

Association of Deer Management Groups

Comments on ECCLR 2017 Committee Report on Deer Management in Scotland

This is an exhaustive and wide ranging Report. It draws on a large body of evidence, written and verbal, on a report by SNH, the findings of the RACCE Committee in 2013, various research work and on other Scottish Government Agency papers.

1. It is pleasing to see a recognition by the ECCLR Committee that:

- Notable though variable progress has been made by most upland Deer Management Groups (DMGs) since the 2013 RACCE Committee Review.
- Deer management across Scotland, covering four species of deer and all types of land and all forms of land use, from urban to mountain top, is varied and complex.
- Deer impacts are more important than numbers and should be considered and addressed at local level.
- Also that herbivore impacts must be taken into account as a whole, ie:
 - deer (all species),
 - sheep, (the number of which is double that of deer in the Highlands)
 - cattle on many holdings
 - mountain hares, rabbits, and in some areas feral goats and feral pigs.

Note: other factors such as non-native and invasive plant and tree species are also important, as are climate change effects. Effective land management requires an objective consideration of all relevant factors and all available evidence.

- Incentives as well as statutory penalties are necessary to support deer management in the public interest.

2. Implementing Deer Management Plans

ADMG acknowledges that there is further work to do to achieve the improvements in habitat condition (as well as other aspects of the public interest) that the Scottish Government seeks, and remains ready to co-ordinate and support the deer management sector in this:

- i. An immediate focus will be the overall level of progress of Deer Management Groups (DMGs). It should be noted that 42 out of 44 now have new Deer Management Plans which take account of the public interest as well as private management objectives.
- ii. 37 of these Plans are publicly available online www.deer-management.co.uk, which the Committee Report does not fully acknowledge (244) having received incorrect verbal evidence to the contrary from SNH.
- iii. The Deer Management Plans now being in place, ADMG believes that our immediate and continuing efforts, jointly with SNH, should be directed towards supporting implementation and delivery of those Plans.
- iv. A number of new DMGs are in formation and will receive ADMG support during the establishment and deer management planning phase.

3. **Section 7 Areas**

The Committee took a negative view of the position in respect of Section 7 Agreements and native woodlands affected by herbivore impacts. This overlooks an improving picture and appears to treat the countryside as a whole as if it were suffering environmental damage. It is of note that the Mar Lodge S7 agreement for the period to 2020 has been brought to an early close in April 2017 by agreement between the parties that habitat targets have been substantially met. The Breadalbane Agreement was also not renewed when it expired in 2016 and a number of other S7 Agreements have been closed in past years. As the SNH Report notes a number of the ongoing S7 areas have also achieved their deer population targets although habitat targets have yet to be met. In summary ADMG considers that, while some remaining schemes have yet to meet all their objectives, the SNH Report was unduly negative in its view that S7 Agreements have not been effective.

Other than designated sites, where environmental considerations are pre-eminent, we inhabit a working countryside which makes an important contribution to the economy of Scotland and in which deer management plays a part. As is acknowledged, impacts must be considered and addressed at local level with reference to a complex range of sometimes conflicting but legitimate land management interests.

4. **Protected sites and native woodland**

According to the SNH Report, across the protected sites where 1606 natural features are affected by herbivores, 75 per cent are in favourable or unfavourable/recovering condition. In the case of native woodlands the proportion is two thirds. While ADMG agrees that there is ample room for further improvement, there are surely some grounds for optimism in these relatively high percentages, particularly in view of the acknowledged continuing decline in grazing animals, both deer and sheep, allowing that any measurable habitat response to management change takes a minimum of two growing seasons and very often in upland conditions, significantly longer.

5. **Deer Sector progress**

In the Committee's conclusion (238) in respect of DMGs it is stated that *"it would be reasonable to have expected a greater rate of progress in terms of implementation and delivery of outcomes"*. ADMG submits that the Committee may have overlooked that:

- i. SNH did not provide a detailed definition of "the public interest" as per the Code of Practice for Deer Management (2012) until the publication in August 2014 of "Deer Management Plans: Delivering the Public Interest" and the introduction of the baseline DMG Assessments in November 2014. This provided the template for the new generation deer management plans (DMPs). The SNH scheme to provide funding support to DMGs for creating DMPs which take account of the public interest was launched in January 2015. These Plans were reassessed by SNH over May and June 2016, less than 18 months later. Further progress has been made since that reassessment 12 months ago.
- ii. While it was therefore possible to assess the DMP process in June 2016, assessing DMGs on delivery and implementation of those Plans could not have been undertaken at that early stage.

- iii. DMGs are now commencing the delivery stage of those new DMPs and it would be reasonable for their progress to be evaluated on implementation at the next 3 yearly Assessment. DMPs are intended to be adaptive and where some may initially be short in areas of the public interest this should be addressed at their annual reviews and incorporated into DMP population models and DMP Action Plans.

6. **ADMG priorities**

ADMG has a forward work programme to achieve the necessary further progress. In light of budget constraints at SNH, ADMG has raised additional dedicated funding to contribute to the higher priority tasks, including:

- i. Developing habitat impact assessment (HIA) frameworks across all DMGs so that they are in a better position to adjust deer populations to deliver environmental targets alongside the other important public benefits of maintaining employment and economic contribution. ADMG is planning a training video.
- ii. Wild Deer Best Practice must be maintained and updated to remain relevant to practitioners.
- iii. Information gathering and data analysis processes (the SWARD project) must be taken forward to assist DMGs in the implementation and monitoring of Deer Management Plans.

7. **Economic impact**

The PACEC 2016 study of the economic impact of deer management activities estimates that the overall contribution of deer management activities to the Scottish economy amounted to £141m pa supporting 2520 full time equivalent jobs. ADMG notes that the SNH Report, also using the PACEC study as a source, overlooks downstream effects in arriving at much lower figures of £17.6m and 722 fte jobs respectively based on direct impacts only, concluding that the economic impact of the deer sector on the Scottish economy is negative. In our evidence to the Committee we took issue with that misleading conclusion.

If much lower average densities of deer become a Scottish Government policy objective, as favoured by some and mooted in the Report, many deer stalking businesses will cease to be viable and jobs will be lost. Furthermore the fast developing market for venison, a Scottish food sector success story, will suffer from reduced supply after an initial glut while heavy reduction culls are implemented.

8. **The Lowlands**

It is noted that 61% of the area of Scotland lies outwith the upland DMG areas. The Committee is *“disappointed that there has been so little progress in lowland Scotland”* and notes the lack of information on numbers and impacts. The lack of collaborative mechanisms is considered to be a shortcoming. However it should not be assumed that where there is no Lowland Deer Group (LDG) or deer forum no deer management takes place. There are over 6000 DSC Level 1 qualified deer managers in Scotland of whom a minority are employed professionals. It may reasonably therefore be assumed that perhaps 3000 - 4000 vocational deer managers are active in the lowlands.

As is noted by the Committee the Lowland Deer Network (LDNS), set up at the instigation of ADMG in 2011, can play an important role in promoting voluntary collaborative management, but, also as noted, more engagement is necessary from local authorities and some other sectors.

9. Statutory powers

ADMG agrees with the Committee that SNH should use their existing untested statutory powers where necessary and there have been previous instances where ADMG would have supported the use of those powers. ADMG cannot see a need for further statutory measures until those existing powers, including those provided in the Land Reform (Scotland) Act 2016, have been used and shown to be inadequate.

10. Committee proposals

The ECCLR Committee has proposed a reappraisal of deer management in both Highlands and Lowlands with a view to developing a more deliverable system based on a clear expression of the public interest. In doing so it has suggested that the voluntary basis of deer management be maintained alongside a more regulated approach. This would involve annual cull setting or “determining” by SNH for all landholdings in Scotland (estimated as numbering around 55,000 potentially rateable properties by the Regional Assessors Association in evidence to the RACCE Committee in 2016); mandatory individual annual cull returns, and compulsory counts by DMGs not less frequently than five yearly; also the introduction of a statutory Duty to manage deer sustainably. It should be noted that, in the DMG areas, SNH is already closely involved in an advisory capacity in population modelling and cull setting through the deer management planning process.

It may be said that a system thus regulated in law could not continue to be described as “voluntary”. Moreover ADMG sees significant practical difficulties in enforcing a statutory duty against a measure of “sustainable management”, which may prove difficult to define in Statute.

11. Proposed working group

The Committee has also proposed the setting up of an independently chaired short term working group to consider how these changes might be implemented across the whole of Scotland, including the lowlands. ADMG will be willing to participate in the proposed working group but not to the exclusion of acting as steering group for the ADMG forward plan.

12. Additional resources

ADMG would draw attention to the cost implications of the Committee’s proposals and supports the recommendation in the Report (324) that a full public cost assessment should be a priority for the proposed working group.

The Committee Report notes that SNH has suffered a 30% cut in budget over 5 years and the Wildlife Operations team has been reduced by almost half since the SNH/DCS Merger. This has had a significant impact on the effectiveness of SNH’s support at this important time. While ADMG agrees with the Committee and others that SNH is under-resourced in

its role in relation to deer management it is concerned that the measures proposed would result in a substantial increase in the resources required by SNH.

As a preliminary indicator of cost, SNH stated in their evidence that the SNH management cost of the 11 Section 7 areas (covering 2700 sq. kms, 8.8% of the area covered by DMGs, 3.4% of the whole of Scotland) is around £500,000 pa. If the Committee's recommendation for SNH to be required to determine and audit culls were implemented across the whole of the DMG area, SNH would arguably be assuming a role in relation to DMGs and individual landholdings similar to that in a Section 7 area, albeit with a lower level of involvement in the case of most DMGs.

For the remaining 61% (mainly lowland) of Scotland's total land area of 78,779 sq.kms. the level of cost could indeed be proportionately greater, there being many more landholdings and a broader range of land uses and where the present coverage of established collaborative groupings is much less.

13. **Policy context**

While ADMG can agree with a number of the conclusions and recommendations of the Committee we particularly support the Committee's desire to identify "societal objectives ... for our different landscapes", referencing the Land Use Strategy (320). Clarity on that aspect of the public interest but with respect to specific landscapes and habitats would enable deer managers to better understand what the Nation wants so that they can contribute, while maintaining the environmental, economic, social and cultural value of wild deer. For example, to what extent do the people of Scotland wish our open landscapes to be wooded?

If further across-the-board reductions in the deer population were to be a policy objective, there would be a need to convince deer managers, who would ultimately be responsible for delivering the required reduction culls, in some cases to the detriment of their own businesses and those employed in them, on what basis of evidence this is justified.

14. **Next steps**

ADMG's view of the required next steps is that the voluntary basis of deer management should be maintained, subject to the Code of Practice for Deer Management and the existing statutory framework. If necessary in particular circumstances SNH should be prepared to use any or all of its statutory powers. The Deer Management Plan implementation phase should be allowed to continue, with the support of SNH and ADMG, for a further three years before being re-evaluated. Only at that stage will it be possible for the Scottish Government to take a view as to whether further intervention measures are required. This approach might be carried out within the existing SNH budget so far as the Highland DMGs are concerned but additional funding would be required for the expected progress to be made in the lowlands and urban areas.

