

# NatureScot submission of 21 March 2024

## PE2050/C: Prohibit the use of recreational drones on national nature reserves without a permit from NatureScot

I refer to your letter dated 23rd February 2024 and wish to provide you with the following information in response to the Committee's questions.

- How many complaints made about drone use have been investigated by NatureScot since 2018 and of those, whether any complaints were referred to Police Scotland

NatureScot has one complaint regarding drone use during this period. It was not investigated by NatureScot as the incident was reported directly to Police Scotland by a member of the public. The police determined there was no criminality on that occasion.

- whether NatureScot would consider creating a byelaw prohibiting the use of drones on NNRs without a permit under the Wildlife and Countryside Act 1981
- whether the costs associated with designing, implementing and enforcing a permit scheme or bylaw would be considered prohibitive or disproportionate.

NatureScot uses byelaws very rarely. We currently only have one set of byelaws, at Caerlaverock National Nature Reserve on the Solway coast, which are aimed at regulating wildfowling.

We would only consider creating byelaws for NNRs or any other protected area where there is clear evidence of their need and the likely benefits to protected species, as well as evidence that a byelaw is the only or best way to address a particular issue. The process for making byelaws is very complex and time consuming, and ensuring compliance can also be resource-intensive.

Byelaws also have to be consistent with and not duplicate existing legislation. Therefore we would consider whether existing statutory protection for relevant species is sufficient to address any concerns at any given site. For example it is an offence to harass seals at a designated haul-out site, and nesting birds are protected through the Wildlife & Countryside Act 1981.