

Scottish Hydro Electric Transmission plc
Beaully-Denny Overhead Line Diversion
Environmental Appraisal
Technical Appendices

Appendix B – Species Protection Plan (SPP) -
Badger

July 2025



TG-NET-ENV-501	Badger Species Protection Plan		Applies to
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1 Introduction

The European / Eurasian badger *Meles meles* is a native protected species under the Badger Protection Act and is afforded a high level of protection in Scotland. This Protection Plan provides guidance and procedures for the protection of badgers and their shelters during works on SSEN Transmission projects. The Plan comprises two parts and details the procedures that must be followed where there is potential for badger to be present (Part 1), and where a Project Licence for badger has been issued by NatureScot to cover the project (Part 2):

1.1 Part 1: General Protection Plan

This Part applies to all projects where badger may be present. Part 1 outlines the responsibilities of SSEN Transmission and *Contractors* regarding protection of badger. It also details relevant legislation, survey requirements, general mitigation measures and the requirement for licensing and mitigation.

1.2 Part 2: Project Licence Protection Plan

This is provided to *Contractors* in addition to Part 1 for large projects where a Project Licence has been issued by NatureScot to cover the work and identifies those activities and protection / mitigation measures which are permitted under the Project Licence and those activities which require a Method Statement to be submitted to NatureScot for written approval before works can commence. This Part should be followed in conjunction with Part 1 and the relevant Project Licence to provide approved guidance and methodologies for carrying out work.

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2 References

The documents detailed in Table 2.1 – Miscellaneous Documents, should be used in conjunction with this document.

Table 2.1 – Miscellaneous Documents

Title
The Protection of Badgers Act 1992
Badger NatureScot
NatureScot Guidance Licensing – Badgers – What is a Badger sett?
NatureScot Standing Advice For Planning Consultations Protected Species: Badger
NatureScot Badgers and Licensing
Forestry Practice Guide 9 Forest Operations and Badger Setts
Licence – Badgers – Standard forestry operations
Scottish Badgers Surveying for Badgers Good Practice Guidelines Version 1: 2018
The Mammal Society Surveying Badgers 1989
The Highland Council General planning guidance Badger Policy Guidance Note, March 2007
NatureScot Species Protection Plan
CIEEM Guidelines for Ecological Report Writing
CIEEM Advice Note On the Lifespan of Ecological Reports & Surveys

3 Part 1: General Protection Plan

3.1 Ecology

Badgers are members of the weasel family *Mustelidae* with a very widespread distribution in Scotland. They normally live in small family / social groups (clans) comprising a dominant pair and their offspring. Easily identified by their black and white face and grey body; males (boars) are slightly longer and heavier, with a thicker head to females (sows). Badgers are generally nocturnal, emerging early evening but are known to be occasionally active during day. While they consume large numbers of earthworms, badgers are omnivorous, foraging for a variety of foods including grains and carrion. They do not hibernate but may spend longer underground during winter / poor weather. Average lifespan is five to eight years but may live up to 16 years in the wild.

Badgers typically live in underground structures / burrows called setts, which vary in size and formed through badgers digging using their long powerful claws. Setts are often associated with woodland and sloping ground, but badgers can exploit a range of habitats including agricultural land and upland moorland. Any structure or place displaying signs indicating current use by a badger is a sett which can include rock piles, spaces beneath buildings, abandoned vehicles etc. The distance from the sett which they travel varies widely, depending on food and habitat availability as well as population density and territory size, with those in upland areas often exploiting larger areas. Sett occupancy and purpose is interchangeable with four types recognised: main, annexe, subsidiary and outlier. Badgers are also known to use above ground nests (day beds) and rock crevices. A description of sett types is displayed in Table 3.1 and habitats in Table 3.2.

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Table 3.1 - Sett Type Descriptions

Sett Type	Description
Main	Normally each group / clan has a single main sett, typically consisting of several entrances / holes with large spoil heaps and appears well used. Obvious paths lead to and from the sett and between entrances / holes. Number of entrances may vary. Often used for breeding but some may have disused or dormant entrances / areas.
Annexe	Often close to a main sett (normally <150 m) and connected by well-worn path(s). Usually there are several entrances but may vary and the sett may not be in consistent use, even where the main sett is highly active.
Subsidiary	Difficult to determine. Usually at least 50 m from a main sett and do not have obvious path(s) connecting with another sett. They are not continuously active (often seasonally), and entrance numbers may vary. To confidently identify a subsidiary, surveyors should know the location and correctly identified a nearby main sett and be confident that the main sett is within the same territory. Until territory analysis can be conducted through survey (e.g. bait marking) then the classification of 'subsidiary' may only be tentative at best ¹ .
Outlier	Often have little spoil outside the entrances, no obvious path(s) connecting to another sett, and only used sporadically. Can be inhabited by foxes or even rabbits; however, they can still be recognised as badger setts by the shape of the tunnel (not the actual entrance hole), at least 25 cm in diameter, and rounded or a flattened oval 'rotated D' shape (i.e. broader / wider than high). Fox and rabbit tunnels are smaller and often taller than they are broad.
Other	Sett identification is open to interpretation. Where unsure and difficult to assess the classification of a sett, 'Other' has been used to describe. Smaller setts may still be used for breeding. NatureScot do not include this category on their licensing applications; therefore, this classification should be avoided as far as reasonably possible.

*Adapted from Scottish Badgers sett descriptions

Table 3.2 - Badger Habitat Classifications

Primary	<ul style="list-style-type: none"> • Short grazed or mown grassland i.e. improved grassland • Golf Course • Broadleaved woodland
Secondary	<ul style="list-style-type: none"> • Arable • Rough grassland (ungrazed by domestic stock) • Scrub • Mixed woodland
Other	<ul style="list-style-type: none"> • Coniferous woodland etc.

*Adapted from The Highland Council Best Practice Guidance – Managing Land As A Foraging Resource For Badgers

While mating can take place year-round with delayed implantation, the badger breeding season is acknowledged to run between 1st December and 30th June with one to five cubs born furless and blind in February. Cubs gradually become active above ground and are independent at around five months, and capable of breeding after one-two years.

¹ Classification of badger setts *Meles meles* in the UK: A Review and Guidance for Surveyors, Richard Andrews CEnv MCIEEM. Available at: <https://cieem.net/resource/in-practice-issue-82-countryside-management-dec-2013/>

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Badger activity can be identified through the following field signs:

- Dung heaps or latrines – small pits are dug, and large faeces of variable consistency are deposited. Dung tends to have an inoffensive odour. Can be used as territorial markers, often found along paths, field edges, close to or between sett entrances.
- Paths - often well-worn and lead from setts to and along boundaries such as fences. They may be marked at strategic points with dung heaps where they constitute the edge of a home range. Connect setts to foraging habitats.
- Footprints—about 4.5 – 6.5 cm wide and have five toes with very prominent claws. Front and hind paws differ slightly with the front leaving longer claw marks and hind appearing shorter with inner toes further forward.
- Guard hairs – stiff, long, elliptical, hairs with black and white bands.
- Setts – typically large, ‘rotated D-shaped’ burrows with large spoil heaps of excavated soil often inclusive of discarded bedding.
- Day beds - above ground resting areas characterised by flattened vegetation or bundles of grass, bracken/ferns and may contain straw. Material may also be dragged inside the sett.
- Snuffle holes – indentations in the ground where badgers have been rooting for food such as bulbs and invertebrates.
- Scratch posts – claw marks on tree stems, fenceposts or similar.

3.2 Responsibilities

It is the responsibility of all *Contractors* to comply with all the requirements of this Protection Plan where works will / may affect badger, including when they may be present, and it is both the *Contractor's* and SSEN Transmission's responsibility to monitor compliance with the Protection Plan. The responsibility for applying for any licence, including a Project Licence, may change from project to project, but all applications and mitigation works will adhere to this plan.

3.3 Legislation

Both badgers and their setts are protected under the Protection of Badgers Act 1992 (as amended in Scotland). Unless permitted under this Act, it is an offence to

- wilfully take, injure or kill a badger;
- be cruel to a badger;
- mark or ring a badger; and
- intentionally or recklessly interfere with a badger sett.

Interference with a badger sett includes the following whether intentionally or recklessly²:

² Reckless acts would include not having or disregarding a mitigation plan aimed at protecting badgers, resulting in interference by carrying out an activity which would result in an offence where the presence of badger was foreknown.

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- damage a badger sett or any part of it;
- destroy a badger sett;
- obstruct access to, or any entrance of, a badger sett;
- cause (or allow) a dog to enter a badger sett; and
- disturb a badger when it is occupying a badger sett

It is also an offence to knowingly cause or permit these unlawful actions, where not permitted under the act. Furthermore, it is illegal to sell or possess a badger including any part of the animal, and to dig for or to snare a badger.

The 1992 Act defines a badger sett as “any structure or place which displays signs indicating current use by a badger”.

This legislation means that badgers are fully protected in Scotland. Under Section 10 (1) of The Protection of Badgers Act 1992, licences may be granted to interfere with a badger sett within an area specified in the licence by any means so specified.

Note that legal survey method ‘bait marking’ should not be confused with the illegal activity ‘badger baiting.’

3.4 Surveying for Badger

Badger surveys must be undertaken by suitably competent and experienced ecologists. A desk study should be completed before visiting site and seasonality considered with any limitations recorded.

Surveys must be undertaken in all work areas containing suitable badger habitat, a maximum of 12 months prior to the works commencing, including site investigations, to ensure the availability of up-to-date information on shelter locations. A preconstruction check should also be made of all work areas preferably within a week but no later than three weeks prior to commencing works, to check for any changes to sett location / status.

Surveys must extend for a minimum of 30 m beyond working areas, including access tracks increasing to 100 m in areas of potential high noise and vibration (piling, blasting etc.) for high noise activities. In some cases, particularly where sett destruction / exclusion is anticipated, ecologists may advise further assessment is required.

Preconstruction surveys must also be carried out by suitably qualified and experienced ecologists who will identify whether the setts are Active, Inactive or Defunct.

- Active – the structure displays signs of current use such presence of field signs such as bedding, fresh spoil heaps, signs of recent digging, hair, latrines, or footprints in or around the structure or evidence of badgers entering or exiting the structure through appropriate monitoring.
- Inactive - these can be characterised by tunnels looking disused (e.g. cobwebs and overgrown vegetation / leaves in the entrance) and no presence of signs of current use by badger (e.g. hairs, footprints, snuffle holes etc.). Appropriate monitoring is required to provide absolute certainty that the sett is not in current use by badger.

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- Defunct - these are characterised by a loss of the structural integrity of the tunnel entrance (such as when they have been trampled by cattle) and / or roots growing through the tunnel, (i.e. the hole could not be used for shelter by a badger in its current state), and no other signs of current use by badger being present.

There may also be collapses where a tunnel has fallen in on itself, or air holes where badgers have made a small hole in a tunnel roof from below.

Appropriate monitoring (e.g. the use of suitable camera traps) should be undertaken where required to determine whether any sett is being used for breeding. Camera trap monitoring may also require a licence from NatureScot. Photographic evidence of inactive / defunct setts must also be retained. Setts should be monitored for the Project duration and following completion / into the operational phase where appropriate. Confirmed sett locations and sensitive information should be kept confidential, to be shared only with parties associated with the Project and NatureScot. Any record submissions to Scottish Badgers, other conservation groups or record centres should be agreed prior.

3.5 Review of Badger Survey

Once a badger survey has been conducted, the ecologist / ECoW must review the survey results, apply the mitigation hierarchy outlined below and decide whether a licence is required (either Individual or Project) for the works. A specific badger protection plan may be required in support of a licence application, applying the mitigation hierarchy with reference to this plan. NatureScot state that a species protection plan should:

- build on the results of surveys to look at the potential impacts of the development on protected species;
- describe how those impacts will be mitigated or compensated;
- identify whether a licence is necessary; and
- include a good method statement – i.e. a description of how all work in relation to protected species (including licensed work) will be done.

A species protection plan will also allow the planning authority to state that adherence to the plan is a condition of any consent.

Site teams must be advised of existing / new constraints, together with mitigation and licensing requirements by the ecologist / ECoW.

Relevant site documentation and Project information sources must be updated with new and amended information on badger constraints as it is produced, with changes communicated to appropriate staff / parties immediately.

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3.6 Mitigation Hierarchy

There is a general presumption against works being carried out which could disturb badgers in their setts or to destroy / exclude any sett, particularly during the breeding season. A hierarchical approach to mitigation of Avoidance - Disturbance - Destruction will be applied to any sett that may be affected (See Figure 3.1)

Avoidance

This is the preferred option and to be prioritised for active / inactive setts identified within:

- 30 m of works;
- 100 m of high noise / vibration activities; and

An initial protection zone of either (30 m, or 100 m for high noise / vibration activities) will be clearly demarcated and appropriately signed to restrict work access. Protection zones are to be maintained until works are completed. Site staff shall be briefed of their purpose through a Toolbox Talk and works micro-sited outside the protection zone. If badger disturbance can be avoided in this way, there is no need to obtain a licence from NatureScot for the works.

All works within the vicinity of a badger sett will avoid the badger breeding season (1st December – 30th June) where possible.

Forestry Operations

Forestry works are often required to facilitate construction or prolong resilience of existing SSEN Transmission assets. A 20 m exclusion zone can be implemented where appropriate **outside** the breeding season for forestry activities (30 m during the breeding season). A Standard Forestry Operations (SFO) or more complex licence may be required for activities including vehicle access, or within 20 m of a sett entrance **outside** of the breeding season. This is not applicable to any construction activities.

Disturbance

For any works required within 30 m of **active** setts, and for high noise / vibration activities such as pile driving or blasting within 100 m of setts, a licence from NatureScot will be required (either Individual or Project).

For forestry works, NatureScot can grant a SFO licence to permit felling and harvesting operations within 20 m of badger setts **outside** of the breeding season. Operations must be conducted using standard mitigation measures, including those outlined within this plan, which involve a protection zone extending 20 m from all sett entrances and where no heavy machinery or vehicles are permitted. The individual in charge of carrying out or overseeing the operations must [apply for the licence](#)³ and works are only legally covered once email confirmation from NatureScot is received. Where works are required during the breeding season, vehicles are required to enter, or other SFO conditions cannot be met, a more complex licence is required. The SFO criteria is not applicable to any construction related activities at any time.

³ NatureScot Badgers: licences for land management, available at: <https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-licensing-z-guide/badgers/badgers-licences-land-management#:~:text=We%20can%20grant%20standard%20forestry%20operations%20licences%20to,must%20be%20carried%20out%20using%20standard%20mitigation%20measures>.

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NatureScot licences and applications should be supported by a Species Protection Plan outlining how disturbance will be minimised, and setts protected (e.g. through screening of works and modifying protection zones). Reports and maps must clearly show sett location(s), number of entrances and protection / exclusion zones. These should be kept confidential and only shared with relevant Project parties.

If a Project Licence is in place, and a breeding sett will be disturbed during the breeding season (1st December to 30th June), a Method Statement must be submitted to the NatureScot Licensing Team for written approval in accordance with Part 2 of this document, prior to any works commencing. Note that licences are not usually granted during the breeding season.

NatureScot can issue badger ecologist licences to permit works with low conservation impacts to proceed (where certain criteria is met) for the purposes of development, preventing serious damage, forestry and agricultural operations. Use of these licences can be considered where held by the ECoW or a project associated ecologist.

Destruction

Destruction of setts must only be undertaken as a last resort. For destruction of **active setts** a licence will be required from NatureScot (either Individual or Project). Individual Licence applications to NatureScot must be accompanied by a Survey Report and Species Protection Plan inclusive of maps outlining how disturbance will be minimised, and individuals protected.

The plan must include appropriate monitoring to ensure breeding is not taking place and provision for the creation of an [artificial sett](#) where required. Confidential reports and maps must clearly show sett location(s), including number of entrances with photographs and protection / exclusion zones in addition to the location and design of artificial sett(s) accordingly. Any sett subject to works under licence will be monitored during and after those works. If a Project Licence is in place, a Method Statement must be submitted to the NatureScot Licensing Team in accordance with Part 2 of this document for written approval prior to any works commencing.

NatureScot can issue badger ecologist licences to permit works with low conservation impacts to proceed (where certain criteria is met) for the purposes of development, preventing serious damage, forestry and agricultural operations. Use of these licences can be considered where held by the ECoW or a project associated ecologist⁴.

⁴ Badger ecologist licence - an ecologists guide, available at: <https://www.nature.scot/doc/guidance-badger-ecologist-licence-ecologists-guide>

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3.7 Mitigation Measures

3.7.1 General Mitigation

- The following mitigation is to be incorporated but not necessarily limited to:
- Any temporarily exposed pipe system to be capped when staff are off site to prevent badgers from gaining access.
- All exposed trenches and holes to be provided with a cover and / or mammal exit ramps e.g. wooden planks or earth ramps when *Contractors* are off site. These are to be checked daily before commencing activities.
- Any artificial lighting to be directed away from known shelters/suitable habitat as far as reasonably practical.
- Tree felling to be directed away from setts and entrances. Remnants such as branching must not block / obstruct entrances or paths. Retain vegetation cover around sett(s) where possible.
- Habitat connectivity to be maintained with obstruction and fragmentation avoided.
- Any considerably noisy static machinery to be stored outside of sensitive areas/exclusion zones and switched off overnight where practical.
- Avoid activity between dusk and dawn when badgers are most active as far as reasonably practical.
- Ensure sound pollution prevention measures are implemented.
- Emergency procedures must be implemented inclusive of the following:
 - Where a badger / badger setts are unexpectedly encountered by site personnel, all work within 30 m (100 m for high noise / vibration activities, or 20 m of forestry activities outside the breeding season) must cease until the ECoW / suitably qualified and experienced ecologist has been consulted, inspected the site where required, and determined the appropriate course of action.
 - Any trapped badgers should be released immediately where safe to do so.
 - Suspected sick or injured badgers to be reported to the ECoW / ecologist and the Scottish Society for the Prevention of Cruelty to Animals (SSPCA) contacted as appropriate. The SSPCA will only attend site if the animal has been contained (within a box or cover placed over) and / or someone is monitoring consistently-frequently. In the case of badger, monitoring is considered appropriate and preferably by the ECoW / ecologist. SSPCA require what 3 words of location, contact number and postcode. Incidents can be reported to the SSPCA⁵ on **03000 999 999**.
 - Site personnel safety must never be compromised in attempt to rescue wildlife. Any animal can be unpredictable, particularly when they are in pain or feel

⁵ The SSPCA is the animal welfare charity operating in Scotland and should not be confused with the RSPCA operating only in England and Wales.

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threatened by humans. Always maintain a safe distance, wear gloves, and wash hands after.

- Where injury or death to a badger is a result of site activities and / or **licensing conditions have been breached**, activities in the area must cease and the site made safe immediately. The ECoW is to be contacted and attend site. The incident must be reported to SSEN on **0800 107 2307** within 30 minutes and reported to the NatureScot Licensing Team as soon as possible. SSEN Transmission should ensure details are recorded on [EcoOnline](#).
- Where injury or death to a badger is **not** a result of site activities and **no licensing conditions have been breached**, activities in the area must cease and the site made safe immediately. The ECoW is to be contacted and should attend site. The incident should be recorded within weekly-monthly reports and on EcoOnline as an observation by the *contractor* or SSEN Transmission (e.g. badger road accidents from **non-site traffic** but within vicinity of the site).
- Any pollution incidents to follow the relevant site emergency procedure, including reporting to SSEN on **0800 107 2307** within 30 minutes. SSEN Transmission should ensure details are recorded on EcoOnline.
- An exceptional circumstance procedure will be implemented should mitigation options not prove satisfactory in a particular case. Works will be halted whilst mitigation is determined (under consultation with NatureScot Licensing Team where required).

3.7.2 Monitoring and Reporting

- The Environmental Representative will attend site on a regular basis throughout the construction period to ensure all environmental mitigation relevant to badger is delivered.
- Any *Contractor* badger SPPs should refer to this SPP with updates on any licensable works provided to the relevant Project SSEN Transmission Consents & Environment Manager. *Contractors* should share a copy of their badger SPP for SSEN Transmission review where deviations or specific mitigation not covered by this SPP are required.
- Reports and SPPs inclusive of maps will be submitted to NatureScot as required by the relevant licence. These will be kept confidential accordingly.
- Licence returns must be submitted within one month of the expiry date. These can be submitted earlier where works are complete. This is the responsibility of the licence holder and / or named ecologist. Licences are not renewed automatically, and any extensions must be requested.
- Emergency reporting procedures are detailed within 3.7.1 General Mitigation.

3.7.3 Exclusion / Destruction of Inactive Setts at Any Time of Year

Where a structure possibly in use by badger requires exclusion or destruction, survey(s) are necessary to determine whether active and licensing requirements. For guidance see the NatureScot [Badgers - Licence forms and guidance documents](#).

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Should the structure be deemed **inactive**, the following methodology will be incorporated into a Site-Specific Method Statement and issued prior to work commencing. A licence from NatureScot is not required.

Monitoring

- a) Any potentially inactive sett must be monitored for a minimum of 14 days where weather conditions are favourable (up to 28 days if unfavourable) to check for current use by badger.
- b) A combination of the following methods will be used, as appropriate:
 - Appropriately positioned camera trap(s) to monitor badger activity at the sett(s). Cameras that produce a flash and/or a 'Low Glow' red light in the dark should be avoided. Remote monitoring to reduce human presence and potential disturbance is encouraged where appropriate, otherwise periodic (weekly) checks should be made.
 - Small pencil-sized sticks placed in the floor of the tunnel just inside the entrance(s), pointing upright.
 - Sand placed at the sett entrance(s) to capture footprints and/or other evidence.
 - Checks for other badger sign (e.g. hair, snuffle holes, latrines, and fresh scuff marks).

Exclusion

- c) Following adequate monitoring, and where the named Agent is confident that there is no sign of use by badger, the sett will be excluded for seven days using a gate⁶ set in the one-way position.
- d) Exclusions must be overseen by a named Agent on the Project Licence.

Monitoring Exclusion

- e) The sett will be visited regularly through the exclusion process to check activity and to check on the integrity of the exclusion materials and make good any damage. If it is apparent that badger(s), or other animals, have breached the exclusion any necessary repairs will be made and exclusion period will restart.

Exclusion / Destruction of the Sett

- f) Following exclusion, temporary blocking by wiring the gate shut, or destruction of the sett will be undertaken, where required, under the supervision of the Agent.
- g) Where the sett is not required to be destroyed the exclusion gate / sheeting may remain whilst works proceed around the sett and removed once works have finished.

⁶ The specification of gates, fencing and materials would be in accordance with [DMRB](#), and as described in NatureScot's "[Scotland's Wildlife: Badgers and Development \(2001\)](#)" and [The NHBS Guide to Badger Gates](#) or equivalent.

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- h) Where the inactive sett is required to be destroyed, this will be carried out using appropriate plant and / or hand tools.
- i) For setts on distinct slopes, the excavation will start at least 1 m away from the entrance spoil heap on the down-slope side (up to 4-5 m in front of the entrance itself). For setts on flat ground the excavation will start in front of the entrance hole and hand digging will be utilised to assess the direction and number of tunnels in all directions. Once this has been established, appropriate plant can be used to further progress the excavation. A trench will be dug under direction of the Agent. In the unlikely event that badgers are found during this process, all excavation will cease, the badger(s) will be allowed to freely move away from the area and the site made safe if required. The Agent / ECoW will decide on when the excavation can resume. The NatureScot Licensing Team will be consulted accordingly.
- j) The excavation will continue slowly, working forwards into the tunnels and chambers until the Agent is satisfied the entire sett has been excavated. Once fully excavated the soil will then be backfilled and compressed to deter animals from excavating further holes.
- k) Construction works will be programmed to commence as soon as possible following sett exclusion / destruction to reduce the probability of animals returning to the area.

3.8 Licensing Requirements

Licence applications must be submitted to the NatureScot Licensing Team (licensing@nature.scot) sufficiently in advance of the Project / works start date to ensure the licence is in place prior to any works commencing. Timescale for processing applications may vary and is often shown on the automatic reply upon submission or on NatureScot licensing news⁷; however, it may be worth contacting Licensing on **01463 725 364** ahead of submission and / or enquiring where indication is not provided.

3.9 Project Licence

An NatureScot Project Licence is likely to be the most appropriate form of licence for any large scale and / or long running Project, which may result in a large number of minor unavoidable badger offences (e.g. multiple instances of disturbance to a number of badger setts over several years). A Project Licence can be used to standardise protected species mitigation / compensation, creating consistency across the project area and throughout the Project's lifespan. Project Licences do not negate the need for thorough pre-development surveys within 12 months of the planned project start date, and pre-construction surveys within three weeks of works commencing. Any Project Licence application will need to be accompanied by the Mitigation Plan and procedures for badger included in Parts 1 and 2 of this SPP.

⁷ NatureScot Licensing News available at: <https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/licensing-news>

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3.10 Individual Licence

For small scale Projects expected to be completed over relatively short timescales, which will result in a low number of unavoidable badger offences, an Individual Licence is likely to be more appropriate. Licence applications should be accompanied by a Method Statement and should be sent sufficiently in advance of the Project start date to ensure the licence is in place prior to work commencing.

Further guidance and details of how to apply for a badger Licence can be found on the NatureScot website⁸.

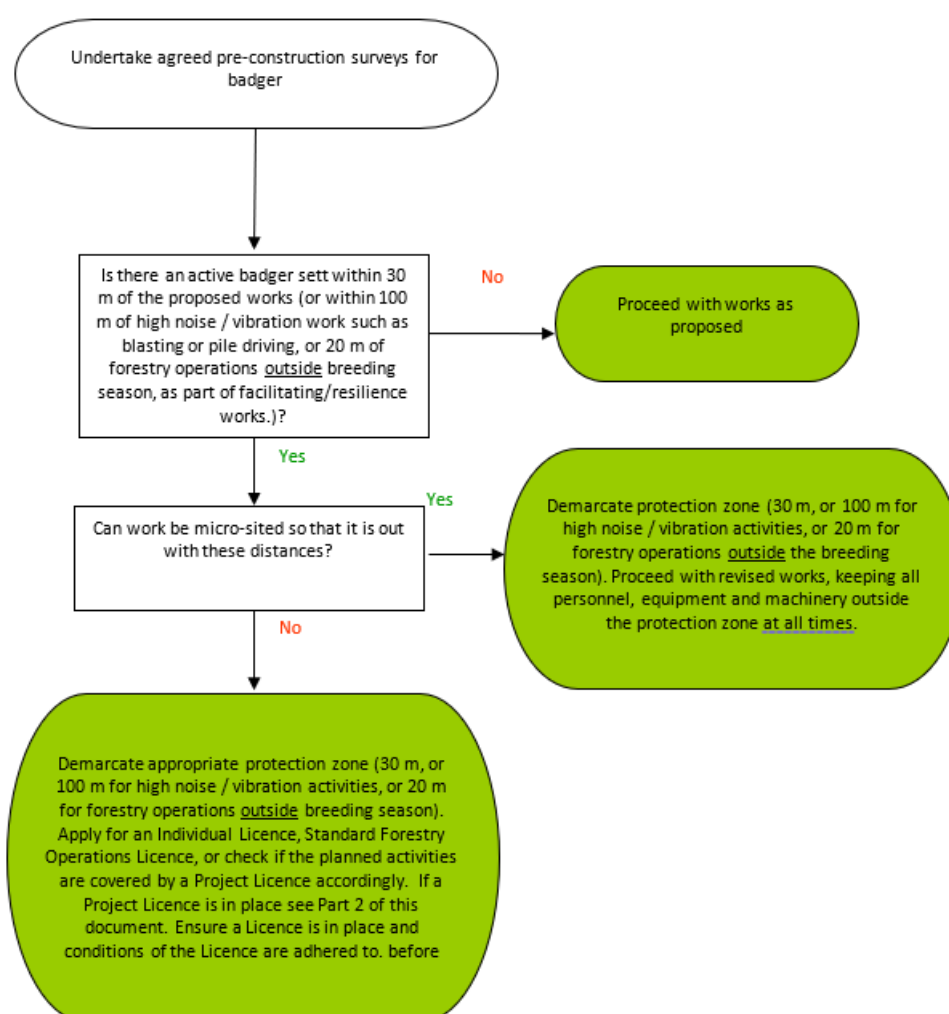


Figure 3.1 - Badger Mitigation Decision Tree

⁸ NatureScot Licensing Professional Advice: <https://www.nature.scot/professional-advice/protected-areas-and-species/licensing>

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4 Part 2: Project Licence Protection Plan

The following sections of this plan are to be read in conjunction with the Project Licence (**insert Licence number**) and its conditions.

As stated in the Project Licence, methodologies for certain mitigation activities permitted under the Licence are included in this Part of the SPP. More disruptive activities, listed in Section 1 below, will also require a specific Method Statement to be submitted to the NatureScot Licensing Team for written approval (see Appendix A). It is the *Contractor's* responsibility to submit these Method Statements to both SSEN Transmission and the NatureScot Licensing Team for written approval. No works shall proceed without this written approval.

Sufficient time must be allowed for in the programme to carry out any consultation work and obtain necessary approvals.

The Project Licence will specify reporting requirements detailing all disturbance and destruction works carried out.

4.1 Works Allowed Under the Project Licence

Under the Project Licence there is a general presumption against works being carried out which could disturb badgers in their setts, or to destroy / exclude any sett unless it can clearly be demonstrated that either it is inactive (i.e. through monitoring) or that there is no alternative solution against Project timescales and requirements.

4.2 Activities Requiring a NatureScot Approved Method Statement

The following activities require a formal Method Statement to be submitted and approved by NatureScot prior to any works commencing:

- Destruction of any active setts within the breeding season (1st December – 30th June).
- Destruction of a breeding sett, or a sett which cannot be discounted as a breeding sett, at any time of year.
- Disturbance (i.e. works within 30 m, or 100 m for high noise / vibration works) to a breeding sett, or a sett which cannot be discounted as a breeding sett, during the breeding season, or for non-standard forestry operations.
- Where it is proposed to exclude (even temporarily) such a proportion of setts in a given clan's territory resulting in a significant impact on the clan.
- Any exceptional circumstances not covered in this SPP.

The Method Statement template in Appendix A has been developed in conjunction with NatureScot and should be used by the *Contractor / Named Agent* for all submissions.

Proposed mitigation works should be agreed with NatureScot.

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4.3 Activities not Requiring Additional NatureScot Approval

The following works may be carried out under this SPP and / or specific Method Statements without the prior approval of NatureScot when a Project Licence is in place, using the prescribed methodologies:

4.3.1 Exclusion / Destruction of a non-breeding active sett from July – November inclusive

The following methodology will be incorporated into a Site-Specific Method Statement and issued prior to work commencing:

Pre-works Assessment

- a) In advance of any ground-breaking or use of construction machinery within 30 m of a sett entrance (or 100 m for blasting operations or 20 m for forestry works outside breeding season as part of facilitating or resilience works) an Agent on the Project badger licence will consider in detail the scope of the proposed works, type of sett and topographical location to determine if exclusions can be avoided without placing badgers at risk.

Exclusion

- b) As agreed with NatureScot, badger gates and appropriate materials⁴ will be used for the exclusion of setts, unless in rare circumstances, in which case the NatureScot Licensing Team will be consulted beforehand. Exclusions must be overseen by a named agent on the Project Licence.
- c) The gate would be set to the two-way position for at least seven days and then set to one-way for 14 days.

Monitoring Exclusion

- d) To monitor use of the sett a combination of the following methods may be used.
 - Appropriately positioned camera trap(s) to monitor badger activity at the sett.
 - Small pencil-sized sticks placed in the floor of the tunnel just inside the entrance, pointing upright.
 - Threads pinned to the gate and gate frame to confirm whether the gate has been opened.
 - Sand placed at the sett entrance (inside and outside the gate).
- e) The sett will be visited regularly through the exclusion process to check activity and to check on the integrity of the exclusion materials and make good any damage. Where apparent that badger(s) have breached the exclusion, any necessary repairs will be made, and exclusion period will be restarted.

Destruction of the Sett

- f) Destruction will proceed as per the method outlined for destruction of inactive setts.

4.3.2 Disturbance to a non-breeding active sett from July – November inclusive

The following methodology will be incorporated into a Site-Specific Method Statement and issued prior to work commencing:

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Tree Felling and Scrub Clearance

All tree and scrub clearance will be undertaken in accordance with the conditions of a [Standard Forestry Operations Licence](#), which is considered part of facilitating or resilience works.

Track Construction

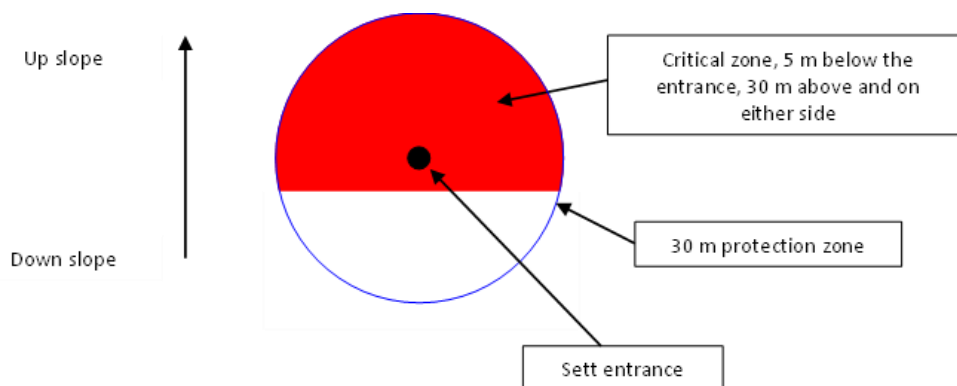


Figure 4.1 - Track Construction

- a) Track construction can be carried out within the 30 m protection zone under the Project Licence providing it does not impact on the “Critical Zone”, as shown in the diagram above, and lie within 5 m of the sett entrance. An Agent / ECoW on the Project badger licence will carry out a risk assessment and mark out the maximum protection zone to ensure the integrity of the sett is protected. If works are proposed in the critical zone between 20 and 30 m from an entrance, careful hand-digging of a cross trench at the edge of proposed access track route or tower compound will be performed to confirm the tunnels do not extend under the works.
- b) The Agent / ECoW will be present immediately **before** construction starts to re-check for any ecological constraints including newly dug badger setts. Details of any ecological constraints, and associated mitigation, not related to badger will be communicated separately to this plan to all site workers.

Tower Compound Establishment

- c) A tower compound can intrude within the 30 m protection zone under the Project Licence, where there is no alternative, providing it does not impact on the “Critical Zone” and the sett entrance is a minimum of 5 m out with the compound boundary. The An Agent / ECoW on the Project Licence will carry out a risk assessment and mark out the maximum protection zone to ensure the integrity of the sett is protected.
- d) Badger proof fencing / gates will be used for the compound to reduce the risk of badgers entering the works area. One-way badger gates will be installed at the nearest corner of the compounds to allow animals to escape.
- e) The Agent / ECoW will be present immediately before construction starts to re-check for any ecological constraints including newly dug badger setts. Details of any ecological constraints, and associated mitigation, not related to badger will be communicated separately to this plan to all site workers.

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5 Revision History

No	Overview of Amendments	Previous Document	Revision	Authorisation
01	Transfer to new template and Nomenclature	TG-PS-LT-707 (Rev 1.00)	1.00	Richard Baldwin
02	Hyperlink to "Current use" guidance 'What is a badger sett?' has been added under newly created paragraph 3.8.3. 4.3.1 'Exclusion / Destruction of Inactive Setts at any time of year' (Rev 1.00) has been moved under 3.8.3 to represent Licensing Team changes in accordance with legislation.	TG-NET-ENV-501 (Rev 1.00)	1.01	Richard Baldwin
03	2024 review and update of the badger SPP.	TG-NET-ENV-501 (Rev 1.01)	2.00	Richard Baldwin
04				

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Appendix A Project Licence Method Statement Template

<PROJECT TITLE>

METHOD STATEMENT FOR WORKS UNDER *(insert licence details)*

<insert species record reference>

<insert date>

Introduction

This document, prepared on behalf of SSEN Transmission provides a Method Statement for *<insert details of works>* to be completed under *<insert licence details>*. These works are required in order to facilitate the delivery of the *<insert Project details>* (the Project).

Condition *<insert No.>* of the above Licence states that a Badger Protection Method Statement be submitted to NatureScot Licensing Team for written approval, under specific circumstances, prior to commencement of works which could affect **badgers**. Therefore, no works which would *<insert licensed activity>* badger shall take place without written confirmation of NatureScot approval of this method statement.

This Method Statement makes reference to the following documents:

- *<insert licence details>*, NatureScot
- Species Protection Plan (SPP): *<insert SPP No. and title>* Rev. X *<insert date>*

Further information is provided in Table 1: Summary of Data.

Licensable Works

Introduction

<Insert details>

Baseline Description

<Insert description, including photographs / location plan>

Table 1: Summary of Data

Reference	Easting	Northing	Date recorded	Description	Date works exclusion zone demarcated & distance

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Survey Summary

<Insert details>

Description of the Proposed Licensable Works

<Insert details>

Works Duration

<Insert details>

Consideration of Alternatives

<Insert details>

Impact Assessment

<Insert details>

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Method Statement Site Briefing (to be delivered to relevant staff prior to works)

Site: *<insert description>*

Reference number: *<insert species record reference>*

Client: SSEN Transmission

Task: *<insert description of works>*

Prepared by: *<insert individual or Company name>*

Licensed Agent: *<insert name>*

Method statement for *<insert works description>*

Before works commence:

All relevant personnel will be made aware of the presence and location of the constraint and mitigation.

<insert details of methodology>

During works:

<insert details of methodology>

<Insert Contractor's name>

I, the undersigned, confirm receipt of this method statement and fully understand and agree to work to the conditions therein.

Signature of Contractor's Representative:..... Date / /

Print name in full:
