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Scottish Government
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Dear Mr Liddle

Simplifying the landscape; consultation on issues affecting the Deer Commission for Scotland

Thank you for offering LINK an opportunity to contribute our thoughts to the proposed merger between the Deer Commission for Scotland and Scottish Natural Heritage. We also look forward to meeting you on the 20 March to explain these thoughts in more detail. There are a range of views within LINK regarding this proposed merger, from full support to significant concern, however we thought that it would be helpful to the Scottish Government to summarise some of the points that we have in common.

We understand the intention of the Scottish Government is to improve the service of agencies involved with rural delivery. A number of LINK member organisations own and manage land in Scotland, or provide advice on land management to other landowners. Therefore, the simplification of agency processes, as well as the need to avoid duplication of effort, and consequent waste of public resources, is clearly understood. We agree in particular that greater integration of Scottish Government agency work programmes will be required if the objectives of Rural Development Contracts, Water Framework Directive delivery, climate change mitigation and adaptation, as well as management of landscapes for biodiversity and scenery, is to be achieved. Increasingly there is recognition that if we are to tackle some of these important issues effectively, we must work at a landscape and eco-system scale. On this basis, we offer broad support for the proposals of the Scottish Government as an initial step towards achieving greater integration and efficiency of its agencies.

However, in recent years, DCS has proved itself as a small organisation that has “punched above its weight”. It has not been afraid to enter into partnership with other Scottish Government agencies to deliver its objectives. The joint working process to deliver the favourable condition of the features of notified sites to meet Scottish Government targets and delivery of the Best Practice programme, are testament to this action. In our view, DCS has effectively garnered the practical skills of their staff and their Board, and allied this to the work on the ground of other key stakeholders (not least land managers), to deliver their work programme. The approach of DCS has been partly achieved on the back on DCS’s perceived impartiality by stakeholders, and the Scottish Government might want to reflect further on this important point?

We are anxious that this merger of agencies does not result in a loss of the best attributes of DCS, which can be easily foreseen when a very small organisation such as DCS is joined with a much larger organisation, in this case Scottish Natural Heritage. We are also concerned that much of the current work programme of DCS, particularly in relation to improving the condition of the features of designated sites, is still work in progress. It would be a serious retrograde step if momentum in delivering this and other parts of the current DCS work programme were to be lost. If any merger is to go ahead, then it is essential that the current basic structure of DCS, its Board, and staff are retained within any new organisation.

We consider that the proposed merger of the two organisations should stimulate a review of deer management structures in Scotland to think whether a merger of agencies is the best approach or whether some other model would be more suitable. We question in particular whether the current largely voluntary arrangements for deer management are now fit for purpose given recent developments in land management policy, as well as the obligations of European Directives, as transposed into Scottish law. With the advent of the Rural Development Contracts, the Nature Conservation (Scotland) Act 2004, the Water Environment Water Services (Scotland) Act 2003, and forthcoming legislation to tackle climate change, we believe that the largely voluntary deer management structures, with limited public engagement, are looking increasingly outdated. DCS has achieved much within the constraints, which govern its operation, however a merger between DCS and SNH is perhaps not the straightforward answer to resolving the current inadequacies inherent in the system of deer management in Scotland. Deer management should be seen as an integral part of wider land use policy, with full acknowledgement given to both private and public objectives, and appropriate public incentives in place to secure delivery as required. In principle, therefore the mechanisms in place to address deer management on designated sites should be available, and used throughout the 'wider countryside'. In these circumstances, we conclude that reform of the Deer (Scotland) Act 1996 should take place as a priority, with full consideration given to the most appropriate vehicle for effective delivery of the required public and private outcomes.

I trust that these comments will be of assistance to you as part of this consultation process.

Yours sincerely

Duncan Orr-Ewing
Convener, LINK Deer Task Force

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