

Deer Management Planning in Scotland – a case for stronger measures

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1 Introduction

All species of wild deer are free-ranging wild animals belonging to no-one whilst alive. As a keystone species, they play a crucial role in the Scottish landscape, its biodiversity, culture and economy. However, since different interest groups favour different levels of deer population, they also give rise to controversy. The challenge is to find an effective means of agreeing appropriate population levels in each area, and ensuring that agreed levels are then achieved.

Since deer roam freely without recognising ownership boundaries, it follows that the task of management should be a collaborative one, involving or at least consulting all those affected, and ensuring an equitable balance of costs and benefits.

Deer affect the Scottish countryside, its natural heritage, and the rural economy in many ways. The very presence of red deer on the hills is one of the features, which attract tourists to Scotland.

However, numbers are an issue. Controversies have raged for more than a hundred years over the numbers of red deer. Concerns were initially raised by shooting interests, which favoured higher populations; later, forestry and agriculture interests demanded population reductions; and recently new conflicts have arisen as the range of affected interests has broadened and become more clearly defined. These now include impacts on the natural heritage and on road traffic safety, as well as soils, river catchments and even domestic gardens.

Historically, large tracts of land reserved for recreational shooting, known as Deer Forests, were within one land ownership where the land could be managed to reflect the interests of a single owner or family. Since then, things have become more complicated. For example, over time these estates have become fragmented through the selling or afforestation of land, and other interest groups have entered the scene. Those who are interested in recreational shooting may not own the ground where the deer seek shelter during inclement weather or access to these areas may now be denied to deer.

This situation is further complicated by the fact that preferred red deer densities vary greatly according to the land use objectives – even within certain interest groups. For example, on the environmental front, the recovery of desperately scarce native woodland up to the tree-line would require the maintenance of very low densities of deer, whilst, in other areas, grazing helps maintain valued vegetation. It is also accepted that climate

change and heather beetle may have adverse impacts of heather cover as well as deer browsing pressure.

Other issues are more simple. As road traffic and travel speeds have increased, larger populations of deer increase the risk to road safety, with the risk tending to focus particularly on certain hot-spots. Current estimates equate to £1 million of damage to cars each year.

Economic issues are also important. The owners of much of the red deer range provide investment in deer management, which supports local employment and generates income from venison sales. Recreational shooting brings significant income to these areas (£35m per annum according to McGilvray et al for BASC in 1990). The Forestry Commission, Scotland's largest landowner, has a gross expenditure of £5.7million on deer control in Scotland. All of these impacts affect different users of the Scottish countryside, landowners, other residents, the rural workforce, visitors and the wider public, in different ways. The sensible resolution of potential conflicts between these interests presents a serious challenge in integrated land use. In failing to address this challenge adequately, the managers of deer find themselves increasingly at the centre of controversy.

2 Vision

Our vision is based on respect for the fact that different owners of land and other stakeholders have different objectives. These objectives require to be clearly, openly and honestly expressed by owners and their representatives. Understanding and resolution of these differences should be achieved through a process of local Deer Management Plans (DMPs) as endorsed in the forward strategy of the Deer Commission for Scotland. The result we envisage is:

- Maintenance of thriving deer populations (better quality animals in good condition that are well nourished) at appropriate levels, in a healthy, beautiful and biodiverse habitat;
- The restoration of significant areas of the Scotland through natural evolution of the vegetation at a landscape scale and not requiring constant human intervention;
- A radical improvement in a wide swathe of benefits to the public interest without any threat to existing land uses – indeed these too would be improved, this need not be incompatible with private objectives and/or benefits;
- A reduction of widespread damage caused by overgrazing by deer and domestic livestock;
- The use of fencing as an exception rather than the rule;
- The reduction of conflict between the landowner and fellow citizen - neighbour, walker, farmer, crofter, motorist or whatever;
- The meeting of public policy objectives in biodiversity protection, water catchment management, climate change mitigation, rural development and resource efficiency

3 Current Practice in deer management

Red deer is the principal species giving cause for concern, although it is recognised that in many areas, domestic livestock and other species of deer, such as roe deer, are important and consequently management needs to take account of all of these.

The practical responsibility for management of red deer falls mainly to the owners of upland estates where the majority are found. However, a rising awareness of the wider impacts of deer, and the increasing importance of other interests that may be affected, raises some crucial issues about the conduct of this responsibility and the allocation of costs. Some land users tend to favour relatively higher numbers of deer, but others find this damages their interests. How should these differences be resolved? All agree that the answer lies in a process of negotiation, which acknowledges the legitimate rights, obligations, costs and benefits of the various interests involved.

Collaborative Deer Management Planning is the agreed model. However, experience has shown that in the absence of clear benefits to the individual this process has failed to deliver an effective approach to deer management.

In practice, Deer Management Planning is not proceeding satisfactorily in line with the Deer Commission's strategy. Research summarised in the 2001-02 Annual Report of DCS (p45-53) showed widespread under-achievement of recommended cull levels. Only seven of the 45 existing Deer Management Groups (DMGs) had prepared DMPs along DCS guidelines, and there was little evidence to suggest that any DMPs had had a direct influence on deer management. There may now be some improvement in the situation, but the Association of Deer Management Groups has repeatedly appealed to its members to move ahead on this issue recognising the potential value of such an approach. In the absence of properly prepared and implemented plans, the balance of costs and benefits of deer are currently perceived to fall very unevenly, favouring some interests over others, and the question of recognising and accommodating legitimate wider interests in land management therefore remains unresolved. As things stand, there is no obvious prospect of change.

4 Obstacles

What is obstructing progress? Two points stand out.

a) DMG role and status. DMGs provide an existing framework for the DMP process, but on present evidence (see above) their ability to work effectively with their current members or with a wider range of interests, reaching consensus on the objectives of deer management in each area, and ensuring the delivery of annual cull targets, is very much open to question. There is a need to review the DMG system to establish whether it is able to develop its role in this way, or whether DMPs should be delivered by an alternative grouping with statutory status and remit.

Currently, DMGs mainly involve the owners of upland estates, some including a range of other interests, in a periodic voluntary discussion about deer management. To be effective in this wider role, they would need to have an obligation to:

- i) prepare and implement competent DMPs leading to deer management which meets as far as possible the needs of all affected interests.
- ii) include representation of all relevant interests at some or all stages of the process.

This would also have implications for the Association of Deer Management Groups, which should perhaps be encouraged to adopt a wider remit or change its name to reflect a continuing role on behalf of sporting estates only.

- b) **Incentives.** The main obstacle to progress appears to lie in the lack of suitable incentives for DMGs to move from their traditional role of forming a discussion forum for deer managers of upland estates, to one of brokering the preparation and implementation of competent Deer Management Plans (DMPs) involving all relevant interests. Whilst estate owners are often willing to bear the costs of deer management in their own interests, they are naturally reluctant to take on a wider role without some form of support from others. With the range of interests involved, this is not an unreasonable expectation. And, given the importance of protecting various aspects of the public interest (see 5.2 below), it would seem that the existing incentives should be strengthened and ultimately enforced.

One approach would be for all public funding (Agricultural subsidies, SFGS, Natural Care, etc) or new incentives (whether financial, fiscal or certification-oriented) aimed at related land use practices to require cross compliance with minimum standards of deer management. However there are problems with ensuring cross-compliance with Single Farm Payments and Good Agricultural and Environmental Condition because they only apply to agricultural land, which excludes a large part of the deer range. In some situations, there may be a need for additional support to reflect the cost of protecting the public interest. All these schemes need to be backed up with a regulatory mechanism that ensures good stewardship of the land and prevents neglect and damage.

5 Conclusions

- 1 The current record of formulation and implementation of Deer Management Plans is not acceptable. **DMPs** could and should provide a mechanism for local discussion and agreement to reconcile the various needs and priorities of private and public interests in deer in each DMG area. Not everyone will get all of what they want, but through discussion and negotiation, there is great scope for

improved mutual understanding, good neighbourliness, accommodation of others' objectives, and overall improvement of benefits. These plans should be required to set cull targets based on the impacts of the deer population in that location. Failure to deliver these targets should result in a penalty in order to ensure that owners and managers put in place the appropriate management systems.

- 2 DMGs (extending or replacing the current system) should be required to invite **representation** of the following interests in DMP preparation:
 - the owners of land where deer are normally found,
 - the owners of neighbouring land – whether farmers, foresters, crofters, gardeners or conservationists - whose interests are affected but who may currently have no say in the management or size of the local deer population, beyond the right to shoot them on their own land if this is legal and practical.
 - the local community
 - the public agencies with responsibilities to protect important wider public interests, including biodiversity, landscape and access, river management, road safety, animal welfare, etc.
 - other user groups

- 3 The resulting Plans should be required to secure official **endorsement from the Deer Commission for Scotland**, confirming
 - i. (in the planning phase) that neighbours' interests and the wider public interest have been fairly considered and accommodated;
 - ii. (in the implementation phase) that objectives are being met including cull targets.And the plans should be lodged with the Deer Commission for Scotland where they should be publicly available.

- 4 It is essential to ensure that, by a combination of voluntary and if necessary compulsory means, these goals and targets are met. To encourage this, rules of **cross compliance** should be introduced so that eligibility for any publicly funded subsidies or grants is conditional on the beneficiary's participation in Deer Management Planning and the delivery and reporting of cull targets. Should a certification scheme be developed then the above measures should also be prerequisites for entry into such a scheme, Other existing voluntary certification schemes of this type seek to further Best Practice and introduce higher standards.

- 5 The implementation of goals and targets defined in the resulting plans should be **monitored** by the Deer Commission for Scotland, to ascertain delivery.

- 6 Given the strength of the case, so far overlooked, for increased public investment in the management of wild deer as a public asset, **funding** should be made available to assist the production and implementation of the plans (this funding could be via DCS)

- 7 A **new programme** of Deer Management Planning should start with a small number of Deer Management Groups in areas where these issues are judged to be most acute. This would allow priority allocation of available resources of funding and expertise, and provide a pilot for demonstrating the effectiveness of the approach.
- 8 Whilst preferring the use of voluntary measures to secure implementation of Deer Management Plans and their targets, **enforcement** must be available in the form of appropriate powers of compulsion as a last resort. Although powers of direct intervention are technically available for eventual use in the event of serious damage, it is important that workable powers should be available to ensure delivery of ordinary DMP targets. It should not be necessary for any affected interests to have to be faced with serious damage before their legitimate rights and interests are respected.
- 9 Therefore, **appropriate measures** should be introduced to enable DCS to ensure, by compulsory means if these become necessary
 - that competent Deer Management Plans are prepared,
 - that DMP targets are met (especially cull targets and assessments of impacts), and
 - compliance with best practice in the way such cull targets are achieved.
- 11 Collectively this range of measures should ensure
 - participation by all concerned in responsible deer management;
 - the protection of both the public interest in deer as a public asset, and the range of other interests affected by deer and their management;
 - high standards of practice
 - maximum reliance on the voluntary principle, backed up by compulsory powers as a last resort
 - minimum impact on responsible deer managers who are conforming to these standards already, only hampered by those who are not.

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