Estate e.g. the creation of brush piles and artificial den sites.

I hope your constituent finds this to be helpful.

**Roseanna Cunningham**

From: [REDACTED]  
Sent: 06 June 2016 13:44:22  
To: scottish.ministers@gov.scot  
Subject: Roseanna Cunningham - Constituent enquiry with regards to wildcat conservation programme

Attachments: 20160606133053140.pdf

6th of June 2016

Dear Ms Cunningham,

Killing of Trapped Feral Cats for Wildcat Conservation Programme

Please find attached a copy of the Press and Journal Article published on Wednesday the 13th of April 2016, regarding the Scottish Wildcat Action Plan.

My constituent [REDACTED] has contacted me with regards to the policy of the Scottish Wildcat Action Plan backed by the Scottish Natural Heritage, The Royal Zoological Society and the Scottish Government.

My constituent has raised her concern that the alleged intended plan for wildcat conservation as claimed by the Scottish Wildcat Haven, is to shoot caged feral cats in the head with a shotgun.

She also underlines her concerns regarding a failure to make the plans on the conservation of wildcats programme clear to the public.

I would be very grateful if you could please respond back in-lieu with my constituent's concerns regarding this alleged plan.

With best wishes,

[REDACTED]

[REDACTED]

Administration Assistant to Fergus Ewing MSP/ Cabinet Secretary for Rural Economy and Connectivity  
Room 2/7  
Highland Railhouse, Station Square  
Academy Street  
Inverness  
IV1 1LE  
Phone: [REDACTED]  
Email: [REDACTED]

[REDACTED] arliament.scot<mailto:[REDACTED]>

[face]<<https://www.facebook.com/FergusEwingSNP/?fref=ts>>[twit]<<https://twitter.com/FergusEwingMSP>>[website]<<http://www.fergusewing.com/>>

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[REDACTED]

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**From:** Ewing F (Fergus), MSP <Fergus.Ewing.msp@parliament.scot>  
**Sent:** 07 January 2018 14:54  
**To:** [REDACTED]  
**Cc:** Cabinet Secretary for the Rural Economy  
**Subject:** Re: SSE Fort Augustus to Skye Project

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

[REDACTED]

Thanks for your letter. I note what you say about this and will pass to my office for consideration to be given to it.

I or my officials shall reply in due course. You may want to write to your local MSP and or MP if you want them to pursue these issues further.

Yours sincerely

Fergus Ewing MSP

Sent from my iPad

> On 7 Jan 2018, at 14:45, [REDACTED] wrote:

>

> We would like to bring your attention to the following "â€"

>

> In 2016, the Skye Tee project intended to run a new 132kV line on wooden poles, within the existing metal tower 132kV line corridor, and then underground when it came out into the vicinity of the residential properties at Auchterawe, and enter the sub-station from the west. Planning consent and landowner permission were sought and granted. At the last minute, before the project was to go ahead, SSE decided to re-route the line up-hill and around the [REDACTED], creating a new 50m wide clear felled corridor through mostly mature woodland, before entering the substation from the north. Knowing the devastation that this would cause, and after speaking with other concerned locals, we raised a petition calling on SSE to keep to the original plan to underground the line and keep it within the existing corridor as planned and consented. Instead of doing this online, over two evenings we went and spoke to people on their doorstep and asked their views. We handed the petition to SSE, whom promptly discounted it. A copy of the petition is attached.

>

> The reason SSE gave for the last minute change of plan was community opposition to the original plan, but the majority of Auchterawe landowners and residents were in favour of the original plan, as is evident by the signatures on the petition.

>

> Despite all this, SSE put the pole line up through the forest and, after having the trees felled, huge machines were used to grind the stumps down to ground level. This caused serious contamination of the water supplies fed by the hillside. The severe siltation caused the washing machines, water tanks, and associated plumbing to clog up and stop working. This happened on more than one occasion, and was witnessed by other locals, FCS employees, and SEPA. We also have video evidence and pictures showing the extent of the pollution.

>

> The work was finished in 2017.

>

> We do not understand how FCS, as landowners, gave permission to install the new line through an area which is an important habitat to various sensitive species, including wildcats, red squirrels, bats, and pine martens. During the felling operations, a pair of buzzards, which had nested in the forest for years, disappeared. The nesting location was well known to locals. Surely FCS should have consulted the local residents before allowing SSE to devastate the forest in this way. At the very least, this may have led to the buzzard's nest being saved, and the birds remaining in the area.

>

> SSE is now planning to install another 132kV double wooden pole line – the Fort Augustus-Skye project. It is proposed by SSE that this line would run parallel to the Skye Tee line mentioned above, which would require further felling and stump clearance operations of four times the magnitude of the previous works.

>

> We are asking for your help to prevent the awful consequences of the previous destruction caused by SSE in the installation of the Fort Augustus-Skye project, which will bring the power created by the Glen Ullinish Wind Farm to the Auchterawe substation. It is important to note that this letter does not in any way constitute any opposition to the power network upgrades, which are necessary for the continued growth of the renewable energy industry in Scotland. We feel that if the original plan was used, it would have had much less impact on the environment. It would follow the original corridor and no more trees would have to be felled. Where it passes the houses it would be underground and have zero visual impact post-construction. SSE still has consent and agreement to carry out this work.

>

> I have lived in Auchterawe for all of my [REDACTED] years, and my parents before me. Our five children all grew up in the Auchterawe Forest and grew to love this environment. They are all grown up now but retain a vested interest in the surrounding area and gradually are coming back to live here. We are now proud grandparents of four, and it is their future that prompted us to make this appeal.

>

> Regards [REDACTED]

> [REDACTED]

>

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[REDACTED]

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**From:** Ewing F (Fergus), MSP <Fergus.Ewing.msp@parliament.scot>  
**Sent:** 04 June 2018 09:10  
**To:** Cabinet Secretary for the Rural Economy  
**Subject:** Re: Sunday Express

Please request a briefing from FC on the wildcat issue.

F

Sent from my iPad

On 4 Jun 2018, at 08:56, "[CabSecREC@gov.scot](mailto:CabSecREC@gov.scot)" <[CabSecREC@gov.scot](mailto:CabSecREC@gov.scot)> wrote:

For info and to advise if you wish any follow up taken.

Thanks

[REDACTED]

[REDACTED] | Deputy Private Secretary to the Cabinet Secretary for the Rural Economy and Connectivity | 2N.11 | St Andrews House, Regent Road, Edinburgh EH1 3DG | [REDACTED]  
Blackberry [REDACTED]

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**From:** [REDACTED]  
**Sent:** 03 June 2018 11:12  
**To:** Cabinet Secretary for the Rural Economy and Connectivity; Cabinet Secretary for the Environment, Climate Change and Land Reform  
**Subject:** FW: Sunday Express

Reports attached

[REDACTED]  
Special Advisor to the First Minister  
Rural Economy and Connectivity  
[REDACTED]

My working hours are now:

[REDACTED]

Scottish Government  
St Andrew's House, 2 Regent Road, Edinburgh, EH1 3DG  
Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot).

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**From:** [REDACTED]@forestry.gsi.gov.uk

**Sent:** 03 June 2018 07:45

**To:** [REDACTED]

**Cc:** Communications Rural Economy & Environment; [REDACTED]  
[REDACTED]

**Subject:** Sunday Express

Morning all

Attached is the Sunday Express story, which repeats the usual false claims from WH but leads with the petition having garnered 160,000 signatures. It does carry our response in full.

(The journalist has not mentioned that the petition is not in the form that SG would consider.)

Also attached is a Sunday Herald article on an SNH report which lists ten species nearing extinction in Scotland. Wildcats are at the top of the list – and the reasons cited for the danger are lack of funding and habitat destruction.....

[REDACTED]

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[REDACTED] (Mobile)

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[www.facebook.com/forestrycommissionscotland](https://www.facebook.com/forestrycommissionscotland)

Forest Enterprise Scotland is an agency of the Forestry Commission managing Scotland's National Forest Estate.

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