

# The Scottish Parliament - Rural Affairs Climate Change and Environment Committee

## Association of Deer Management Groups

### Evidence for the Review of the impact of deer on Scotland's natural heritage

The undernoted written evidence is intended to provide the Committee with information in advance of the hearings as to the way in which deer management is carried out, mainly by Deer Management Groups (DMGs), across the Highlands and Islands where red deer are present. Our sister organisation, the Lowland Deer Network Scotland (LDNS) will submit separate written evidence in regard to the management of wild deer outwith the main red deer range:-

1. **Deer Numbers and Impacts** - deer numbers have long been the subject of surmise and comment among individuals and organisations with an interest in deer management, and in the media. The counting of deer is not an exact science but techniques have improved considerably in accuracy since the early foot counts of the 1960s. Deer numbers are believed to have increased between the 1960s and 1990s coinciding with a long series of generally mild winters resulting in increased recruitment and negligible natural mortality. However, following a period of heavy reduction culling in many areas since the late 1990s, red deer numbers are now considered to have stabilised and in our view have now declined in many areas. An estimate of the total population of red deer on the open hill based on the count programmes of the Deer Commission for Scotland (DCS), now Scottish Natural Heritage (SNH), and on individual DMG counts, is now under 300,000 of which the recorded annual cull is now between 55,000 and 60,000, having fallen back from a high of 69,000 during the reduction cull period referred to.

While deer numbers are important in setting culls it has been accepted by SNH for many years that it is grazing impacts rather than numbers that are critical in setting and meeting habitat objectives. Any discussion on deer numbers and their impact on the environment is therefore likely to be misleading if not considered along with the grazing impacts of other herbivores, mainly sheep, but also some cattle; as well as goats, rabbits and hares where present. The number of sheep in the highlands is currently around 2.5 million. It is relevant that sheep numbers have fallen by 1.4 million over the last ten years.

Habitat response to reduced grazing in exposed locations tends to be slow and it is arguably therefore premature to judge the effect of reduced grazing and trampling as a result of lower sheep and deer numbers. SNH reports that 84.2% of features on designated sites where deer have or may have an impact are in favourable or recovering condition and that this proportion is continuing to increase, although this is no more than an indicator of trends over the deer range as a whole. *(We would note that reconciling this figure in regard to designated features with another statistic that 248 out of 957 Sites of Special Scientific Interest are in unfavourable condition due to overgrazing, [including but not exclusively by deer] is difficult and some clarification by SNH would be helpful)*

2. **The Voluntary Principle** - Following the enactment of the Wildlife & Natural Environment (Scotland) Act 2011 (WANE) deer management continues to be carried out under the voluntary principle. However it is constrained by legislation, the Deer Acts consolidated in the Deer (Scotland) Act 1996, and now WANE. This legislation provides for intervention by Scottish Natural Heritage to protect designated sites either by the promotion of voluntary Deer Control Agreements [1996 Act section 7], (of which there are currently 10), between the landholdings and parties concerned, or by Control Order [Section 8], (none to date).

More generally, across the deer range as a whole, the deer sector operates through a comprehensive framework of policy and guidance. This includes:

- a. **“Scotland’s Wild Deer – A National Approach” (WDNA)** - a joint Agencies 20 year Policy for deer management which enjoys the support of the deer management organisations and is currently undergoing its first 5 year review.
- b. **Code of Practice on Deer Management** - introduced as a result of and following the WANE Act in 2012 and in place for approximately 18 months. The preamble includes the statement: *“sustainable deer management is about managing deer to achieve the best combination of benefits for the economy, environment, people and communities, for now and for future generations”*. The principles of the Code, establishing a clear balance between economic, environmental and social aspects of deer management, are fully supported by the deer management sector. Having been involved in its development, ADMG continues to actively promote the Code to member DMGs and is pleased to report that it has been welcomed and incorporated into DMG thinking.
- c. **Best Practice** - 80 Best Practice Guides have been developed by the deer sector, working with SNH, over the last 10 years. ADMG has been involved from the outset. These set out in detail how all deer management tasks, both theoretical and practical, should be carried out to ensure public safety, deer welfare and food safety (venison).
- d. **Competence and training** - the WANE Act placed the onus on the deer sector to demonstrate the “competence” of those involved in deer management and thus requires the sector to demonstrate self regulation in respect of training and qualifications. In 2012 the sector Competence Group, of which ADMG is a member, concluded that the benchmark for judging Competence should be the long established Deer Stalking Certificate, Level 1 or equivalent qualification, with a strong recommendation for operatives to progress to Level 2 which has also been in place for many years. There is a campaign at present to promote “Competence” beyond the professional deer managers, most of whom operate within DMGs, to others who may be involved in culling deer on an incidental basis, particularly farmers, crofters and foresters.

We have gone into considerable detail in regard to the framework in which the deer sector operates to demonstrate that the application of the voluntary principle to deer management is in no sense an opportunity for a free-for-all. The sector is accountable and is adapting to the changes represented by recent legislation and by the Code. In overall terms, these

amount to a recognition of the public interest in deer and their impacts, both positive and negative, and a more inclusive approach to deer management.

3. **Deer Management Groups** - DMGs have been formed over a long period commencing in the 1960s. They now cover the whole of the open range of the Highlands and Islands where red deer are present and number 39 covering 3.4m hectares (excluding a further 8 DMGs covering 1.8m hectares in the Scottish lowlands). Many of these Groups are sub divided for practical deer management purposes and there are a total of around 20 such sub groups. The underlying purpose of DMGs, which are voluntary but fully supported in the great majority of cases, is to bring a collaborative approach to the management of a shared resource.

The Association of Deer Management Groups (ADMG) was formed in 1992 to support, advise and represent DMGs. The Association works closely with Government and its Agencies and in particular with Scottish Natural Heritage. It has played a lead role in the formation of the first Access Forum in 1994, the Scottish Venison Partnership and the Scottish Country Sports Tourism Group. It also participates in the Moorland Forum, National Access Forum, Deer Management Round Table and was prime mover in the formation of the Lowland Deer Network Scotland in 2011.

In law wild deer are *res nullius*, and belong to no man but the right to kill or take them lies with the owner of land where they are present. Open range DMGs bring together the land managers of all the land holdings in an area with a discrete deer population for the purpose of agreeing how they should be managed to meet the reasonable requirements of all members. As a shared resource deer require to be managed collaboratively and, by regular counting and the setting and allocation of cull targets which meet individual and collective objectives, DMGs attempt to share the benefits of the presence of wild deer equitably. Common practice is now to incorporate these processes into a Deer Management Plan and increasingly these Plans acknowledge the public interest in deer management by reference to the Code of Practice for Deer Management. Some 30 DMGs now have Deer Management Plans in place or in development and a number of their subgroups have Plans constructed at more local scale.

However achieving an equitable balance between economy, environment and people can be problematic at local level. Much has changed in the character of DMGs since they originally formed around sporting interests. Through changes of ownership or management a typical DMG is now likely to include among the management objectives of its members, deer stalking, grouse shooting and rough shooting, environmental change, farming and forestry. Tourism and recreational interests are also increasingly to the fore, as are renewables. In addition to private owners, an increasing number of estates are owned by charitable organisations and environmental NGOs, also by community bodies, as well as by Government bodies such as Scottish Natural Heritage and the Forestry Commission. ADMG acknowledges this expansion of ownership and management objectives and asserts the equal legitimacy of each. We also believe that a healthy mix of land management

approaches is beneficial from a landscape and environmental viewpoint as well as sustaining the most jobs and economic opportunities.

A growing challenge for DMGs is the resolution of conflicts which arise where more diverse management objectives among their memberships require different levels of deer population and distribution. ADMG refers to this as “the 12:4 dilemma”. A typical population density for stalking purposes may be in the order of 12 per square kilometre. For tree regeneration purposes a substantially lower level of population, perhaps 4 deer per square kilometre is required. In an open range situation, regardless of overall numbers and densities, deer will seek shelter and feeding wherever it is available and in extreme weather conditions this is often likely to be in areas where the vegetation is most vulnerable to grazing, browsing and trampling. The protection of such habitats can often only be achieved by either near eradication of the deer population, to the detriment of neighbours, employment and communities, or by the erection of temporary protective fencing for a period of up to 30 years. In such situations a process of negotiation and compromise is essential and ADMG is called upon from time to time to act as mediator and is uniquely placed to carry out this role. To assist with this ADMG developed in 2012 six principles of collaboration, emphasising common interest and promoting compromise and mutual respect between neighbours. These principles are gathering endorsements from DMGs and other interests. A copy of the Principles is attached for reference.

A question which ADMG is currently addressing is what constitutes an effective DMG and how this can be evidenced. In broad terms we would include:

- Regular well attended meetings with representation of all land management interests and appropriate public agencies.
- An up to date and effective forward looking Deer Management Plan based on consensus between members.
- Reference to the ADMG Principles of Collaboration.
- A statement of commitment to the Code.
- A commitment to promote Best Practice to ensure deer welfare and public safety.
- Agreement as to Group practical actions including deer counts, habitat monitoring and cull setting and allocation.
- A commitment to Competence represented by DSC 1 and 2; also “trained hunter” for venison production.
- An external communications policy to ensure that relevant interests, particularly local interests, are kept regularly informed about deer management in the DMG area and have an opportunity to comment on, for example, the Deer Management Plan.

Most member DMGs either meet this standard or are actively working towards it and ADMG is working with SNH to develop a self assessment system to measure progress and demonstrate compliance.

At present DMGs are unable to access funding support for collaborative action such as the cost of a Deer Management Plan or habitat assessment training. Under SRDP which could assist in this regard, funding has not previously been available to joint or group applicants. ADMG in its submission to the Scottish Government review of SRDP has recommended that the replacement scheme should be open to group applicants.

4. **Access to deer stalking** – it is sometimes suggested that deer stalking is exclusive. Accompanied red deer stalking is available at a cost starting at around £200 per day for hind shooting and £400 for stags. Unaccompanied stalking is also available from some estates and from Forest Enterprise through the lease of sporting rights. A necessary condition for unaccompanied stalking is the holding of a Firearms Certificate and, usually, holding Deer Stalking Certificate level 2. There are also many opportunities for individual enthusiasts to secure access to stalking in the lowlands.
  
5. **Looking ahead** - the passing of the Wildlife & Natural Environment (Scotland) Act in 2011 heralded significant changes, as referred to above, and, in an age of de-regulation and cost saving, it was considered appropriate to test the voluntary basis of deer management, with the proviso that it should be kept under review. SNH was therefore tasked, not only with the preparation of the Code, but also to monitor progress under the Act and the Code. ADMG considers that the deer sector has acknowledged the challenge to demonstrate that “voluntary” (but constrained as noted above) deer management is fit for purpose and, taken as a whole, is making steady progress in implementing the Code at DMG level. This is evidenced by the number of DMGs and sub groups, a substantial majority, which are preparing or reviewing Deer Management Plans. The process of bringing deer management and environmental impacts together, as envisaged in the Code, is indicated by the number of DMGs implementing habitat assessments. DMG meetings are open to those with a direct interest in local deer management and ADMG is encouraging member groups to set up liaison arrangements with external interests, local community interests in particular. ADMG is therefore confident that, when progress under the Code comes to be reviewed by SNH, good and continuing progress will be demonstrable.

In conclusion:

- ADMG submits that it is premature to make a judgement as to whether the voluntary DMG based system of red deer management is fit for purpose or whether it is capable of delivering public as well as private interest benefits. WANE and the Code are new but are already leading to a more structured and collaborative approach to deer management. SNH is committed to a review within the next few years.
- It is also premature to conclude that deer impacts on the natural heritage are now generally unsustainable. Grazing pressures have been reduced in many areas and in exposed locations it will take some years for any habitat response to be assessed. Undergrazing can also give rise to concern if deer numbers are heavily reduced and/or sheep are removed potentially leading to bracken encroachment and loss of species rich grassland, not to mention increasing the risk of wildfire.
- It is acknowledged that some designated sites have yet to achieve stable or improving condition and require further effort but, as noted, 84% of designated site features are on a level or rising plane.
- We acknowledge the inherent conflicts which the requirement to balance economic, environmental and social objectives implies for the management of rural Scotland in general and for wild deer management in particular. We would maintain however that such conflicts would be no more easily resolved by additional regulation which would be unlikely to add value and would increase bureaucracy and cost.
- Deer stalking is an important economic activity particularly in remoter areas and supports out of season tourism. The 2005 PACEC consultancy study (to be repeated in 2014) assessed the value of deer stalking to the Scottish economy at £105m. However it is rarely a viable economic activity on its own account and in the case of many estates deer management is privately subsidised. Stalking also makes a social contribution in maintaining communities with few other employment options (PACEC over 2500 fte jobs). It remains to be seen whether these benefits can be maintained where deer numbers are heavily reduced with the objective of habitat change.
- Comparisons have been drawn between DMGs and District Salmon Fishery Boards (DSFBs) and, to the extent that both are intended to address the management of a shared resource in a defined area or catchment this is valid, although DSFBs are individually autonomous. It is of note that the cost of running Scottish DSFBs amounted to £4.15m in 2012 with a further £1.6m of public funds being invested in fishery restoration and improvement projects. If additional cost of this order were imposed on the deer sector this would be likely to reduce present levels of private investment and support in what is already a marginal economic activity largely carried out in our more remote and fragile areas.