

Deer Management to Improve Scotland's Natural Heritage: Time for Change

INTRODUCTION

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 30 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

The effective and sustainable management of rising deer populations is of serious conservation concern in Scotland today. Large areas of our uplands and native woodlands have been ecologically impoverished over several centuries, due in large part to the impacts of high deer numbers maintained for sporting and estate capital value purposes. Significant damage to the natural heritage associated with deer management has been on the radar of public authorities for decades. To make progress, fundamental changes to deer management systems are urgently required. This approach will reduce current land management conflicts, and increase other rural development opportunities in our countryside.

Much of the cost of deer management in Scotland is being borne by Forestry Commission Scotland (and therefore the public) on the National Forest Estate, who perform 28-30% of the annual deer cull on only 9% of Scotland's land area. It is now time for change in approach, and the private land management sector needs to assume greater responsibility for sustainable deer management. We welcome the fact that the Scottish Parliament RACCE Committee is considering the impacts of high deer numbers on Scotland's natural heritage, and we look forward to some clear recommendations in advance of the proposed review by SNH of Scotland's Wild Deer Strategy in 2014.

LINK recognises that native deer species are important parts of our natural heritage - but the deer populations have increased significantly in recent decades. For example, the red deer population alone has increased from 150,000 in the 1960s to about 400,000 animals today. Populations of deer are much higher than most comparable European countries. With the extinction of natural predators, deer populations require management by humans in order to ensure that their populations do not increase to levels which cause damage to important natural heritage features and ecosystems.

The Scottish Government has set a target to improve the condition of the features of designated natural heritage sites. This target can only be delivered (particularly on montane, peatland and woodland sites), by tackling excessive browsing and trampling by high deer populations (and in some cases sheep). Important habitats and fragile populations of priority species identified in the Scottish Biodiversity Strategy, such as Caledonian pinewoods and capercaillie, are being negatively impacted. Outside designated sites, excessive deer browsing and deer fencing erected to manage high deer populations and protect woodlands and farms, are also issues. This damage by deer is preventing other Scottish Government targets from being met, including those for peatland restoration, woodland expansion and tackling climate change.

The joint Scottish Government agency vision for the next 20 years, set out in the strategy "**Scotland's Wild Deer; A National Approach**" promotes sustainable deer management. We consider, however, that sustainable deer management cannot be delivered within the current legal framework set out in the Deer (Scotland) Act 1996. The compulsory powers under section 8 of the Deer Act to intervene on private land to enforce the public interest have never been used by SNH. We believe they are unworkable due to the required levels of proof, high costs and anticipated legal challenge by private landowners.

There is little evidence that the voluntary **Code of Sustainable Deer Management**, (under the Wildlife and Natural Environment Act 2011) has resulted in significant changes to current deer management practice in many parts of Scotland in relation to "actions to protect and enhance the

environment". LINK believes the Code should now be made statutory, requiring compliance with sustainable deer management by all landowners, with published deer management plans recognising both the public and private interests. Only 16 of the current 42 Deer Management Groups have produced Deer Management Plans. Where they exist, these documents have not undergone public consultation, and are unenforceable legally.

We ask RACCE to consider the following issues:

- LINK would like RACCE to review progress against the 'Red Deer and the Natural Heritage' document produced by SNH in 1994. Amongst other things this report recommended a reduction of 100,000 in the Scottish red deer population. The population of red deer has continued to increase.
- We want a review of the use of the powers of SNH to intervene through the use of deer control orders under sections 7 and 8 of the Deer (Scotland) Act 1996 and reforms to allow speedier interventions.
- We believe it is time to examine deer management structures in other European countries, where there is greater involvement by Government and local communities in the way that deer populations are managed in the public interest. SNH could do this and make recommendations based on the work.
- Prior to WANE Act 2011, it was proposed by the then Deer Commission for Scotland to introduce a statutory requirement on all landowners to manage deer populations sustainably. This should be revisited, consulted upon and compared with the present voluntary Code.

LINK recommends that Scotland should investigate the options for a statutory deer management system, with SNH working alongside private landowners to produce deer management plans, reflecting both public and private interests. These plans should undergo public and community consultation. Cull targets and returns would be set, with powers of intervention and cost recovery for non-compliance. Whilst we recognise that this would come at a cost to the public, we note that deer management is already costing FCS £5 million per annum in culling costs (plus the significant costs of deer fencing on the National Forest Estate). Under a statutory system the private sector would bear more of the costs, supported by SNH.

Alternatively, the Forestry Policy Group has suggested that a licensing system for deer management could be put in place. Under this proposal, licences would be issued by SNH to landowners who meet a Local Deer Management Standard (LDMS), recognising both public and private interests. The LDMS would identify the target population of deer in each DMG area, and would be produced by the local DMGS with support from SNH. If landowners failed to meet the standard, SNH would have powers to intervene and recover costs. This system might have the advantage of low public costs, and relate to the existing section 7 control agreements. Costs of regulation would be met by imposition of a "sporting rate". In the event of compliance no annual licence fee would be payable, thereby encouraging engagement by estates.

This LINK Parliamentary Briefing is supported by the following member organizations:

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