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Badgers, setts and their impact on forestry operations

This information is based on current information relating to Scotland, but similar conditions apply in England also.

Badgers and their setts are protected by the Protection of Badgers Act 1992. Under this Act it is an offence to interfere with a sett by damaging or destroying it or to disturb a badger when it is occupying a sett. Forest operations such as tree-felling, timber extraction and ground preparation are potential sources of damage or disturbance to badger setts.

The definition of a badger sett

A badger sett as defined under the Act means “any structure or place which displays signs indicating current use by a badger”. Whilst ‘current use’ is subject to interpretation by the courts, for the purposes of licensing, Scottish Natural Heritage define “current use” as “any sett within an occupied badger territory regardless of when it may have been last used”. A sett therefore, in an occupied territory, is classified as in current use even if only used seasonally or occasionally by badgers and afforded the same protection in law. Even if the sett appears a long time redundant, it is recommended to err on the side of caution and consult a local badger expert who may know if the area is within an occupied territory.

Management practice

A walk-through survey may identify existing setts. It would also be helpful if owners and their staff would record badger activity and map setts. In the event a sett is discovered where work is planned, a licence can be applied for from the Scottish Office. The Scottish Office strongly advises using a badger expert for licence applications to ensure objectivity. On sites where trees will be prone to windblow, best practice is to clear-fell the trees under an approved licence. Licences carry a set of conditions to minimise the impact on the badgers and their setts. If the site is suitably windfirm, the best protection is to restrict or avoid operations close to setts and leave the trees standing within a minimum buffer of 20m to the nearest outlying sett.

Badgers are particularly sensitive to disturbance during the breeding season and this can be minimised by avoiding activity around main setts between December and June. It can be difficult to ascertain whether badgers are currently using a sett during winter or in periods of cold wet weather when they are less active. Occupancy is more easily determined in summer when fresh evidence around the entrance is visible.

Further information can be found

Forestry Commission Forestry Practice Guide No 9 – ‘Forest operations and badger setts’.

[http://www.forestry.gov.uk/PDF/fcpg9.pdf/\\$FILE/fcpg9.pdf](http://www.forestry.gov.uk/PDF/fcpg9.pdf/$FILE/fcpg9.pdf)

Scottish badgers

www.scottishbadgers.org.uk

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