

**Minutes of the 289th Meeting of the
Deer Commission for Scotland held in Inver Lodge Hotel, Assynt
on Tuesday, 3rd June 2008**

OPEN SESSION

Present: Prof J Milne (Chairman)
Dr A Barbour
Dr C Shedden
Dr P Mayhew
Mr A Hamilton
Earl of Dalhousie
Mr S Pepper
Mr N Rowantree
Dr S Walker
Sir Michael Strang Steel

Mr N Halfhide (Chief Executive)
Mr R Edwards (Head of Administration)
Mr R Kernahan (Director of Deer Management)
Mr A MacGugan (Director of Stakeholder Relations)
Mrs J Finlay (Policy Officer)
Mr S Coghill (Deer Officer)
Mr G Taylor (Deer Support Officer)

Mr D Doxford (Scottish Government)
Mr M Liddle (Scottish Government)
Ms K McNeil (Scottish Government)
Mr R Burton (Scottish Natural Heritage)
Mr R Dunsmore (Forestry Commission Scotland)

1. OPENING REMARKS

- 1.1 The Chairman welcomed all present, in particular Mr Dunsmore, Ms McNeil who would shortly be taking up post with DCS as the Director of Deer Policy, Projects and Research, and Mr Burton. The Chairman also informed the meeting of the recent death of a member of staff, Mr Peter Kirk (Deer Officer), and Members expressed their gratitude for the major contribution that he had made to the work of the Deer Commission for Scotland.
- 1.2 There were no members of the public present
- 1.3 There were apologies from Prof J Pemberton and Mr C McClean (CNPA).

2. DRAFT MINUTES OF THE MEETING HELD ON 3rd MARCH 2008 Paper: 289/1

- 2.1 The Minutes were approved.

3. MATTERS ARISING FROM MEETING HELD ON 3rd MARCH 2008 Paper: 289/2

- 3.1 Under 3.5 (Ticks and Tick-Borne Disease), the Chairman reported that the advice from the Scottish Government Veterinary Medicines Directorate had confirmed that it was illegal to sell or use medicated tick blocks that claimed to kill ticks unless they were licensed.
- 3.2 Under 3.6 (Governance Arrangements for Biodiversity on Designated Sites), Members expressed concerns at the lack of progress by the Scottish Government in setting up a Programme Board to oversee delivery of the Government's target. The Chief Executive **agreed** to take the matter up with Scottish Government officials.
- Action: Chief Executive
- 3.3 Under 4.3 (DCS Corporate Plan 2008-2011), the Chief Executive confirmed that Ministers had approved DCS' Corporate Plan for 2008-11 and would be requiring DCS and SNH to prepare a joint addendum to cover 2010-2011.
- 3.4 Under 5.2 (DCS Annual Business Plan for 2008-2009), the Chief Executive confirmed that Ministers had approved DCS Annual Business Plan for 2008-2009.
- 3.5 Members **noted** the contents of Paper: 289/2.

4. STRATEGY FOR WILD DEER

Paper: 289/3

- 4.1 The Chief Executive introduced the paper seeking Members agreement to the text of the Strategy for Wild Deer. The meeting was advised that both Scottish Natural Heritage and Forestry Commission Scotland were in the process of approving the document.
- 4.2 In response to questions, the Chief Executive advised Members that the content and time span of the first implementation plan had yet to be finalised. Members **agreed** that further detail should appear on the website and that a reference to this should be made in the Strategy.
- 4.3 In relation to indicators, he explained that these would relate to deer rather than the broader environment, economy and society; and would use existing datasets wherever possible.
- 4.4 During discussion, a number of minor amendments to the text were agreed.
- Action: Chief Executive
- 4.5 Subject to the inclusion of the agreed amendments, Members **agreed** the text of the document and that a summarised version should appear on DCS' website.
- 4.6 Members thanked all those involved in producing the strategy, in particular Mr Pepper, Hamish Trench and other DCS staff who had contributed to the production of the Strategy for Wild Deer, and members of both the Advisory and Steering Groups.

5. DEFINITION OF DAMAGE**Paper: 289/4**

- 5.1 The Director of Deer Management introduced the paper reviewing how the Deer Commission for Scotland defined damage on sites that were not designated.
- 5.2 During discussion, Members noted that there is crossover between private and public objectives, and that the current scope of the Deer (Scotland) Act 1996 does not prevent damage to other economic activity such as grouse shooting, nor does it ensure consistency between all owner/occupiers. Members **agreed** to consider these issues in the forthcoming review of deer-related legislation.

Action: Chief Executive

- 5.3 Following discussion, the following text in relation to the definition of damage was agreed:

'In relation to the Deer (Scotland) Act 1996, on sites where there is no statutory designation or legal protection for habitats or species, damage will be defined as 'impacts which are detrimental to the legitimate declared agricultural, woodland or natural heritage objectives'.

6. DRAFT ABSTRACT OF ACCOUNTS FOR 2007/2008**Paper: 289/5**

- 6.1 The Head of Administration introduced the paper seeking Members approval of the 'Draft Abstract of Accounts' as recommended by the Resources and Audit Committee.
- 6.2 The Board **agreed** the 'Draft Abstract of Accounts' as recommended by the Resources and Audit Committee and congratulated the staff for delivering the accounts so close to target.
- 6.3 The Chief Executive explained that all public bodies were required to make 2% savings annually over the next 3 years on support costs.
- 6.4 Mr Doxford informed Members that future budgets would be based on an outcome-based approach.

7. CAENLOCHAN: UPDATE AND OPTIONS FOR NEXT STEPS**Paper: 289/6**

- 7.1 The Director of Deer Management introduced the paper providing Members with an update on progress with the Caenlochan Voluntary Control Agreement and seeking their views on the way forward. He noted that staff had recently met with all landowners and advised them of the implications of not meeting the cull targets.
- 7.2 During discussion, Members expressed the following views:
- Between the establishment of the baseline for habitats in 2003 and the repeat monitoring in 2007 there was no statistical significant change in the features monitored and, hence, damage could not be considered to be occurring based on the definition of damage used when the Section 7 was agreed;

- Damage may be occurring under the new definition of damage beyond the area and interests covered by the current Section 7 agreement;
- It is important to ensure that all the estates understand the changed definition of damage and implications for deer management;
- DCS should not incur further costs on field operations at Caenlochan;
- Deer densities were moving in the right direction but not as quickly as originally envisaged;
- It was reasonable to include an error margin of 10% in the density figures calculated from the deer counts. This would raise the upper acceptable deer density to 21 deer/km²;
- It is important that all signatories to the Section 7 Agreement reach the agreed culls in 2008-2009.

7.3 Following discussion, Members **agreed** that:

1. DCS should continue to work with the estates in the Caenlochan control area to set cull targets for 2008-2009 to achieve the population density of between 9 and 19 deer /km².
2. DCS should collect more detailed information on the nature and extent of current grazing impacts across the whole of the Caenlochan SAC; and
3. In 2009, the DCS Board should review whether the Voluntary Control agreement has failed and decide whether to put in place a control scheme under Section 8 to deliver the targets set out in the Section 7 voluntary control agreement.

Action: Director of Deer Management

8. JOINT WORKING ON DESIGNATED SITES

Paper: 289/7

- 8.1 The Director of Deer Management introduced the paper informing Members of progress in meeting the target of 95% of designated sites moving towards favourable condition by 2010.
- 8.2 Members discussed the 27 upland features not currently included within the work programme and expressed concern about whether this would impact adversely on the Government's 95% target. The Director of Deer Management agreed to undertake further analysis to consider whether these features could be included on the work programme and the implications on the Government's target if action on them was delayed.

Action: Director of Deer Management

- 8.3 Members **noted** that the Board of Scottish Natural Heritage would be considering a paper on the Government's target for designated features at their next meeting on 24th June 2008; and that there remained a lack of strategic governance for this Government target.

9. DCS / SNH MERGER

Paper: 289/8

9.1 The Chief Executive introduced the paper informing Members of progress on the proposed merger between the Deer Commission for Scotland and Scottish Natural Heritage.

9.2 Members **noted** the information in the paper.

10. CASE STUDIES ON LOCAL SUSTAINABLE DEER MANAGEMENT

Paper: 289/9

10.1 The Director of Stakeholder Relations introduced the paper providing Members with an update on progress on the case studies on local sustainable deer management. He advised Members that the site selection process had identified a minimum of 4 sites to ensure adequate coverage of the complete deer range and land use issues. These were:

- - Glen Clova cluster, East Grampians Sub Group 3, South Perthshire
- - East Sutherland cluster/North Ross
- - Borders/Galloway and
- - Assynt cluster, Knoydart, Harris and Lewis.

10.2 He noted that peri-urban areas would be covered over the next year by one of the Flexible Fund projects and site-based work by Deer Officers.

10.3 Members **noted** progress to date.

11. BLUE TONGUE

Paper: 289/10

11.1 The Director of Deer Management introduced the paper outlining the Scottish Government's approach to Blue Tongue and the implications for wild deer. He explained that it was possible that Blue Tongue would find its way to Scotland this autumn but that it was unlikely to have a significant affect on the welfare of wild deer.

11.2 He noted that there would be a talk on Blue Tongue in the Northern Seminar at Drumossie on 18th June 2008.

11.3 Members **noted** the position.

**12. EXTERNAL MEETINGS ATTENDED
BY CHAIRMAN AND CHIEF EXECUTIVE**

Paper: 289/11

12.1 Members **noted** the contents of the paper detailing external meetings attended, and to be attended, by the Chairman and Chief Executive.

13. MINUTES OF MEETINGS

Deer Management Committee

Draft Minutes of meeting held on 6th May 2008

Paper: 289/12

- 13.1 The Convenor highlighted that the launch of Best Practice was on target for early July and that paper copies of the Guide had been printed and were in the process of being issued to subscribers. Members acknowledged the efforts of Dr Bob MacIntosh, Forestry Commission Scotland, as Chairman, and the Steering Group in producing the Guides.
- 13.2 He also noted that the Committee had agreed to test the red deer populations on all the refugia islands for the presence of Sika genes; and to remove the Forest of Clunie SPA from the Joint Agency Work Programme as its features were now in either favourable or improving condition.
- 13.3 Members noted the draft Minutes of the Deer Management Committee meeting held on 6th May 2008.

Strategy Committee

Draft Minutes of meeting held on 5th May 2008

Paper: 289/13

- 13.4 Members noted the draft Minutes of the Strategy Committee meeting held on 5th May 2008.

Resources & Audit Committee

Draft Minutes of meeting held on 5th May 2008

Paper: 289/14

- 13.5 The Convenor highlighted that the Committee had agreed a revised budget for 2008/2009 and that DCS had completed 44 of the 46 actions in the Annual Business Plan for 2007/2008. Members expressed their appreciation of the efforts by staff.
- 13.6 Members noted that the meeting took place on 5th May 2008 and not 5th February 2008 as stated in the draft Minutes.
- 13.7 Members noted the draft Minutes of the Resources and Audit Committee meeting held on 5th May 2008.

14. ANY OTHER BUSINESS

- 14.1 Mr Doxford reported that he was leaving the Scottish Government later in the month and the meeting expressed their gratitude for his support to the Deer Commission for Scotland.
- 14.2 The Chief Executive noted that there was a risk that DCS' budget for 2009/2010 may be reduced by some £100,000 due to a shortfall in the Directorate's budget. Members expressed their concern that this would impact adversely on plans for the merger, and may lead to DCS failing to deliver on their Corporate Plan objectives.

14.3 Members also agreed that the December meeting of the Board would be held in Inverness on Monday, 1st December 2008.

Action: Head of Admin

14.4 There was no other business.

15. DATE OF NEXT MEETING

15.1 The next meeting of the Board will be held on 23rd September 2008 at Strathblane.

J.A. Aline

4/8/08