

## Only progress – and we are making plenty of it – will prove our detractors wrong



Richard Cooke, Chairman  
Association of Deer Management Groups

**I doubt there is anyone engaged in the deer sector in Scotland, whether in upland or lowland areas, who does not now understand**

**what a momentous year 2016 will be for those who take responsibility for the management of deer.**

The Land Reform (Scotland) Bill is being rushed through the Scottish Parliament and will be enacted by the end of March. Part 6 proposes the reintroduction of sporting rates for shooting rights and deer forests. We oppose this but have put forward an amendment, still under consideration, which would recognise good management and provide a basis for a relief in qualifying circumstances. Part 8 will grant additional powers of intervention to SNH and these have been further extended by amendments at Stage 2. ADMG has not objected to powers intended to address bad practice - after all neither DCS nor SNH have yet found it necessary to use their existing statutory powers and effective DMGs should have little to fear.

Once the Bill has been enacted there will be no time to draw breath before the second RACCE Committee Review of the deer sector in the autumn. By the end of 2016 we will know if we as a sector, as DMGs, and as individual deer managers, are to be allowed to continue to do what we do and do well despite all propaganda to the contrary. Normally one could allow for the facts speaking for themselves, but unrelenting misinformation based on what is no more than a caricature of today's deer sector, continues to stand in the way of reality.

Whatever the external perceptions, my view is that our Deer Management Groups have risen remarkably to the challenge. New deer management plans, the majority being prepared by experienced consultants and supported by 50 per cent grant funding from SNH, are now being completed and put out for consultation at community meetings and through the new DMG websites developed and launched by ADMG last year.

When SNH undertakes the second round of DMG Assessments in May and June I am sure that we can demonstrate the 'step change' which the then Environment Minister and the RACCE Committee called for just two years ago. Any DMGs which are behind the curve in this process - and I am not aware of any - have little time to get up to speed before they come to be reassessed. The several new Groups that are emerging will quickly catch up. ADMG is there to help. Just shout!

I am confident that the Review will reflect what has been achieved by way of change in such a short time – comprehensive and deliverable Deer Management Plans that take full account of all aspects of the public interest in deer. The task for all of us at both national and local level, over the coming months, is to communicate that. We must then put our faith in the objectivity and integrity of our Parliamentary representatives. We have been promised an objective and evidence-based Review by the Minister and we must see that we get it.

In the meantime, over coming weeks and months, we have a positive story to tell and we will continue to tell it. The time has passed for letting our detractors say what they wish without challenge. So ADMG will continue to engage with Ministers and MSPs and to correct unjustified criticism in the media. On the back page of this edition is our fact sheet for MSPs that directly addresses the mythology of the 'deer problem' and the mantra about 'too many deer'. The hostile propaganda has to stop. Deer support jobs, tourism, communities and the rural economy - they are too important to continue to be a political football. What we do, when done well, is in the public interest.



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## Land Reform in Scotland – where are we now in the process?



Dick Playfair  
Political Advisor to ADMG

**The Land Reform (Scotland) Bill, currently progressing through the Scottish Parliament with its aim to further “a fairer and more equitable distribution of land in Scotland”, at the time of writing is in the middle of Stage 2 in the Parliamentary process.**

This means that the draft Bill has been scrutinised by the Rural Affairs, Climate Change and Environment (RACCE) Committee at Stage 1 and the Stage 1 debate took place on 16 December last year.

The Stage 2 process sees the tabling of amendments to the draft Bill by MSPs. These again are scrutinised by the RACCE Committee to be concluded by 29 February. Given that the Scottish Parliament dissolves on 23 March prior to the May election, this leaves less than a month for Stage 3 to be completed – a highly ambitious timeframe and one that has, from the outset, prompted concern of rushed legislation and, as a consequence, a far from perfect result.

In its response to the RACCE Committee report at Stage 1, the Scottish Government said that it was exploring ways to strengthen the provisions in the Bill, particularly in relation to the transparency of landownership and who owns what; it would provide further information at Stage 2 for the entry in the valuation rolls of shootings and deer forests which the Committee has accepted now that it has done; it pledged to strengthen proposals for further Agricultural Holdings legislation and this happened with amendments introduced at the RACCE Committee session by the Cabinet Secretary on 3 February.

The Land Rights and Responsibilities Statement – a vision for the Scottish Government and the people of Scotland and their relationship with the land – will be subject to a full and wide consultation process; a Scottish Land Commission, made up of Commissioners of integrity, principle and vision, will ensure a more proactive, and longer term approach to land reform in Scotland, and promote new land policies designed to tackle inequalities. The Scottish Government’s aim is to have 1 million acres of land in community ownership by 2020.

There is also to be a Tenant Farming Commissioner whose focus will be to work positively with tenants and landlords to create and promote a Code of Good Practice and to promote constructive relationships. It will be the Commissioner who decides whether a separate Code is developed for land agents.

There are of course human rights implications, although the Scottish Government says that these have been fully investigated. In the Stage 1 debate it was proposed that the collective Scottish people have human rights too and that these could override those of the individual.

In the Bill and the Scottish Government response there has been some easing in relation to information about ‘who owns what’, although Scottish Ministers remain committed to exploring ways to promote wider transparency of ownership and controlling interests in land. Completion of the Land Register will involve wide scale, voluntary registration, but there is acknowledgment about what can be done in the time now available.

Scottish Government has also said there should be no restriction with regard to who can acquire land, although this had been proposed previously to be restricted to legal entities registered in

the European Union. However, those buying and registering title to land in Scotland would need to provide a named contact point, and also identify who controls land and who benefits from that ownership and control. Amendments may yet be brought forward with further proposals.

One of the more contentious aspects of the Bill has been that of community land acquisition and the right to buy land to pass power to the people and local communities, so encouraging and supporting responsible and diverse land ownership.

The transfer of land to community bodies could take place where there is identification of “significant harm” to the community, or where the community could gain “significant benefit” if the land were within its control. The transfer of such land must be in the public interest, although Ministers have also qualified that they would consider the effect of such a transfer on a land owner, land manager or existing land use, and there is an amendment for productive, agricultural land to be exempt. There needs to be clear, concise guidance on what is “significant harm” and “significant benefit” and discussion on whether the views of “communities of interest” should also be considered. The key difference here from the 2003 Act is that the community would have a right to buy even where there is an unwilling seller: one key test being where land is “abandoned, neglected, or causing harm to the environmental wellbeing of the community.”

The move to re-enter shootings and deer forests on the valuation roll for business rates had received some criticism from the Committee, saying there still needed to be “thorough, robust and evidence-based analysis” from Government which has in its view now been provided. The Scottish Government has laid out its timetable for Assessors to start producing draft valuations from late 2016 to be finalised by March 2017, and for bills to be issued by Local Authorities from March 2017. Assessors would need to differentiate between sporting and non-sporting deer culling, and the Minister has confirmed that prevailing rates from relief such as the Small Business Bonus Scheme would apply. There is still some uncertainty as to how many properties will be assessed – the Scottish Government saying around 8000 (or the number on the valuation roll when the exemption was introduced in the mid 1990s). However if all activities were assessed where such activity takes place this would require valuation of more than an estimated 50,000 properties. Clearly this would be a mammoth task. Councils would retain all income derived, but Government’s central



The Minister for Environment Dr Aileen McLeod, attended the ADMG Regional Meeting at Inverness in November, pictured here with (l to r) David Lowes, Falcon Frost and Tom Turnbull. Photo: Peter Keyser

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allocation to Local Authorities would reduce pro rata, and such savings could then be allocated, although not exclusively, to the Scottish Land Fund.

With regard to deer management, there is to be a thorough review of the deer sector in 2016, although it is accepted that implementation of new Deer Management Plans will take longer. If the voluntary principle is still regarded as failing then Government may introduce additional measures. The Minister said that having a workable Deer Management Plan was more important than SNH imposing cull targets on a Deer Management Group. However an amendment requiring cull targets to be agreed in advance (although it is unclear whether this may be only for specific cases) was agreed at Committee this month. The 2016 Review, which the Minister now has said will be concluded by October this year, will also cover lowland deer management.

Agricultural holdings has always been an area of contention and many have sensibly argued – and failed - that this aspect should merit its own Bill rather than be included in wider legislation on land reform. Government has said that new measures are designed to improve current tenant security and investment; to support new and progressing farmers and to expand opportunities for new entrants.

At the RACCE Committee session this month, the Cabinet Secretary introduced steps to remove the 'conversion for value section' from the Bill. Scottish Land and Estates has said that it is: "extremely disappointing that a disproportionate and unbalanced route is being taken to maximise payout to a small group of tenants rather than delivering for the future of the sector and new entrants".

An Absolute Right to Buy has been ruled out, although tenant farmers in certain circumstances could have a right to buy. For example, 'Assignment for value' is now the major bone of contention.

As it stands that is a not inconsiderable amount of new legislation. Many amendments to the draft Bill have already been discussed at Committee and more can be introduced at Stage 3 by MSPs in March when the Bill goes before the Scottish Parliament.

How effective it will be in actually broadening the scope and scale of land ownership in Scotland remains to be seen, and will the most contentious elements of it be challenged in the European Courts? Land reform, we have been told, is an ongoing process and this Bill will not mark the end, but rather another step on the journey. Inevitably, whilst for some it will not go far enough, for those challenged and threatened by the new measures it will certainly be several steps too far.

## Land Reform (Scotland) Bill – focusing in on the deer issues at Stage 2

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**The Land Reform (Scotland) Bill will affect both upland and lowland deer management. It took another step forward as the Scottish Parliament's Rural Affairs, Climate Change and Environment (RACCE) Committee discussed amendments to the sporting rates (Part 6) and deer management (Part 8) sections of the draft Bill at their meeting on Wednesday 3 February.**

Whilst a number of the amendments were not moved or were withdrawn, there remains considerable pressure on the deer sector to deliver significant improvement in the view of the majority of members of the Committee.

It is of concern that views expressed and broadly accepted at Committee were based on an historic view of deer management that does not accurately reflect the situation today.

The Minister for Environment, Dr Aileen McLeod, reiterated that further measures would be taken if the planned review of the deer management sector showed that sufficient progress had not been made. She said that the review had been brought forward and would be concluded by end of October 2016 and it would be "evidence based and factual."

### **Compliance with the Deer Code**

An amendment tabled by Claudia Beamish MSP, calling for a "requirement to comply" with the Code of Deer Management, was moved but not agreed.

Michael Russell's amendment regarding a public register of deer management plans, and a consultation process for these, was not moved. However, there was clearly support and the Minister said she would have further discussion about additional proposals prior to Stage 3, to "come back with a tighter provision".

### **Power to set future deer culls**

Michael Russell's amendment to the Deer (Scotland) Act 1996, for a new power to set future deer culls, was said by the Minister to have

a technical issue as drafted, and would require more work at Stage 3. Nevertheless, this amendment was moved and was agreed. This would give SNH an additional option, although it is not clear whether this measure is intended across the board, where it would largely duplicate what is already contained in deer management plans; or for specific cases, possibly even where plans do not exist.

### **Timing for start of new SNH powers**

A further amendment regarding additional powers for SNH being commenced at the time of Royal Assent was not moved; however, the Minister gave a guarantee that such new powers would become effective approximately two months after this, meaning well before the Autumn Review of the sector.

### **Repeal of exemption for non-domestic rates for shootings and deer forests**

On the repeal of the exclusion of shootings and deer forests from the valuation roll, there were strong arguments, from Alex Fergusson MSP and Jim Hume MSP, stating that insufficient evidence had been provided by Government, and citing the scale of the valuation task. However, after discussion and a vote, the move to reinstate business rates for shooting and deer forests was agreed.

Michael Russell MSP had tabled an amendment that the Assessor should have discretion to vary payments to reflect "good management" and, whilst this amendment was not moved, due to an undertaking by the Minister to look at it further, he reserved the right to "bring something back at Stage 3", saying he was keen to see a measure that would be an incentive for good management on the face of the Bill. There was general support within the Committee for this approach.

The written report of the Committee's discussions on 3 February 2016 on the Land Reform (Scotland) Bill can be seen here <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10356>

# Scottish wild venison sector urged to deliver improvements following E. coli O157 outbreak



Dick Playfair  
Secretary, Scottish Venison Partnership

**The Scottish wild venison sector had, until October last year, probably been fortunate in not having suffered a major food scare.**

**That clean bill of health came to an abrupt end when 12 cases of E. coli O157 were traced back to processed Scottish venison products. These cases resulted in one hospitalisation, but fortunately there were no fatalities as a result of the incident, although E. coli O157 is a killer bug.**

The incident prompted a thorough inspection and examination of the Dundee plant concerned by Food Standards Scotland (FSS), who investigated its processes, procedures, testing and standards. As a result of this, Highland Game was found to be operating to the highest standards, and was cited as an example of one of the best operations of its type anywhere in Europe. However, there can be little doubt that E. coli O157 came in on a deer carcase.

What has also emerged from this alert to FSS is that Scottish venison has probably been lucky for this to be the first incident of such gravity since so much of the process – particularly that from kill to processor – is potentially highly vulnerable to contamination, unless the highest standards are being met and procedures followed.

The view of FSS is that the sector, now that the nature of this risk has come to light, must undertake 'due diligence', self examination and improvement, so that if such an incident occurs in the future, all necessary steps can be shown to have been taken to prevent it, and minimise that risk.

Where estates and processors are part of the Scottish Quality Wild Venison (SQWV) quality assurance scheme, they will at least have been subject to regular inspection and demonstration of a minimum standard to join that scheme. Around 75 per cent of the wild venison produced in Scotland is from quality assured producers, and the three main processors – Ardgay Game, Highland Game and Yorkshire Game – all have QA accreditation. They are also operating to standards and compliance with schemes imposed on them by their customers.

Where producers are a part of a scheme then checks and improvements can be made, and SQWV is already looking at a number of enhancements to its standards to lessen the opportunity for contamination. There is also a requirement for stalker/trained hunters to be fully aware and to exercise all possible precaution to ensure that the risk of E. coli O157 is minimised. For example: a clean, accurate kill, the use of disposable gloves, clean knife policy, rigorous adherence to temperature and chill requirements; larder policy and insistence that their game dealer of choice is also operating to that same high standard.

A food hygiene Best Practice event is an option to help promote rigour at the stalker/larder end of the supply chain. Also, there will be a review of existing materials, and work with the rural colleges to ensure that tomorrow's stalkers are fully aware of their responsibilities and the risks of putting a raw product into the food chain.

FSS for its part has said that all Game Handling Establishments (GHEs) where there is no permanent veterinary presence will be subject to a regime of unannounced inspections (UAs). These will be undertaken to verify compliance between audits, but they may also be random or triggered by third party information. These inspections will cover hygienic production and operational practices, environmental hygiene, HACCP - based procedures and implementation, animal by-products, documentation, structure, traceability, health marks, and identification marks. FSS has also said that it is up to the sector to police itself, and where there is suspicion of bad practice there should be no hesitation in this being reported. The ultimate sanction, after all, is that the whole sector would be shut down if deemed to be too great a risk to public food safety.

Representatives of the sector met in December to hear the extent of the threat and the response from FSS, and a working group has now been formed to address areas for improvement and report back to FSS on delivery of these. FSS has suggested for a start that the following be considered:

- Standards of hygiene practice in the field - how rigorous are they and is there a broad understanding that the commodity being handled is food for safe human consumption?
- Assurance around hygiene standards applied, and what additional value can be extracted from the Trained Hunter declaration?
- Is further training required, and if so how can this be delivered?
- What level of understanding is there among producers/stalkers of the micro risks involved, and what can they do differently or better?
- What risk would a further outbreak bring, and is there collective acknowledgment that standards have to improve further?
- Should funding be given for research into the possibility of large wild game being "super shedders" (ie containing very high levels of E. coli)?
- Extension of HACCP controls into the field?
- Other processing controls or practices that could reduce risk?
- Public education.

There is a considerable amount of work here, but the prospect of not undertaking improvement comes with a heavy penalty, both for upland and low ground operators.

What this exercise also gives the sector the opportunity to do is to clean up its own act and to look in the corners where venison is being sold into the food chain with no or little control. Bad practice in today's climate where food safety is paramount - as it should be - can simply not be accepted. If the sector is not just to develop but to continue, and Scottish wild venison is to retain the reputation that it has earned, then every step must be taken to minimise risk – and, as far as possible, eliminate those areas of risk completely where they fall outside the scope of legitimate practice.

## Deer and Carbon – what’s all that about?

Toby Playfair MSci

**Ten years ago it would have been rare for deer and carbon to be mentioned in the same context, and for many the link is still somewhat tenuous.**

The vast majority of Scotland’s peatlands are upland areas of blanket bog, characterised by a nutrient-poor ‘ombrotrophic’ environment – an environment where the majority of water is derived directly from rainfall. These conditions lead to slow plant growth and decay.

A natural and healthy peat bog consists of two layers: a surface layer of living plant matter (the acrotelm); and a lower layer of partially decomposed organic matter (the catotelm). The most common peat-forming organism, comprising the acrotelm, is slow-growing sphagnum moss which, in addition to holding up to 26 times its dry weight in water, uptakes alkaline ions, so lowering the pH of their local environment. The resulting waterlogged, acidic conditions of a peat bog inhibit the growth of aerobic microorganisms, causing decay of dead plant matter to occur very slowly via an anaerobic pathway. In an undisturbed peat bog, the cycle of growing and decaying moss leads to an average peat deposition rate of 1 mm per year. As the depth of a peat bog is generally between 50 cm and 300 cm, it’s obvious that a long period of time (500 years minimum, in ideal conditions) is required for the bog to develop to maturity.

Comprising more than 20 per cent of Scotland’s total land area, peatlands are our single largest carbon store, holding up to twice as much carbon as forest ecosystems. As sphagnum moss grows, it ‘fixes’ carbon from the air (the process of removing carbon dioxide (CO<sub>2</sub>) from the surrounding atmosphere for use in growth), thus locking away the carbon (sequestration) and releasing oxygen in the process. In a peat bog, vast quantities of carbon are stored in this manner. While the carbon is held within the bog as biomass – both as a component of living and dead plant matter – it is effectively taken out of circulation and does not contribute to atmospheric CO<sub>2</sub> levels. Therefore, it plays no role in global warming and climate change.

CO<sub>2</sub> is a greenhouse gas: its absorption of outgoing infrared rays in the atmosphere (re-emitted from the earth in response to warming of our planetary surface by the sun) causes it to radiate heat in all directions, contributing to further warming of the planet. In general, higher atmospheric concentrations of CO<sub>2</sub> result in greater effects of global warming. Since the industrial revolution 250 years ago, atmospheric CO<sub>2</sub> levels have risen by more than 40 per cent, and this is widely accepted to be as a direct consequence of human activities. If anthropogenic (human) CO<sub>2</sub> emissions continue to rise unchecked, the consequences of the resulting global warming could be catastrophic. Thus it is important to offset CO<sub>2</sub> emissions wherever possible.

Healthy peatlands retain large amounts of organic carbon as biomass (it is estimated by the National Trust UK that peat bogs store the carbon equivalent of two years-worth of CO<sub>2</sub> emissions from UK industries) and contribute to a net removal of carbon from the atmosphere. Their loss inevitably results in the release

of huge volumes of CO<sub>2</sub>.

Peat bogs naturally degrade over time. A delicate equilibrium exists between the volume of CO<sub>2</sub> released through the slow natural decomposition of plant matter and the volume removed from the atmosphere for use in new plant growth. The overall effect of this equilibrium in a healthy peat bog is that of a net removal of CO<sub>2</sub> from the atmosphere. However, if external factors affect the growth of sphagnum moss, impacting on the ability of new peat to form, the equilibrium can be tipped in the opposite direction, where decomposition occurs at a greater rate than new peat deposition, giving a net loss of CO<sub>2</sub> to the atmosphere. Aside from their important role as a carbon sink, healthy peatlands can also help to prevent flooding by acting as a large sponge, absorbing and storing water during periods of high rainfall.

Peat bogs are one of the world’s most fragile ecosystems, and they can be irreparably damaged with ease. Sphagnum moss is a delicate organism, and is very susceptible to damage which, if regular and sustained, can cause thinning of the living acrotelm, exposing the bare peat below. This can affect the ability of the underlying peat to hold water, compromising anaerobic conditions and facilitating an increased rate of decomposition, weathering and carbon release to the atmosphere. Additionally, areas of bare peat are at risk of colonisation by fast-growing non peat-forming organisms. Although their presence may protect the peat from erosion and drying out, the inability of these organisms to replace decaying peat results in a net CO<sub>2</sub> emission over time.

We do not have the answers at this stage, and research is needed to show what damage trampling can cause to peat bogs and how much this can hamper regeneration efforts. Such additional pressure may affect the ability of peatland already damaged through, for example, historic burning or overgrazing, to fully recover its living sphagnum acrotelm - compromising the bog’s abilities as a carbon sink.



*Sphagnum moss – valuable environmental asset*

# Woodland Designated Sites in Scotland - February 2016 update



Victor Clements

**With the Land Reform Bill being debated in the Scottish Parliament, and a huge amount of work taking place on the deer management planning front at the moment, a lot of statistics are flying**

**around, many of which are misleading or out of date, however well intentioned. Inevitably, when it comes to deer, there is a lot of discussion about native woodlands and our wider range of designated and protected sites. For those of us involved with the sharp end of preparing deer management plans, we have to use up-to-date information which is meaningful within each area, and which gives an accurate account of current condition and priorities.**

This report looks at the current position of designated woodland sites in Scotland, using up-to-date information from Scottish Natural Heritage (SNH), and consultant knowledge about what management plans and actions are currently being implemented or imminent.

Data analysis has been undertaken by Dr Linzi Seivwright and myself who are two of the many consultants.



Sheep in native pinewood. Photo: Victor Clements

## Designated Sites

There are two main types of designated woodland site in Scotland.

*Sites of Special Scientific Interest (SSSIs)* represent the best of Scotland's natural heritage. They are 'special' for their plants, animals or habitats, their rocks or landforms, or a combination of such natural features. Together, they form a network of the best examples of natural features throughout Scotland, and support a wider network across Great Britain and the European Union.

SNH designates these sites to make sure that decision-makers, managers of land, their advisors, planning authorities and other public bodies are aware of them when considering changes in land-use or other activities which might affect them.

The Nature Conservation (Scotland) Act 2004 provides the legislative framework around which all SSSI sites are administered.

*Special Areas of Conservation (SACs)* are areas designated under the European Directive commonly known as the 'Habitats Directive'. Together with Special Protection Areas, which are designated under the Wild Birds Directive for wild birds and their habitats, SACs form part of the Natura 2000 network of sites. Most SACs on land or freshwater in Scotland are also underpinned by notification as SSSIs. The additional SAC designation is recognition that some or all of the wildlife and habitats are particularly valued in a European context.

## Sites and Features

A 'designated site' is a defined area of land that carries such a designation. Such a site may contain a mixture of different habitats and species, and be designated for different reasons, depending on what is present. Sometimes it is for one particular reason. More commonly, it can be for a combination of reasons.

A 'designated feature' is the particular habitat or species that is being protected, and there may be several features within an individual site. Depending on what the pressures are, and how resilient the particular feature is, it is possible to have some features doing well and others doing poorly within the same site.

For this reason, SNH tends to monitor and report on individual designated features. For most woodland sites, only one type of woodland or feature will be present, but in more varied and valuable woodlands, there may be several features which must be reported separately.

## PACEC: The Contribution of Deer Management to the Scottish Economy

*This report has now been published.*

### Economic headlines from the report show:

- £140.8m of expenditure in Scotland is reliant on deer management.
- Of this, £43.1m is directly due to deer management activities.
- There were 2,532 jobs in deer management of which 1,372 were known to be paid and 966 unpaid. The full time equivalent is estimated at 845 FTEs.

### Also:

- The main reasons given for deer management were controlling the deer population so it does not exceed the carrying capacity of the land, protecting woodland, and providing shooting sports opportunities.
- 86 per cent of landholdings count their deer.
- Red deer populations were thought to be falling, whilst roe and sika were thought to be rising.

The report, jointly produced by ADMG, LDNS and SGA is now available on the ADMG website [www.deer-management.co.uk/general-info/publications](http://www.deer-management.co.uk/general-info/publications)

## Sites of Special Scientific Interest (SSSI)

There are 426 designated SSSI woodland features in Scotland.

Of these, 235 are in 'favourable' condition, and a further 58 are 'recovering' due to being in active management which should bring about an improvement in condition. It can take several years for this process, and progress can sometimes be slow. Three sites have never been assessed for condition.

The remaining 128 features are deemed to be in 'unfavourable condition', due to a number of different reasons. The data shows only 54 of these are impacted by herbivores, although it is not always possible to determine whether domestic livestock or deer are responsible. Of these 54 features:

- 25 have significant additional pressures to herbivore impacts. These will very often and increasingly involve invasive species or bracken encroachment, non native tree species, unsympathetic agricultural activity, tree diseases, development or water management issues. While grazing pressures can be transitory and readily be fixed if it is necessary to do so, other pressures can be much more insidious and entrenched, and much more difficult and expensive to rectify. When trying to bring sites into 'favourable' condition, it is important to look at all the pressures involved.
- 13 features have management plans or SRDP applications in place, or these are imminent. There may be others as well, known to other consultants.
- There are 16 sites where herbivore pressure is the main problem, but whether it is livestock or deer is impossible to say in many cases from the data available.

If you include these 41 (25 + 16) features, we can say that 9.6% of the 426 designated SSSI features in Scotland are in 'unfavourable condition' due to herbivores, although in many cases, the animal responsible is not always apparent from the data, and in the majority of these, significant (and sometimes overriding) additional pressures also exist.

## Special Areas of Conservation (SACs)

There are 88 SAC designated woodland features in Scotland, of which 41 or 47% are in 'unfavourable condition'.

Of these 41 features, the available background information suggests that in 15 of these, herbivore pressure is not a concern.

Of the remaining 26 features, comprising 30% of the total:

- Nine sites have additional significant pressures in addition to grazing, including, as above, invasive species, bracken, non native tree species, burning, tree diseases, water management and abstraction issues, inappropriate agricultural activity and dumping of rubbish. Many problems can be long standing and difficult to address. Several of these sites are also classified as oak woodlands, which are notoriously difficult to regenerate in Scotland. Some of these oak wood SACs are huge, sprawling sites covering many properties. The Lomond Woods SAC, for example, covers 1454 ha, with maybe 20 - 30 different owners. Much of it will be in good condition, but because parts of it are not, the site as a whole fails. This is a problem with the assessment process - and it is difficult to persuade people to do work when it does not result in an upgrade of the overall site. It is a problem that we really do need to address so that we can zero in on the priority areas within these large sites.



Native woodland with fencing.  
Photo: Victor Clements

- Nine sites are willow scrub, usually of montane species at high altitude. If these sites are inaccessible to sheep and deer, then they tend to be in 'favourable condition'. But if they are accessible, even a single animal can knock them back, particularly as some sites comprise of only a small number of bushes and anything less than zero sheep or deer can be a problem. Fencing is extremely difficult at high altitude, and is usually impractical. These sites are genuinely very difficult to remedy, even with good intent - a problem that we haven't really solved yet.
- There are eight sites where herbivores are the main issue, although it is not clear from the data whether sheep or deer are responsible. In many cases, it is a combination of both, with goats noted in several sites as well.

In conclusion, our designated woodland sites are in better condition than you might imagine, reasons being that for the last 12 - 15 years or so a tremendous amount of effort has been put in by regional SNH and Forestry Commission staff up and down the country, identifying problems, and trying to work with owners to address them. This work is ongoing, and is a credit to those involved. In many cases, personal relationships built up over many years have created the understanding that is necessary for resolving these type of problems.

The data emphasises that designated sites usually suffer from a mixture of pressures, and it is important to try to address them all. Dealing with grazing animals, especially deer, is often the interesting part which we can all get very exercised about, but other issues must not be forgotten. In many cases they are a much more significant threat and, in some cases, we struggle to find answers to them or cannot access the necessary funding. If we want to deal with these remaining sites, and stop any others from going backwards again, we have to remain focused on this wider picture and try to deal with all these threats wherever they occur. Sadly, these wider issues seldom get the publicity and coordinated action that they require, and can too easily be left until another day.

*Victor Clements is a woodland advisor working in Highland Perthshire, and is an Executive Committee member of the Association of Deer Management Groups as well as the Secretary of the Breadalbane DMG.*

# Warm weather and good weights are hallmarks of 2015 stag season



Dick Playfair

How the stag season pans out will always be a talking point. This year, with the energies of ADMG devoted to the imminent deer management review and the Land Reform

(Scotland) Bill, it was decided not to produce a Stag Season Review that has been a feature of recent years.

There was, however, still the opportunity for reports from the season to be submitted so that a snapshot of how 2015 fared could be produced.

Evident from the feedback and anecdotal reports is that the weather everywhere generally was very good particularly through September and October, that stags were in good to very good condition, but that in some cases numbers seen – particularly calves – were down, especially in the west.

## Argyll

At Auch, Niall Rowantree reported that the rut got underway around 10 October with large groups of stags still together in early October. Good numbers of stags were seen, and one very large, old 10 pointer was taken weighing in at 25 st 7 lb, probably from the neighbouring Glen Orchy Forest.

Despite the poor spring weather, the deer were reported in good condition, and the stags gathered in good numbers on the high ground – still arriving late into September. Low cloud did cause problems early on, but October was “excellent”. Twenty-four stags were taken and averaged 14 st 4 lb.

At Ardnamurchan and Glenborrodale, 79 stags were shot, with an average weight of 16 st 3 lb and the heaviest weighing in at 29 st 5 lb. The first stag was seen with hinds on 9 September with the rut peaking around 7 October. The rut was described as “excellent – with a lot of really good stags holding hinds.” It had been a long, wet winter, and the slow start to spring left hinds with a lot of catching up to do.

Callum Sharp reported from Ardtalla that the deer were in good condition with 49 stags taken averaging 15 st 5 lb, and the heaviest a healthy 23 st 8 lb. The weather was also reported as good.

## Caithness

At Dunbeath, W Milne reported 44 stags taken with the heaviest being 27 st 6 lb, all in very good condition. Weather was very hot with the odd wet day. It was the same at Glutt, where A Grant reported 125 stags shot, the deer in good condition, and very warm and dry weather.

## Inverness-shire

Donald Rowantree, Head Stalker at Corrou, reported 160 stags culled, the heaviest being 19 st 3 lb and an average weight of 11 st 1 lb. He says that the 2015 season started on the back of a very harsh winter, poor spring and no summer to speak of; however the condition of the stags was the best that he had ever witnessed in 10 years at Corrou and a run stag was not shot all season. It was a particularly untypical rut with very dry, very mild conditions holding back the stags from breaking out and, when they eventually did, a lack of hinds in the usual rutting grounds was noted. This could have been down to prolonged spells of ‘dreaded east wind’ and, when they came, unseasonably hot conditions. The rut, when it got going, was over quickly, with little fighting.

Jim Grant at Glenbancher Estate, Newtonmore, noted a good rut, but slow to start, with lots of roaring and chasing and



Magnificent 16 pointer on South Uist estimated at around 27 st. Spied, but not culled. Photo: South Uist Estates

stags in good condition also right to the end. The weather was good, 40 stags were shot, with the heaviest at 17 st 5 lb and an average weight of 14 st 4 lb.

At Ardnish, it was reported that the deer had had a long, wet winter and a slow start to spring leaving the hinds in particular with a lot of catching up to do. There was evidence of mortality late into the spring, and the number of calves was noticeably down. However, October provided some of the finest stalking weather seen in years; 10 stags were killed averaging 13 st 7 lb and the heaviest at 20 st 2 lb. There was excellent stalking, and easy access by boat; a sika stag was seen swimming along the coast from Polish at a steady pace, disappearing around the headland towards Arisaig.

## Isle of Lewis

At Eishken Estate, Head Stalker Chris Macrae reported 80 stags taken including 4 hummels, the heaviest weighing in at 15 st 9 lb. Weights were up from the previous season despite the wettest winter, spring and summer – however, like elsewhere, September and October were exceptional in terms of weather for stalking. The rut was in full swing come early October and finished much earlier than usual.

## South Uist

Rory MacGillivray, Head Gamekeeper, South Uist Estate recorded 30 stags shot, the heaviest were two weighing in at 24 st exactly, and an average weight overall of 19 st 11 lb. This was described as “exceptional, considering the spring and summer were very cold and wet”.

## Perthshire

The rut at Invermearan got underway around 10 October, and large groups of stags were still together early in the month. A good number of hinds were seen on the north and south of Loch Lyon and, considering the weather over the spring, the deer were in good condition, the stags gathering in good numbers on the high ground, still arriving late in September. Low cloud did present a problem early in the season, but October was “excellent”. Thirty stags were taken, the heaviest at 19 st 1 lb, and an average of 15 st 4 lb.

At Atholl – Clunes, Ronnie Hepburn reported 77 stags killed, with the heaviest weighing in at 17 st 10 lb. Stags were generally in good condition, the rut started in the first week of October, and whilst wet weather was reported early on, by September and October it was “glorious”.



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## Sutherland

At Badanloch, Bryan Lyall said that the weather was mild with plenty of southerly winds. 32 stags were shot, all in good condition, and the heaviest at 17 st 5 lb. Two stags were found killed from fighting.

At Bighouse, Malcolm Richardson reported 20 stags shot, the heaviest being 19 st. The deer were in good condition and the weather was fair and dry.

At Dalnessie, Andrew Mackay noted the first roar on 3 September, but then nothing until the 17th, and the rut was "very strange" with big stags doing very little and just lying up and sunning themselves. When it did happen it was very quick.

The heaviest stag was 19 st 4 lb, and the average 14 st 12 lb, with stags in very good condition with great fat cover. A loss of condition was only noticed in the last week of the season. Weather-wise, the first week in September was cold with a north-westerly blowing, but it then turned very warm, Andrew reporting that a shirt and light jacket was all that was needed. There was a lot of south wind and very little rain.

More generally, east Sutherland has a shortage of middle-aged stags following the hard snows of winter 2009/10, but now there are a good number of young stags coming through again.

At Glencalvie, Andrew Sutherland reported 63 stags killed, the heaviest being 20 st 9 lb. The first stag holding hinds was seen on 16 September and the first active roaring on the 19th. Although the rut began slowly due to the warm weather it was fully underway by October. Deer were in good condition throughout, holding good weights until the end – the early stags in August were fat although not exceptionally heavy, with weights then picking up.

Two aggressive fights between stags were recorded during the last week of the season.

Duncan Shaw, reporting from Gualin and Keoldale, said that stag weights at the beginning of the season were very light, but increased as the stags came into condition in mid season. Away from the stags, two otters were spotted running through a field, one going into a rabbit warren while the other took a running wild rabbit. Also spotted was a sea eagle being attacked by a fox, resulting in the eagle picking up the fox and carrying it away, only for the fox to reappear later, bloodied but living to fight another day.

## Authorisations Review

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**Due to an increasing demand for authorisations and some concerns surrounding how SNH is assessing and meeting that demand, as well as the changing legislative and policy context, SNH has committed to undertake a review of the key aspects of the authorisations process and has appointed a Panel under Section 4 of the Deer (Scotland) Act 1996 (as amended).**

The Panel consists of the following members:

Dr Andrew Barbour (chairman), farmer and owner of Bonskeid Estate, Pitlochry; forestry manager, Atholl Estates; chairman of the Woodland Expansion Advisory Group; formerly vice chairman, Deer Commission for Scotland.

Dr Helen Armstrong, self-employed consultant ecologist specialising in research, monitoring and advice relating to the management of large grazing animals and their impacts. Her previous career history includes work with Forest Research, Scottish Natural Heritage, Nature Conservancy Council and Macaulay Land Use Research Institute.

Dr Charles Warren, St Andrews University lecturer on environmental management and sustainability. His research interests include environmental management and land use policy, including socio-economic implications of land reform and wild land.

Dr Pete Goddard, former researcher with James Hutton Institute, specialising in wild deer.

Robbie Rowantree, stalker, gamekeeper and estate manager on estates in Sutherland. Partner in a family business in the transport industry. A former Highland Councillor and Prospective Parliamentary Candidate for the Scottish Parliament (Caithness, Sutherland & Easter Ross).

Dr Peter Semple, former consultant physician and chest specialist and now medico-legal expert witness. Chairman of West of Scotland Branch of British Deer Society (BDS) 1983 - 1986.

Chairman of Inverclyde & Dunbartonshire Lowland Deer Group and member of executive committee of the Lowland Deer Network Scotland.

The Panel will focus on the process and procedures in place for administering the assessment and issuing of authorisations, including night shooting authorisations. The Panel remit does not include the issue of deer close seasons.

SNH considered the following issues as worthy of review:

- A better understanding of what is driving the increased demand
- Are SNH's procedures fit for purpose taking into account recent changes to the legislative context and the Deer Code?
- Is SNH finding the right balance between the rights of owners/occupiers to prevent damage to their interests, damage to the public interest, and the interests of deer welfare?
- Should SNH be more prescriptive in determining and considering what constitutes damage?
- Can there be more clarity as to what 'other reasonable means' actually look like?
- In terms of local collaboration, to what extent should neighbours and DMGs be involved in the authorisation process, and what implications might this have on the needs of owner/occupiers to prevent damage?
- How to ascertain satisfactorily that a controller is 'fit and competent'?

It is expected that the Panel will meet three to five times over the next four months and its outputs will be a report detailing advice to the SNH management team addressing the issues in the terms of reference on the SNH website. All interested parties are encouraged to submit comments and both ADMG and LDNS will be doing so.

# The German Hunting System explained

John Bruce

**Scotland's deer managers, upland and lowland, are often confronted with the argument that the different approach of other countries in Europe is better. John Bruce of the British Deer Society continues his in-depth look at the German system in the second of two guest articles.**

In Germany, the hunting rights belong to the landowner, but he cannot implement them or hunt unless he has undertaken and passed a Hunting Test, Jagerprufung, and obtained his Hunting Licence, Jagdschein. Once he has obtained his Jagdschein he is entitled to obtain his Firearm certificate, Waffenbesitzkart, and then he can either hunt his own land or join a syndicate to hunt a revier, a leased area.

Most hunters in Germany are not landowners however, and so their method of entry to the hunt is somehow to undertake their Jagerprufung (there are slow time methods, to undertake the learning / training, and more rapid options such as intensive courses; which ever suits the candidate's age, lifestyle, budget or available time), and so attain their Jagdschein, and automatically their Waffenbesitzkart.

This is a very proud moment for most, having studied the animal and its ecology; as well as law, firearms handling, ballistics, target shooting, 'lores' of the hunt, diseases and the use of dogs. They are then tested comprehensively through exams and by a panel of judges. This includes assessment of their shooting skills using static and moving rabbit, roe deer and wild boar targets.

Having attained the standard the candidate is treated immediately as a skilled, fully responsible citizen, with 'rights, duties and responsibilities'. He is expected to take appropriate action to use his knowledge, skill and weapon to uphold the Law, control dangerous dogs, despatch wounded animals and do this without any prompt or further permission being required. A hunter maintains this position in society until the Jagdschein is withdrawn.

The hunter may immediately acquire 10 long barrelled guns and two short barrelled guns of whatever combination they choose, as long as they then also acquire the necessary cabinets to store them in and also advise the administration of the weapons they have acquired. He will also be required to obtain specific hunting insurance to cover the period of the Jagdschein, (which must be endorsed, and a fee paid at regular periods), and exhibit it whenever requested to do so.

Having satisfied the administration, acquired a gun, and taken insurance he will now need to find someone to grant him permission to shoot as a syndicate member or as a guest (he can't be a leaseholder until three years have passed after he has acquired his Jagdschein). He might be a permitted guest and so be given a 'green card', a written licence granted by the leaseholder stipulating the name of the revier, the leased area, the period it is valid for, and the species that he may kill or take. Without this written licence it is probable that the Police would assume that he was a poacher.

If the person knows, or sees an advertisement he may apply to join a syndicate; syndicates of 5 to 6 are common for each revier of 700 ha. It is a contract of two parts - the first part is the nominated syndicate leader who contracts with the Jagdgenossenschaft, (hunting cooperative), which is the association of all the landowners, for the lease term. He has to negotiate the rent and other terms and in turn must name his syndicate members and declare his interests. The second part is the inter-member contract which binds them to each be "jointly and severally" responsible for payment of the rent, and payment and contributions for any damages. There may also be inter-hunt member arrangements for voluntary work to contribute to the improvement of the hunt assets, the purchasing of high seats or the establishment of the wildakre or game crops. There will also be syndicate administration regulations including joining and leaving / expulsion terms, payment terms and an undertaking to behave according to best practice.

Group of wild boar in woodland. Photo: John Bruce



Boar damage. Photo: John Bruce

The revier, the leased area, will have been let with a certain expectation of game. There used to be elaborate Abschussplan, denoting the quarry species, class, sex and age, detailed by the administration office. This would be adhered to, on paper anyway, and by exhibiting the Streckenliste, the returns. However, these top down orders have been softened increasingly recently due to administration costs and also because they didn't actually achieve very much.

The hunter will be advised what he may shoot in the strict seasons by the syndicate leader, but really he has purchased the right to shoot any legitimate quarry on sight within the leased area. It won't be a surprise that many hunters are extremely territorial and the opening of a particular season brings about the rapid demise of any quarry adjacent to the boundaries.

The shot selection is usually a matter of pride, but so is chance and opportunity! The hunters are usually careful to select the appropriate age and class of quarry. Using illumination or sound moderators is not allowed and seasons are strictly adhered to by everyone; the winter season ends quite early (each state has a different season, but often it will end on 15 January), except for wild boar which, for crop protection purposes, can be hunted day and night all year round. The night hunting of wild boar is an exceptional sport, under low light conditions and with good optics and masses of patience required, as the animals are mostly nocturnal and extremely cautious.

The formality of a driven hunt day culminates in the preparation of the Strecken, when all the quarry are arranged in hierarchy and order and presented to the guests and the beaters by the host, in torchlight to the sound of the hunting horn, and often the successful hunter is summoned by the host to receive his accolade, this gives the guest the opportunity to show his gratitude for the invitation!

Game meat preparation is usually by the hunters themselves in their own larder and cool room, (which are essential due to the high summer temperatures). Once the hunter is content with the meat or, if boar, the mandatory Trichinosis test has been passed, the meat can be butchered. The meat is usually

consumed locally in hostelrys or at home, but 70 boar and 50 roe deer, several red deer and whatever else is shot takes much preparation and marketing. Before Christmas demand is strong in anticipation of a family meal, with many ancient recipes and preparations being upheld by the many artisan butchers and cooks. Venison dealers are not numerous or common in Germany.

Trophy preparation is common and end of season dinners are used to compare and assess all trophies of the season, even roe button bucks! Everything from wall mounts, head and shoulder mounts, rugs, chandeliers, door handles, hat racks and key fobs are made from trophy material. Little if anything is wasted!

The social aspects of the hunting fraternity take place all year round; the DJV Deutsch Jagd Verband, the German Hunters Association Hegering, the 'welfare circle' typically meet locally once a month for a drink in the pub and to learn what legislative changes may have happened, and health scares and disease management requirements are explained by a representative. Gossip and banter abound. Post-hunt social events take place when all present on the day - possibly 40 hunters and guests and all the beaters numbering 20 or more - join together for a huge dinner at a local hostelry followed by beer, schnapps and revelry. Many of the ancient hunting traditions are kept active by its busy social life.

In summary, the hunting fraternity of Germany is a well organised, careful and considerate, proud and well-informed group of people who engage in the countryside to a considerable degree, and who nurture their quarry species just as we do. They have a great respect for their quarry and other species, as we do, and are fortunate to enjoy a landscape of great variance in topography and climate; from the Alps to the sea and from Chamois to sea gulls.



Horn blowers honouring the game at the end of the day. Photo: John Bruce

# ADMG Briefing - some questions answered about deer

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## Q. Are there too many deer in Scotland?

**A.** There are an estimated 275,000 red deer (winter population) in Highland Scotland (SNH 2013 based on counts).

The overall Scottish deer population (4 species) is not known but is estimated at 700,000 to 800,000. Roe deer in the lowlands have benefited from environmental projects such as the Central Scotland Green Network and they may now be the most numerous species.

## Q. What is the density of the Highland deer population?

**A.** 275,000 red deer occupy 3.26m hectares (32,600 sq km) representing a density of 8.4 deer per sq. km. (SNH 2013). Local densities are in the range 4 – 15 per sq km and vary according to land management objectives.

## Q. What other grazing animals are there?

**A.** In addition to wild goats, hares and rabbits, 275,000 deer share their range with 2,090,000 sheep of which 815,100 are breeding ewes (winter population) (Scot Gov statistics 2014). Some cattle are grazed in the summer months only.

## Q. Is this too many grazing animals?

**A.** The Basic Payment Scheme under the new 2015 CAP regime requires farmers to carry a minimum of 0.05 livestock units per ha. (a livestock unit equates to 6.66 sheep and 3.33 deer). 275,000 deer plus 815,000 sheep equate to 204,969 livestock units (122,387 sheep, 82,582 deer) on 3,260,000 hectares representing 0.06 livestock units per hectare, almost the same as the Basic Payment Scheme minimum qualifying stocking rate. On that basis there are not too many grazing animals overall.

## Q. What about environmental damage? Are red deer damaging the environment?

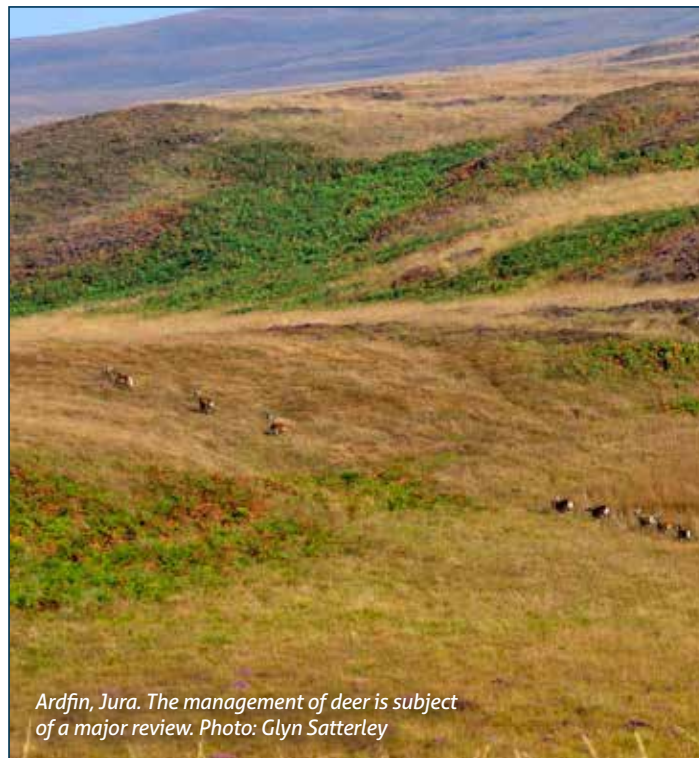
**A.** 85.3% of designated site features where deer are present are in "favourable condition, recovering due to management, or unfavourable but with site condition monitoring herbivore targets being met" (SNH 2015). Thus deer impacts remain to be addressed on 14.7% of designated sites and this figure is on a downward trend.

## Q. What about native woodlands?

**A.** Deer were reported in the media as being the main culprit in the Native Woodland Survey of Scotland (Forestry Commission 2015), in causing damage to native woodlands - but further analysis which is still ongoing by SNH, has identified that just half of the native woodland area, 161,000 ha, lies within the area covered by DMGs, and less than one third of that is in unfavourable condition owing to wild and domestic herbivore impacts.

Deer are likely to have a disproportionately high impact being free ranging and inclined to seek shelter in open native woodlands. However, the decreasing impact by deer now is already better than the Scottish Government target of 60 per cent by 2020, and land managers are working with SNH and FCS to achieve further improvements.

There are many other reasons for native woods being in unfavourable condition – underplanting with non-native species for example.



Ardfin, Jura. The management of deer is subject of a major review. Photo: Glyn Satterley

## Q. Are voluntary Deer Management Groups (DMGs) the best way of managing our deer in the public interest?

**A.** The Rural Affairs Committee review of deer management in 2013 found that DMGs should develop more rapidly, bring their Deer Management Plans up to date to reflect the public interest and should consult and communicate better. The Committee recommended a further review at the end of 2016 which was endorsed by the Minister for Environment.

Of the 44 DMGs, within the last 12 months five have completed new deer management plans, 21 are near to doing so and SNH has an additional 11 within the grant application process. The remaining Groups are either preparing applications or self planning and are actively engaged. A number of new Groups are being formed and a baseline assessment of operational capacity and public benefit contribution has been carried out for each Group by SNH and will be repeated this summer to assess progress.

Deer management varies greatly throughout Scotland from the wilds of Sutherland to the Central Belt. Collaborative management under the voluntary principle, within the framework of existing legislation (1996 Deer (Scotland) Act; 2011 Wildlife and Natural Environment (Scotland) Act) and Government policy and guidance, provides the flexibility to deal with local circumstances, including addressing environmental impacts and public safety issues. Public consultation will ensure that Deer Management Plans take account of all relevant interests. SNH powers of intervention have not been required to date but these powers, along with the refinements included in the draft Bill, are available as a backstop measure.

## Association of Deer Management Groups – January 2016

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