

DEER
COMMISSION
for **SCOTLAND**

Annual Report
2004—2005

Deer Commission for Scotland

Annual Report

2004-2005

Presented to the Scottish Parliament in pursuance of Section 2(2)
of the Deer (Scotland) Act 1996

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The Deer Commission for Scotland

The Deer Commission for Scotland was constituted by the Deer (Scotland) Act 1996, as the successor to the Red Deer Commission. It is the Non-Departmental Public Body charged with furthering the conservation, control and sustainable management of all species of wild deer in Scotland, and keeping under review all matters, including welfare, relating to wild deer.

The Commission's Management Statement sets out the following key objectives derived from its prime aim. These are:

- to fully integrate public policy and priorities for deer management, welfare and damage in Scotland into the wider Scottish rural policy context;
- to promote, through partnership, effective sustainable deer management at a local level in Scotland, taking account of biodiversity and other land use interests while minimising damage or danger to public safety through underpinning process with well-founded guidance and information;
- to support Scottish Ministers' duty to protect designated sites of national or international importance; and
- to fully align DCS skills, capacity and resources with strategic priorities, consistent with efficient, effective and economic use of taxpayers' money.

The Commission undertakes a wide range of activities throughout Scotland. As well as exercising a range of regulatory functions (e.g. Deer Control Agreements, Authorisations and Statutory Returns), it publishes Best Practice and other guidelines, consults and advises widely on deer management issues, promotes and actively participates in the operation of Deer Management Groups, undertakes and commissions research projects, conducts deer counts, assists in training, works with other agencies on wider policy issues and advises Scottish Ministers on all deer matters in Scotland.

In all its activities the Commission seeks a co-operative and consultative approach.



The Deer Commission for Scotland

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The Deputy Minister for Environment and Rural Development
The Scottish Executive
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Madam,

We have the honour to submit the Annual Report of the Deer Commission for Scotland to 31 March 2005.

Yours faithfully

John Milne
Chairman

Nick Reiter
Director



Welcome

The year 2004-2005 was a period of change for the Deer Commission for Scotland (DCS). The Chairman and six members of the Board, including myself, retired in December, most having served the DCS for six years. Mr Andrew Raven, as Chairman, provided strong leadership of the Board over these six years and guided the Board in a flow of strategic developments, including developing a Long-term Vision for Deer in Scotland and a Long-term Strategy for the DCS, which have proved invaluable. It was a period when the Priority Site process to protect, in particular, natural heritage sites was developed, and when the DCS began to expand to allow it to deliver the needs of the Scottish Executive. Whilst these developments could not have come about without a committed and able staff, I would like to thank the other Board members, and in particular Andrew Raven, for the skill with which they provided guidance and direction to the work of the DCS. Those Board members retiring in December 2004 were Mr George Campbell, Mr Richard Cooke, Mr Donald Irwin Houston, Mr John MacIntosh and Dr Phil Ratcliffe.

Professor Susan Walker, Mr James Duncan Millar and Sir Michael Strang Steel of the previous Board were joined in January 2005 by Dr Andrew Barbour, The Earl of Dalhousie, Mr Andrew Hamilton, Dr Pete Mayhew, Dr Josephine Pemberton, Mr Simon Pepper, Mr Niall Rowantree and Dr Colin Shedden to constitute the new Board of the DCS.

There were also staff changes in 2004-05. Ms Kirsty Leitch left her post as Best Practice officer after getting the Best Practice guides off to a good start. New staff members appointed were Mr Colin McClean, Deer Officer, and Ms Jessica Findlay, Management Support Officer.

One of the last actions of the previous Board was to agree the Corporate Plan of the DCS for the next three years. The Plan is agreed with the Scottish Executive Environment and Rural Affairs Department (SEERAD). It commits the DCS *inter alia* to furthering the protection of the natural heritage and in doing so meet its commitments under the Nature Conservation Act, 2004, delivering the full range of Best Practice Guides, improving its communications, working closely with other government bodies through joint working in delivering integrated land management for Scotland, and exploring ways in which deer management can be delivered collaboratively and in a sustainable manner.

DCS can only achieve those objectives by working closely together with our partners in the deer sector and beyond. The DCS is expected to provide elements of leadership to the deer sector, as well as meeting its commitments to the Scottish Executive, and it can only do so by listening to those in Scotland that we serve. As part of this process, as Chairman of the DCS, I plan in the next year to meet all those with an interest in the sustainable management of deer to hear their views and explain what DCS is committed to deliver in the next three years.

The changing rural landscape requires new approaches and DCS is committed to exploring how these can be best developed to meet the range of objectives that are encompassed within sustainable deer management.



2.1 Fitness and competence for authorisations

2.2 Collaboration

2.3 Best Practice

2.4 Consultation

2.5 Research

2.6 Governance

Introduction

The Deer Commission for Scotland (DCS) recently reviewed deer legislation and, as a result, the Scottish Executive asked that DCS make full use of its existing powers and duties before changes requiring legislation were made. Based on DCS recommendations for a review, Scottish Ministers asked DCS to conduct a consultation on the Close Seasons – a task which was completed this year and the results of which are contained in this document. More details are given in the Appendix.

The year from 1 April 2004 to 31 March 2005 also saw DCS making progress in a number of other areas. It continued to support collaborative deer management and found ways to improve the working relationships between DCS and representatives of the deer sector. The work on Priority Sites, where deer numbers are causing damage or potential damage to Scotland's natural habitat, agriculture and forestry or are associated with road traffic accidents, continued with new sites being added. Section 4 provides a list of the sites and progress to date.

Best Practice was a key priority and in the last 12 months work has focused on redesigning the existing guides to clarify legal requirements, minimum acceptable standards for food safety, deer welfare and public safety.

The issue of communication – both internal and external – came under scrutiny in an audit of DCS communications. The report highlighted positive aspects of existing communications but also the need for future improvements, both internally and externally. A new post of Communications Officer was created and the role of this position will be to take forward the issues raised in the audit as part of a communications strategy.

A major operation to count deer in the East Grampian area was also carried out in February, providing an opportunity for DCS staff and members of various Deer Management Groups to broaden their experience of priority sites and collaborative deer management and to provide training in deer counting methods using helicopters and digital cameras.

2.1 Fitness and competence for authorisations

During December 2004 DCS notified practitioners of its plans to introduce a Fitness and Competence register in relation to authorisations given by DCS. The register will improve the ability of DCS to meet the requirements of Section 37 of the Deer (Scotland) Act to ensure anyone authorised to kill or take deer is fit and competent to carry out that task. More information is available in Section 5.3 of this report.

2.2 Collaboration

DCS continued its work to support and improve collaborative deer management. This was done through a variety of means but the key areas were advising individual estates on deer management issues, offering support for collaborative deer counts and DCS staff attending Deer Management Group (DMG) meetings. DCS developed plans during 2004-05 for a Sustainable Deer Management Project to run over the next five years. One of the

aims of the project will be to review existing collaborative deer management mechanisms and their effectiveness. More information is available in Section 4.9 of this report.

2.3 Best Practice

The Best Practice initiative is one of the most important the DCS has undertaken. The project has continued to receive broad support from the deer sector over the last 12 months. Much of this is down to the efforts of the members of the Best Practice Steering Group, which ensures that the Best Practice guides cater for the needs of those it aims to serve.

Eight new guides have been produced over the last 12 months, bringing the total number of published guides to 31 since the project was launched in 2003. While work continues on the production of the remaining guides, the published guides are also being revised and updated.

The style of the guides published in the past combined a wide range of guidance – from legal requirements through to what could be done if resources were not an issue. However, this approach made it difficult for practitioners to clarify whether they have followed key elements of Best Practice. To make this clearer and to address the Ministerial request to provide clear guidance on what is required in relation to safety, hygiene and welfare legislation, published guides are being restructured to provide clarity and reassurance to practitioners in terms of Best Practice requirements. More information is available in Section 6.1 of this report.

2.4 Consultation

DCS responded to a variety of consultations during the last year. These included a Food Standards Agency consultation on developing guides for good hygiene practice for game

meat and also a consultation on the draft Crofting Reform (Scotland) Bill. The variety of other consultation responses included one to the proposed Environmental Assessment (Scotland) Bill and a report on achieving the sustainable management of wild deer in England. More information is available in Section 3.6.

2.5 Research

The DCS research programme during 2004-05 was wide ranging but with a particular emphasis on providing information to assist in formulating the consultation document on the Close Seasons, with reports on welfare issues, on dependency of calves on their mothers and a detailed study of seasons legislation stretching as far back as 1959. Other work included developing new methods to assess deer damage and the ageing of red deer jaws using different techniques. More detail is available in Sections 7 and 10.

2.6 Governance

DCS made full and effective use of its resources during 2004-05. The demands on DCS are increasing but careful planning and budgeting meant resources were appropriately prioritised and all but £449 of the budget was spent. See also Sections 8 and 13.

The last year has once again been extremely busy and varied, with new challenges met and more work being done to ensure that DCS is open and transparent under the Freedom of Information Act 2004. Collaboration and co-operation remain essential components of the work of DCS but it is prepared to make full use of its statutory duties to ensure that Scotland's public benefits are protected. However, DCS continues to recognise that the use of its powers can create strains on its relations with the deer sector and a lot of work has been done to address those issues, particularly within the various inter-agency and deer sector working groups.

The last year has seen increasing efforts to ensure that the resources of DCS, Scottish Natural Heritage and Forestry Commission (Scotland) are co-ordinated through a Deer Inter-Agency Liaison Group so that maximum benefits are attained through working together to deliver their respective remits. The Deer Management Round Table continued to be a vital forum for discussion and debate.

However, there is still a need for greater integrated land planning and management and DCS will work closely with others to achieve the correct mixture of guidance, incentive and regulation. It is also of utmost importance that the deer sector recognises the positive opportunities that change can offer.



3.1 Close seasons

At the request of Scottish Ministers and in accordance with Section 4 of the Deer (Scotland) Act 1996, DCS published a consultation paper on the Close Seasons in October 2004. The consultation was designed to gauge opinion on how effective close seasons were for managing deer. During the exercise DCS received 1193 responses from across the deer sector. These are contained in the Appendix.

3.2 Control of exotic species

In addition to existing legislation (Section 14.1 of the Wildlife and Countryside Act) making it illegal to release non-native species of deer in Scotland, DCS is working with SEERAD to consider the use of secondary legislation to reduce the risk of exotic species becoming established in the wild as a result of escaping or being released from captive populations. As

Last year's targets

- Implement results of review of legislation (see 3.1 and 3.2).
- Develop new public sector support and management mechanisms (see 3.3 and 3.4).
- Maintain effective partnerships and liaison with Government organisations (see 3.4 and 3.5).
- Develop protocols for assessing damage (see 3.5).
- Facilitate co-ordinated approach to deer management across the public sector (see 3.5).
- Respond to consultations on policy development (see 3.6).

part of the process, consideration is being given to a register of captive populations and to giving DCS powers to take targeted action against any muntjac found living wild in Scotland.

3.3 Local deer management

DCS recognises that deer management can involve costs that are essential to further the public interest but that are not necessarily relevant to the interests of individual landowners/occupiers. In its review of the Deer Act (Scotland) 1996, DCS suggested that, as the lead agency on deer, consideration should be given to providing it with additional powers to provide financial assistance to deer managers.

The Minister asked that DCS carry out further exploration of how to make better use of incentives already available. DCS is reviewing the existing incentive mechanisms and will identify funding gaps as part of its forthcoming project on Collaborative Deer Management.

3.4 Joint working

The increasingly complex issues surrounding deer management make a joined-up government approach to the use of public incentives and regulation more important than ever.

DCS initiated a Working Group led by the Scottish Executive Environment and Rural Affairs Department (SEERAD). The group is known as the Deer Inter-agency Liaison Group (DILG) and includes Scottish Natural Heritage (SNH), Forestry Commission Scotland (FCS), SEERAD and DCS. The group determines and agrees the underlying principles for achieving the right mix and focus for the use of incentives and regulation, recognising that no single body has all the tools or powers necessary to act alone, particularly in relation to the protection of the natural heritage.

This new joint working arrangement has, in the last 12 months, strengthened existing bilateral arrangements and allowed a more integrated approach in the identification, monitoring and addressing of potential damage to important natural heritage sites. This has

boosted efforts to address priority areas where grazing, particularly by wild deer, may be causing concern.

3.5 Liaison and partnership

During 2004-05, DCS continued to develop liaison and joint working with a wide range of partners. With its wide participation, the bi-annual meetings of the Deer Management Round Table continue to provide DCS with a valuable source of advice in shaping DCS policy in key areas such as the consultation on the Close Seasons, Best Practice Guidance (BPG), the Priority Sites process, diffuse damage by deer and fencing.

During the last 12 months the Joint Agency Working Agreement with the Association of Deer Management Groups (ADMG) has met twice to discuss issues facing the deer industry and in particular how best to advance collaborative deer management at a local level.

DCS continues to liaise closely with other public bodies and has made a concentrated effort to increase the level of liaison between other agencies and representative groups including SNH, FCS, ADMG, the Scottish Gamekeepers Association (SGA), the British Deer Society (BDS) and the British Association of Shooting and Conservation (BASC). This provides a good working environment to focus on specific inter-agency issues and casework, and on wider public policy issues. As part of this process, protocols for assessing damage and the drafting of Best Practice guides have been developed.

3.6 Response to consultation

In the period April 2004 to March 2005 the Deer Commission for Scotland received 39 consultation documents from other organisations. During the same period 20 responses

were made, including significant legislation and policy documents as shown in the table below.

LEGISLATION & POLICY DOCUMENTS	
Scottish Executive Agriculture Group	Proposals to revise existing Animal Welfare Legislation
Home Office	Control on Firearms
Forestry Commission Scotland	Meeting Scotland's Forest Research Needs
Scottish Executive Agriculture Group	Animal By-products (Scotland) Regulations 2003
Commission to the Council and European Parliament	EU Forest Strategy
Food Standards Agency	Food Hygiene Regulations (Scotland) 2005
Scottish Executive Environment and Rural Affairs	Draft Crofting Reform (Scotland) Bill
Food Standards Agency	Draft Code of Hygiene Practice for Meat
Scottish Executive	Consultation on the Proposed Environmental Assessment (Scotland) Bill
Office of the Deputy Prime Minister	Strategic Environmental Assessment Directive (2001/42/EC)
Scottish Executive Agriculture and Biological Research Group	Strategy for Agricultural, Biological and Related Research

Next year's targets

- **Develop protocols for assessing damage.**
- **Develop new public sector support and management mechanisms.**
- **Maintain effective partnership and liaison with Government organisations.**
- **Actively engage partnership and liaison with non-Government organisations.**
- **Respond to consultations on policy development.**
- **Implement results of review of legislation.**



PRIORITY SITES

Last year's targets

- Identify sites for assessment based on habitat (10), public safety (4) and muntjac (see 4.1, 4.3 and 4.4).
- Assess concerns about damage to habitats (6), public safety (2) and concerns relating to muntjac (see 4.2, 4.5, 4.6 and 4.7).
- Find solutions on priority sites for habitat, public safety and muntjac (see 4.3).
- Monitor Section 7 agreements/action plans for habitat, public safety and muntjac (see 4.2 and 4.3).
- Census deer to support local deer management (see 4.9, 4.10 and section 11).
- Provide advice to Forestry Commission on deer issues relating to Scottish Forestry Grants Scheme (see 4.8).

4.1 Priority sites - thinking and procedures

One of the key purposes of the three-year Corporate Plan of DCS is to clarify DCS priorities. DCS agreed with the Scottish Executive in its Corporate Plan 2002-2005 to focus a key part of its resources on sites where deer were causing significant damage to the natural heritage, agriculture and forestry or were a danger to public safety. This required clear and transparent procedures for assessment.

DCS has adopted a three-stage procedure to deal with this.

Stage 1: Expressions of Concern

Government agencies or other bodies or private individuals may raise expressions of concern supported by written evidence at any time with DCS about damage by deer to agriculture, woodland or the natural heritage or about threats to public safety. DCS technical staff will satisfy themselves of the validity of the concerns and recommend potential sites for assessment to the DCS Board.

Stage 2: Sites for Assessment

DCS will work with owners/occupiers, using published methodologies, to establish whether damage or a threat to public safety is in fact occurring. DCS will visit the site, involve other

public bodies as appropriate and encourage the owner/occupiers to contact their Deer Management Group at the earliest opportunity.

Stage 3: Priority Sites

If, and only if, the Board of DCS is subsequently satisfied that deer are causing damage to agriculture, woodland or the natural heritage or that deer present a threat to public safety will areas be classified as Priority Sites. DCS will then work with owners and occupiers to prepare a written Deer Management Agreement aimed at finding solutions.

During 2004-05 DCS received no new Expressions of Concern relating to damage to the natural heritage, agriculture or to woodland. At the Site for Assessment stage DCS worked with owners and relevant Government agencies to agree an objective method for establishing the baseline habitat condition and the nature and extent of impacts by deer. This data needs to be robust and transparent.

The Deer Inter-Agency Liaison Group has clarified how the agencies can make best use of their respective resources to fund baseline surveys. DCS has been involved in developing and agreeing accompanying methodologies.

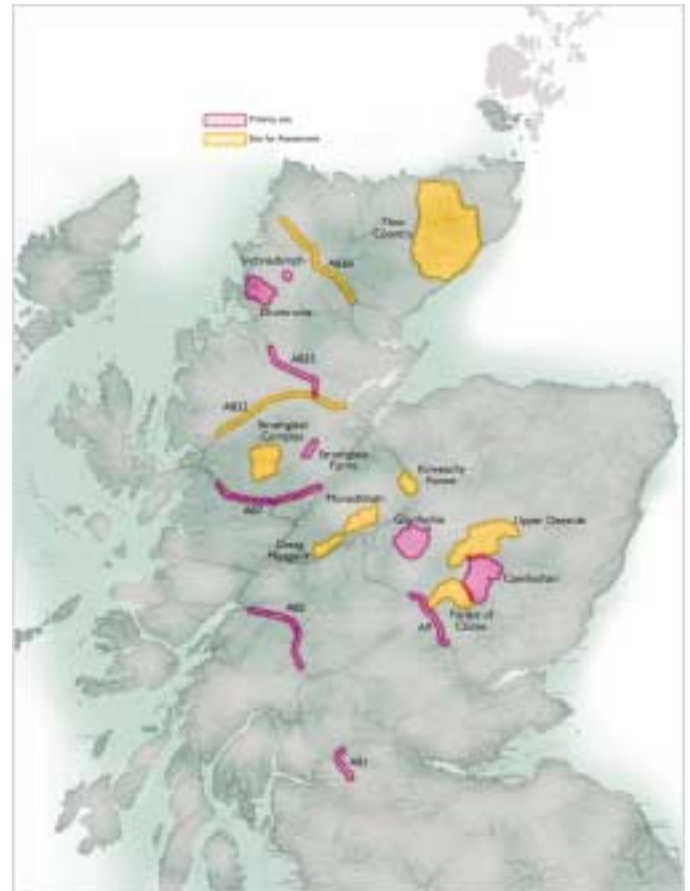
4.2 Sites for assessment / new control agreements

DCS carried out population censuses on two Sites for Assessment where deer may be causing damage to natural heritage – Upper Deeside and Forest of Clunie. No population censuses were undertaken of areas where deer may be causing damage to agricultural land or woodland.

4.3 Priority sites – details and progress

The Priority Sites are covered by a Section 7

Control Agreement under the Deer (Scotland) Act 1996 to prevent deer from causing damage to natural habitats, injury to livestock or becoming a danger or potential danger to public safety.



Feshie Catchment

The Control Agreement was established at Glenfeshie in the Cairngorms in July 2000 to prevent deer from causing damage to Natura interests, primarily Caledonian pinewood.

During the year data was collected on the age structure and life expectancy of the trees in Glenfeshie, and monitoring of tree seedlings continued. DCS carried out baseline surveys with SNH and Forest Research including a Tree Seedling Survey, a Woodland Profile Survey and a Tree Increment Coring Survey to assist in estimating the life expectancy of the remaining adult trees. The habitat target agreed within Section 7 is to have 'positive average growth of sufficient seedlings and trees currently below browse height to

replace the existing stock of mature trees’.

During 2004-05 DCS has worked to improve communication between all interested parties. This has included a representative of the Kincaig and Vicinity Community Council attending the Feshie Catchment Section 7 Steering Group meeting in November 2004.

The target population set out in the Agreement for Glenfeshie and Killiehuntly is 1050 red deer. In February 2005 DCS recognised that, although the target cull had been achieved, the Agreement’s target population for Glenfeshie and Killiehuntly could not be delivered by 31 March 2005. Instead, an interim target population for Glenfeshie and Killiehuntly of 1200 red deer, to be delivered by 31 March 2005, was agreed.

In response to a request from Glenfeshie Estate, SNH and FCS provided logistical and staff support to assist in the delivery of target deer populations at Glenfeshie. Of the 936 red deer culled on Glenfeshie in the period 1 April 2004 to 31 March 2005, 623 (66%) were culled by Glenfeshie Estate staff and 313 (34%) were culled by SNH or FCS staff.

Helicopter deer counts of the Feshie catchment were carried out in November 2004, January 2005 and February 2005. On 21 February 2005, 1271 red deer were observed on Glenfeshie and Killiehuntly. Count data was used to help inform management decision regarding deer culls. DCS and Glenfeshie Estate intend to continue to implement periodic helicopter deer counts across the Feshie catchment.

The success of the Control Agreement will be determined by habitat response. DCS carries out an annual survey of a sample of tree seedlings at Glenfeshie to monitor the effect deer are having on tree seedling growth.

Caenlochan

The Agreement, signed in 2003, aims to prevent damage to five specific habitat types contained within Caenlochan Glen. This area

has European designations for important natural heritage features including dry heath, blanket bog, flushes, tall herbs and sub-arctic willow. Initial target dates within the Agreement relate to deer population density. The success of the Agreement in relation to deer density will be judged by whether the estates manage to reduce the deer density from 42 per square kilometre to 19 per square kilometre by 2007. There are also targets relating to habitat condition. The Caenlochan Section 7 steering group met in August 2004 and again in March 2005.

A joint operation between DCS and the estates to count deer using helicopters in February 2005 encompassed the Caenlochan Control Area. More information about this count is available in Section 11.

Drumrunie

DCS carried out a census at Drumrunie in April 2004 which showed an estimated density of 8 deer per km² at the site.

DCS have now gathered information on the profile of existing woodlands to aid and inform the setting of habitat targets for the site.

Inchnadamph

The Agreement was established with Assynt Estate in 2003 to prevent further damage to seven habitat types that make Inchnadamph a site of European importance in terms of natural heritage.

The most recent count of the control area in March 2005 showed 24 deer per km² compared to a density of 40 deer per km² in 2003. Results of the habitat monitoring in 2003 and 2004 demonstrate an improvement in the condition of some of the habitats, namely sub-arctic willow scrub, petrifying tufa springs and dry heath. The Inchnadamph Section 7 Steering Group met once to review the survey results and cull information and to discuss future plans.

Strathglass Farms

To avoid damage to agricultural grassland, a Deer Management Plan has been produced which aims to deliver the construction and long-term maintenance of a deer-proof fence, a deer control plan using local stalkers to cull deer dependent on agricultural land, and the formation of a new Deer Management Group to monitor and discuss the situation. DCS is monitoring the implementation of the plan.

4.4 Sites for assessment – details

Kinveachy SSSI

The Kinveachy SSSI (Site of Special Scientific Interest) is centred round the upper River Dulnain and lies within the Monadhliath Deer Management Group area.

Kinveachy became a DCS Site for Assessment in 2002. The estate owners and Government agencies recognised at an early stage that a survey of Natura Caledonian pinewood at the site was likely to conclude that deer were having an adverse impact on natural heritage interests. The estate owners, the Reidhaven Trust, subsequently prepared a Deer Management Plan to enhance the condition of the Natura interests at the site. Financial support for the enhancement of habitats was offered by SNH (Management Agreement) and FCS (Scottish Forestry Grant Scheme).

A Control Agreement has been drawn up between DCS and the Reidhaven Trust to prevent damage by deer to Natura pinewoods. The implementation of the Deer Management Plan by the Reidhaven Trust is expected to prevent deer from causing damage at Kinveachy. A key component of the Agreement is linked to the measurement of tree seedling growth at the site through a baseline survey to be undertaken in 2005. A Control Agreement Steering Group will oversee a reduction in the numbers of deer present, and will provide information on

habitat monitoring and the exchange of information with a wider audience including the local community council.

Monadhliath SSSI

The Monadhliath SSSI lies within the Monadhliath DMG area north of Newtonmore.

The Monadhliath SSSI became a DCS Site for Assessment in 2002 after SNH raised concerns about the impact of deer on Natura blanket bog at the site. DCS has met with the owners and occupiers of land within the Monadhliath SSSI to discuss the best way to assess the nature and extent of the relative impacts by deer on blanket bog habitats. A baseline survey of blanket bog habitats will be carried out by SNH in 2005 in partnership with DCS.

Creag Meagaidh SSSI

The Creag Meagaidh SSSI also lies within the Monadhliath DMG area on the north side of Loch Laggan.

The Creag Meagaidh SSSI also became a DCS Site for Assessment in 2002 on account of concerns about the impact of deer on blanket bog habitats. Likewise, DCS has met with owners and occupiers and SNH will carry out a baseline survey of blanket bog habitats in 2005.

Forest of Clunie

The Forest of Clunie Special Protection Area (SPA) lies to the east of Pitlochry. The SPA-qualifying features include the presence of hen harriers, short-eared owls, merlin and osprey.

In 2004, DCS agreed that the area should become a Site for Assessment because of concerns about the impact of deer on the nesting and foraging habitats of Natura bird interests. Various agricultural and environmental schemes are in operation in the Forest of Clunie area including the SEERAD Rural Stewardship Scheme and the SNH Moorland Management Scheme.

DCS has contacted owners and occupiers and continues to work with SNH to determine the best way to establish the baseline condition of relevant habitats to determine whether or not deer are causing damage, directly or indirectly, to Natura interests. Information obtained during a collaborative DCS/DMG helicopter deer count of the Forest of Clunie area in February 2005 will also be used to help inform future deer management decisions.

Upper Deeside

DCS received Expressions of Concern about the condition of habitats in Upper Deeside in September 2003. Concern was expressed about a lack of woodland regeneration, the condition of some woodlands that might impact on threatened species such as capercaillie, and grazing pressures which were reducing shrub cover in favour of grasses. This area became a Site for Assessment in January 2004. DCS, SNH, FCS and affected estates are working to establish an appropriate monitoring regime for this site.

Strathglass Complex SAC

Concern was originally expressed from SNH about the grazing impacts on some of the 13 habitats for which the Strathglass Complex qualifies as an SAC. DCS has discussed with the estates the cause for concern and the timing and methods by which the concerns would be assessed. A baseline impact assessment was agreed and implemented in the autumn of 2004 and proposals to address these impacts, in the form of a detailed Deer Management Plan, are ongoing with the estates involved.

Flow Country

DCS received an expression of concern from FCS based on deer preventing the establishment of broad-leaved woodland, in both private and public forests, within plantations of the Flow Country. Although this is primarily a woodland expression of concern, given the importance in scale and nature of the

surrounding Natura sites the impact on neighbouring natural heritage interests may be considerable. The site was classified as a Site for Assessment and discussions have taken place between estates and agencies to implement a baseline survey on the impacts that deer may be having on both the woodlands and the natural heritage features of the site.

4.5 Sites based on public safety

Work has continued at a number of sites identified prior to 2004 and DCS is working closely with other partners to reduce the risk to public safety. These sites include the A835 road between Garve and Ullapool, the A82 at Glencoe, the A9 at Dunkeld and the A87 as well as the A81 between Ballat crossroads and the Mugdock junction.

A835 between Garve and Ullapool

During 2004-05 a local Panel, established under Section 4 of the Deer (Scotland) Act 1996, was appointed to consider and address the risk to public safety on the A835. The remit of this Panel is to investigate further the nature and scale of the problem and to identify cost-effective and realistic mitigation options. The group comprises representatives from Northern Constabulary, Bear Scotland, West Ross Deer Management Group, North Ross Deer Management Group, Highland Council and the Scottish Executive.

A82 Glencoe

A Panel, established under Section 4 of the Deer (Scotland) Act 1996, was also established to examine the issues surrounding the risk to public safety on this road, with DCS gathering information about the number of deer carcasses and their location on a stretch of the road between Altnafeadh to Loch Ba. The group comprises representatives from Northern Constabulary, Bear Scotland, Blackmount Deer Management Group,

Highland Council, the Scottish Executive and Ballachullish Community Council.

The Panel is assessing the scale of the problem and identifying potential solutions such as managing roadside vegetation and improving driver awareness. A feasibility report on using fencing and mirror reflectors, together with 60 mph repeater signs, is being prepared.

A9 Dunkeld

The DCS received an Expression of Concern from Atholl Estate and on 6 May 2004 the stretch of road became a Priority Site. Work was carried out between DCS, the estate, the trunk roads authority and the police and it was agreed to cull the deer using a Section 10(4) authorisation at the end of the close season, as per DCS guidance, if fallow deer continue to cause concerns at roadside sites.

A81 Ballat crossroads to Mugdock junction

A site visit was organised for members of the local Deer Management Committee in December 2004 to investigate two accident black spots involving roe deer collisions identified by Central Scotland Police on a two-kilometre stretch of road.

As a result of the visit and subsequent discussions, the parties involved agreed to highlight the problem by publicising the issue in the local media. DCS also produced an options paper and are in the process of contacting local landowners to resolve the situation.

A87

Survey work was carried out in 2003 and 2004 to investigate in detail specific locations on the A87 where there were high deer numbers close to the road. Ongoing survey work has obtained evidence of collisions with deer occurring regularly on the A87 at certain locations.

In light of additional data collected and further concern expressed from various sources regarding the frequency of accidents occurring

on the A87, it was agreed that this road should become a Priority Site and a local Panel be appointed under Section 4 of the Deer (Scotland) Act 1996.

4.6 Recording deer-related road accidents

In parallel with the work of DCS, the Highways Agency and the Scottish Executive have funded new research to develop a stratified national system for recording information on deer-related road traffic incidents occurring throughout the UK. This research should enable a comprehensive database to be built up for analysing the key factors associated with the occurrence of deer accidents. This will also help DCS to identify present, and aid prediction of future, locations of high deer accident risk, and investigate the relative effectiveness of existing methods of accident mitigation.

The Deer Collision UK Project has been running since 2003 and is likely to continue into 2006. More than 14,000 deer-related road traffic collisions have been reported to project staff in the two years since the inception of the scheme. Up-to-date information on the project, including information about reporting collisions, is available on the website, www.deercollisions.co.uk.

4.7 Muntjac

In August 2004 muntjac deer escaped from the Camperdown Wildlife Centre in Dundee when flooding damaged enclosures designed for the deer. Following the incident, DCS liaised with Dundee City Council and staff from the local authority worked to recapture or shoot the deer and account for the number of missing animals.

The incident highlighted the current lack of legislation requiring the registration of captive populations of exotic deer or for ensuring their security arrangements. It also showed

that there are no restrictions on the movement and establishment of further captive populations of exotic deer. DCS is currently working with SEERAD to address these issues and to find a way of empowering DCS to deal with confirmed reports of free-living muntjac in Scotland through potential legislative change.

4.8 Advice to FCS on deer issues relating to Scottish Forestry Grant Schemes (SFGS)

During 2004-05 the number of SFGS and Woodland Grant Schemes (WGS) applications commented on by DCS were as follows:

SFGS applications/ Stewardship grants	21
WGS applications	10
Design, Review and Long-term Forest Plans	67
Environmental Impact Assessments	7

4.9 Local collaborative deer management

In line with DCS strategy and in order to promote a collaborative approach to deer management, Deer Management Groups (DMGs) are encouraged to take the lead on deciding how to implement effective deer management in order to achieve the integrated objectives of the particular land holdings and the wider deer population. DCS resources are primarily focused on the priority site process, in dealing with and preventing damage or threats to public safety from deer. However, DCS remains committed to the development of Best Practice Guidance, and to ongoing dialogue and liaison with DMGs and estates, attending at least one meeting of every DMG each year to provide support in the form of advice from technical staff when required.

DCS staff and Board members attended 54 Deer Management Group meetings and

provided advice to DMG and landowners on specific deer management issues throughout the year.

DCS has worked over the last 12 months to develop new thinking on promoting collaborative and sustainable deer management. This has included strengthening deer management policies and practice to meet biodiversity conservation objectives; developing DCS input into collaborative deer management; and developing methods for, and promoting the use of, Best Practice.

4.9.1 Sustainable Deer Management Project

DCS developed plans during 2004-05 for a Sustainable Deer Management Project to run over the next five years, covering all species of wild deer. It is intended that six pilot schemes will be established. The aim of the project will be to review existing collaborative deer management mechanisms and how effective they are. The work will focus on a number of areas including venison, the use of incentives, socio-economic issues such as long-term employment, and ways of certifying sustainable deer management.

It will address three main issues:

- whether there are any gaps in public funding for deer management;
- what key elements are required to make collaborative deer management work effectively;
- how best to develop a system to formally acknowledge sustainable deer management.

4.9.2 DCS involvement in deer counts

DCS' involvement in counting deer has changed over the last few years in response to changing priorities. DCS restricts assistance in counting to where a public benefit can be demonstrated. Priority is given to:

- counting to assist the Priority Site process;
- counting to promote Best Practice in collaborative deer management.

DCS has also now completed a three-year research project designed to quantify the

accuracy and precision of different counting methods. The results of the project are currently being written up.

4.9.3 Estimating population size to assist the priority site process

DCS' Priority Site process is driven by deer impacts rather than deer numbers or density. However, it is important to link numbers to habitat impacts in order to estimate culling requirements. The purpose of the count is to establish baselines and assist managers in finding solutions.

Direct counts of deer on open ranges only provide a 'snapshot' of where deer are at a particular point in time. Therefore the larger the area that can be counted the lower the risk of errors due to movements of deer into and out of the ground count area. DCS will identify the area of ground over which deer need to be counted – this could be either all or part of an existing DMG. If only part of the DMG area is affected then DCS will explore the possibility of a jointly funded count with the DMG. In carrying out these counts, DCS will always aim to work as closely as possible with the estates involved.

Once a count is complete, DCS provides each estate and DMG office-bearers for that area with one count report, a map and a copy of any relevant digital photographs.

4.9.4 Counting to promote best practice in collaborative deer management

Guidance on counting deer as part of the Best Practice series is in preparation. To assist with collaborative deer management, DCS aims to

promote Best Practice for counting deer:

- to those with responsibility for co-ordinating DMG counts; and
- to those who promote a collaborative approach to deer management.

In these circumstances DCS staff members will participate in a count with a digital camera (depending on availability) or as an independent observer where the deer officer for the area is satisfied that:

- the proposed count area represents a practical area of deer range;
- there is a public interest in the count;
- all data collected during the count will be in the public domain.

On completion of these counts DCS would normally expect the DMG to collate the data and produce count maps and reports. Where those participating are agreed that the count and the count data are of a high quality, DCS may have resources to assist in this aspect.

Radios may be borrowed from DCS on a replacement basis if lost or damaged.

4.10 Deer census

In 2004-05 DCS focused mainly on counting to assist the priority site process but also assisted in five estate/DMG collaborative counts, where there was an element of public interest (see table). In total, more than half a million hectares and almost 60,000 deer were counted.

A major collaborative count in the Grampian and Cairngorm Mountains is described in Section 11.

4 DEER MANAGEMENT

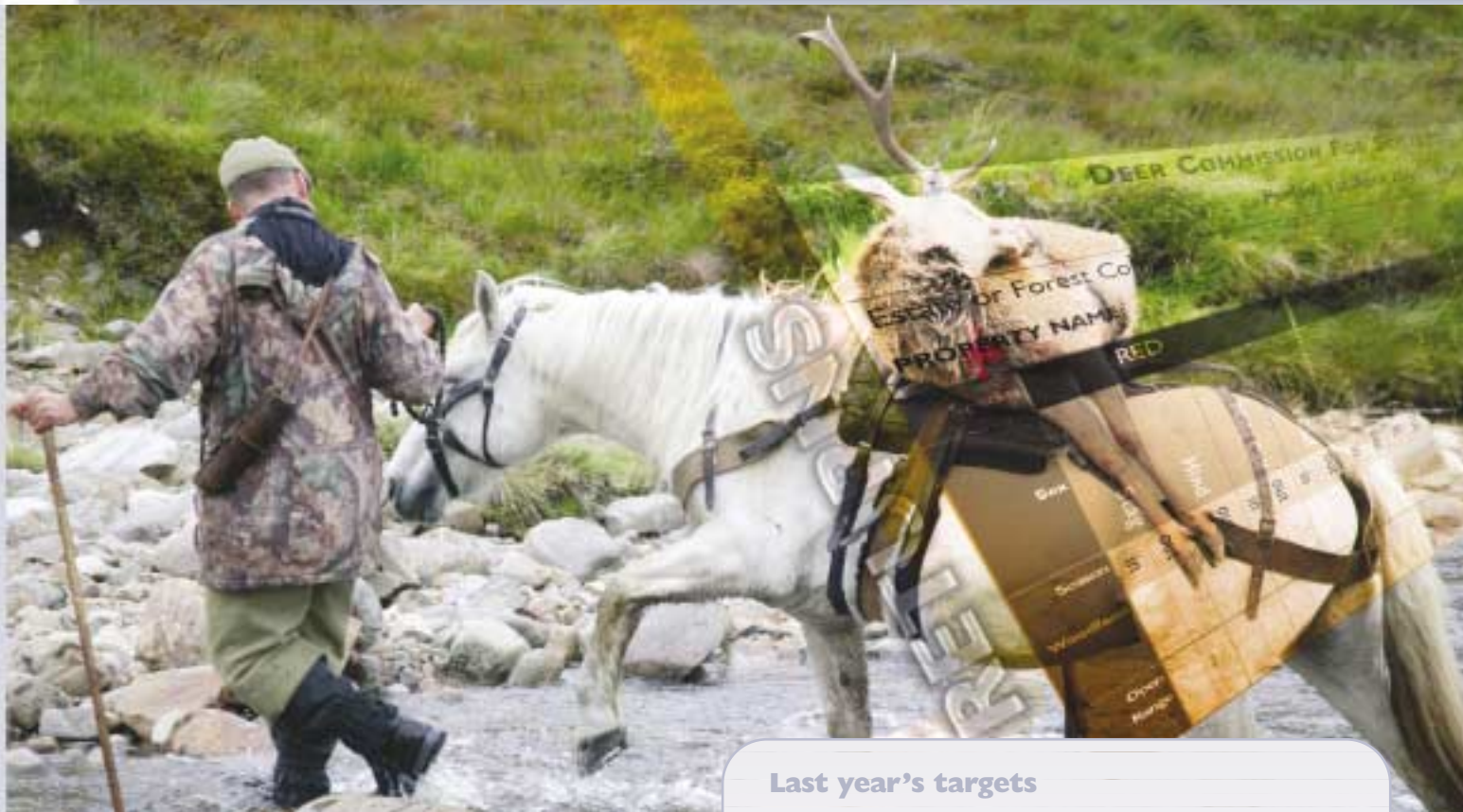
DMG	COUNT EXTENT	TYPE	APPROX AREA (ha)	METHOD	DATE	STAGS	HINDS	CALVES	UNCLAS-SIFIED	TOTAL
North Uist	estate	collaborative training	25,598	helicopter	Apr2004	197	232	112	0	541
Strathtay	DMG	collaborative training	7,524	helicopter	Apr2004	312	359	168	0	839
West Grampian	priority site	priority site process	2,210	helicopter	Apr2004	216	108	26	0	350
West Sutherland	priority site	priority site process	3,501	helicopter	Apr2004	192	0	0	680	872
	priority site	priority site process	4,837	helicopter	Apr 2004	98	0	0	267	365
Rum	estate	collaborative training	10,942	helicopter	May 2004	293	0	0	976	1,269
West Sutherland	priority site	priority site process	3,501	helicopter	Oct 2004	147	0	0	512	659
East Sutherland	estate	collaborative training	860	helicopter	Oct 2004	14	0	0	96	110
West Grampian	priority site	priority site process	63,357	helicopter	Nov 2004	586	0	0	1,599	2,185
	priority site	priority site process	25,904	helicopter	Jan 2005	749	0	0	1,710	2,459
Grampians	DMG	collaborative /priority site process	472,040	helicopter	Feb 2005	12,701	0	0	34,503	47,204
South Ross	estate	collaborative training	7,491	helicopter	Mar 2005	412	0	0	361	773
West Sutherland	priority site	priority site process	11,154	helicopter	Mar 2005	611	0	0	912	1,523

total area: **638,919** ha

total animals: **59,149**

Next year's targets

- Identify up to five additional sites for priority action, and continue to monitor and act on priority sites from previous years (18).
- Assess habitat damage, public safety threat and written action plans for the five additional sites.
- Continue to act on existing sites for priority action.
- Identify sites for assessment.
- Monitor Section 7 agreements against targets including deer density and habitat targets against baseline.
- Provide appropriate guidance, training and advice through Best Practice Demonstration events.
- Provide support to local deer management groups.
- Provide advice to FCS on deer matters relating to SFGS.



Last year's targets

- Ensure statutory cull returns and venison returns are received and used (see 5.1).
- Ensure that authorisations are issued promptly and their use monitored. Use compulsory control powers where justified (see 5.2 and 5.3).

5.1 Receipt of Cull and Venison Returns

Statutory returns were sought from 2539 properties. A total of 2363 returns were received by the time that this report was prepared. Delays to the analysis and the need for revision of the figures retrospectively is one of the reasons that DCS is currently exploring ways of unifying collection of cull, authorisation and venison returns.

Although some returns are still outstanding, it would appear that the overall cull was higher by 6% than in 2003-04. This was mainly due

to an increase in the number of red and sika deer culls reported.

DCS also recorded a slight increase in total deer carcasses from 114 venison dealers for the 2004-05 season compared to the previous two years, with returns from 13 smaller venison dealers outstanding.

Statutory Cull Returns and Venison Sales

Statutory cull returns

	Year	Woodland	Open Unassigned*	Total	Venison sales	
Red	2000/01	10,513	52,403	4,015	66,931	54,449
	2001/02	20,379	46,903		67,282	58,649
	2002/03	15,825	41,538		57,363	46,404
	2003/04	13,853	48,104		61,957	43,224
	** 2004/05	17,153	51,532		68,685	53,741
Sika	2000/01	3,043	788	32	3,863	3,969
	2001/02	4,042	473		4,515	3,420
	2002/03	3,794	398		4,192	2,815
	2003/04	3,549	351		3,900	2,856
	** 2004/05	4,232	503		4,735	2,820
Roe	2000/01	18,795	4,812	2,607	26,214	23,303
	2001/02	26,859	2,533		29,392	24,726
	2002/03	28,230	2,887		31,117	28,683
	2003/04	29,514	3,399		32,913	26,057
	** 2004/05	28,506	3,275		31,781	25,914
Fallow	2000/01	246	673	106	1,025	973
	2001/02	1,001	194		1,195	803
	2002/03	978	194		1,172	927
	2003/04	1,290	355		1,645	717
	** 2004/05	1,123	229		1,352	661
Total	2000/01	32,597	58,676	6,760	98,033	82,694
	2001/02	52,281	50,103		102,384	87,598
	2002/03	48,827	45,017		93,844	78,829
	2003/04	48,206	52,209		100,415	72,854
	** 2004/05	51,014	55,539		106,553	83,136

Notes: * cull returns that were not assigned to either woodland or open

** 2004/05 figures as of 13/07/2005 – 186 outstanding cull returns out of 2539 issues

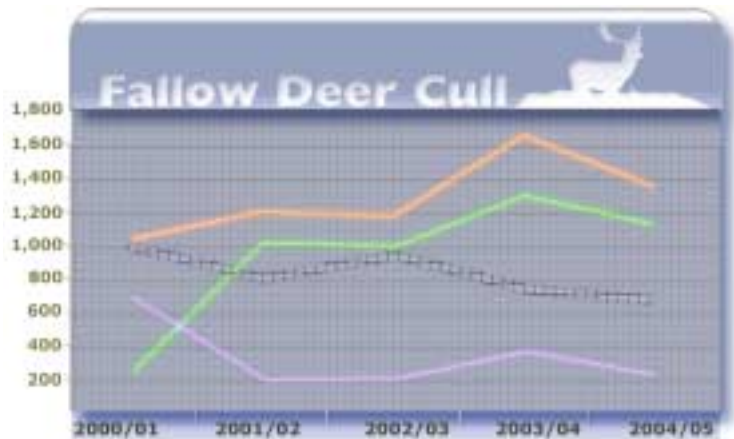
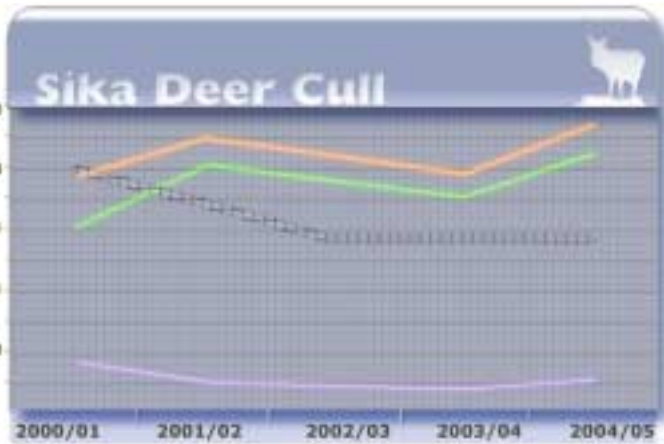
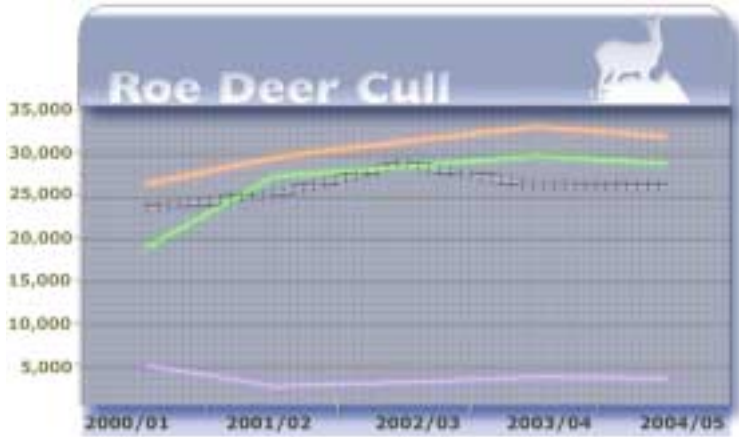
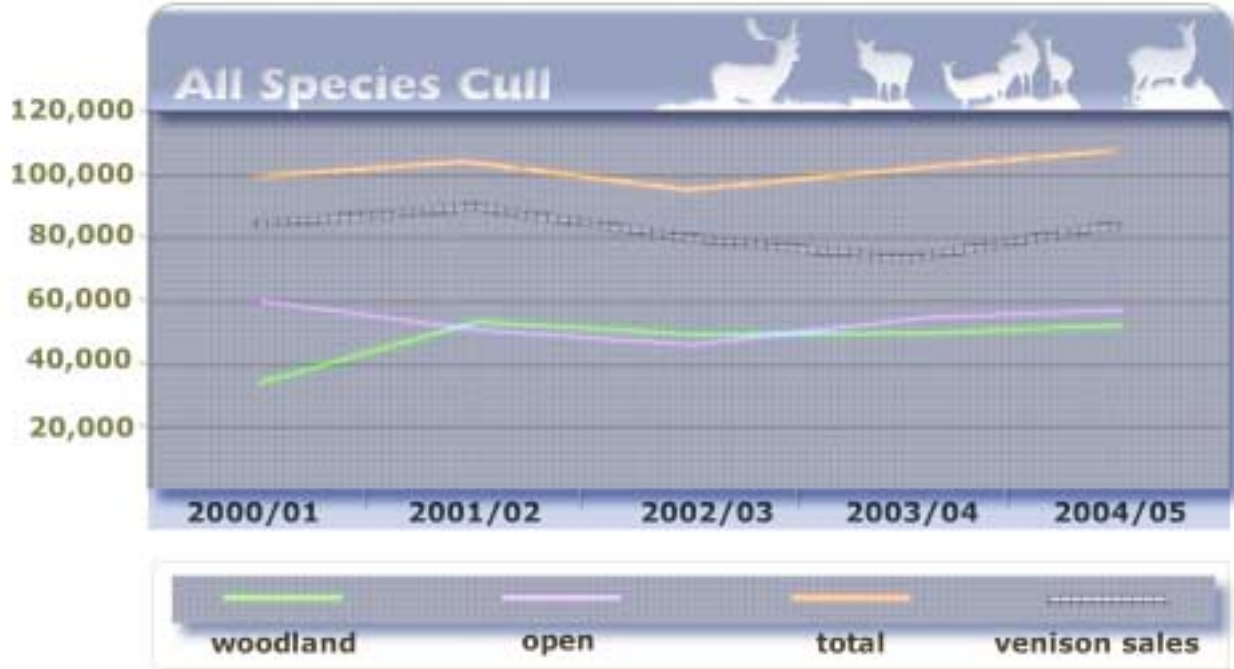
Figures in yellow indicate changes from previously published data due to late returns

5.2 Authorisations

DCS revised its authorisation procedures in 2004 to make them as rigorous, efficient and transparent as possible.

Fewer authorisations were issued in 2004-05 compared to previous years. The majority of this drop was due to a fall in the number of Section 26(2) approvals issued. Part of this fall is explained by DCS clarifying the need for

owners, owners' employees, occupiers and tenants to apply for approvals. Under Sections 26(1) and 26(2d), owners and their employees, occupiers and tenants have the right to control deer on enclosed land in the closed season without referral to DCS. Summary statistics for deer culled under authorisations and approvals by total and to protect agriculture, woodland, natural heritage and public safety are provided in the following tables.



5 REGULATORY PROVISIONS

In 2004-05 approximately 15% of deer were culled in the close season. It was estimated that the majority of deer (80%) culled in the close season were done so under owner/occupier rights or 26(2) approval by DCS (where only the fitness and competence of the controller nominated by the owner/occupier is approved).

As in previous years, the majority of deer culling under authorisation was done to protect woodland. There was also an increase in the number of deer culled to protect the natural heritage.

Deer Killed Under Authorisation for Public Safety, 1 April - 31 March Annually

Year	section of Deer Act	Number of Deer Killed Under Authorisation / Approval												TOTAL	
		RED			SIKA			ROE			FALLOW				
		stags	hinds	calves	stags	hinds	calves	bucks	does	kids	bucks	does	kids		
2000/01	5(6)	8	1	1	0	0	0	0	0	0	0	0	0	0	10
2001/02	5(6)	8	0	0	2	0	0	13	20	0	0	0	0	0	43
2002/03	5(6)	0	0	0	0	0	0	0	1	0	0	0	0	0	1
2003/04	5(6)	4	0	0	0	0	0	0	0	0	0	0	0	0	4
2004/05*	5(6)	4	0	0	0	0	1	3	10	8	0	0	0	0	26

Notes:

* Returns as of 08/07/2005 – 36 returns outstanding

Deer Killed Under Authorisation or Approval to Protect Agriculture, 1 April - 31 March Annually

Year	section of Deer Act	Number of Deer Killed Under Authorisation / Approval												TOTAL	
		RED			SIKA			ROE			FALLOW				
		stags	hinds	calves	stags	hinds	calves	bucks	does	kids	bucks	does	kids		
2000/01	10(2,4)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	18(2)*	368	266	85	30	49	39	68	113	22	5	2	0	0	1047
	26(2)*	337	143	36	65	28	23	52	48	13	15	0	0	0	760
2001/02	10(2,4)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	18(2)*	540	288	85	28	71	33	98	158	41	14	15	2	0	1373
	26(2)*	494	212	93	35	13	11	168	128	23	23	6	6	0	1212
2002/03	10(2,4)	9	0	0	0	0	0	0	0	0	0	0	0	0	9
	18(2)*	398	194	46	22	33	15	80	166	50	3	3	1	0	1011
	26(2)*	284	143	80	23	1	0	91	106	17	1	38	0	0	784
2003/04	10(2,4)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	18(2)*	268	189	63	29	39	24	55	172	69	11	11	20	0	950
	26(2)*	222	82	28	15	7	2	87	112	13	21	42	42	0	683
2004/05**	10(2,4)	27	0	0	0	0	0	0	0	0	0	0	0	0	27
	18(2)*	349	166	60	8	15	9	53	65	17	25	30	41	0	838
	26(2)*	312	88	29	23	12	7	82	49	30	0	0	0	0	632

Notes:

* Deer culled at night 18(2) authorisation, in close season, are also reported under 26(2) approval

** Returns as of 08/07/2005 – 36 returns outstanding

Figures in yellow indicate changes from previously published data due to late returns

Deer Killed Under Authorisation or Approval to Protect Woodland, 1 April - 31 March Annually

Year	section of Deer Act	Number of Deer Killed Under Authorisation / Approval												TOTAL
		RED			SIKA			ROE			FALLOW			
		stags	hinds	calves	stags	hinds	calves	bucks	does	kids	bucks	does	kids	
2000/01	5(6)	192	64	36	10	25	10	39	37	7	0	0	0	420
	10(2,4)	0	0	0	0	0	0	0	0	0	0	0	0	0
	18(2)*	305	365	191	105	163	98	360	923	674	7	9	11	3211
	26(2)*	605	484	183	154	140	83	437	446	276	1	4	3	2816
2001/02	5(6)	244	151	73	4	1	0	36	36	3	0	0	0	548
	10(2,4)	2	4	1	0	0	0	0	0	0	0	0	0	7
	18(2)*	388	534	266	190	259	151	695	1497	1038	24	30	12	5084
	26(2)*	1597	1238	483	265	248	142	1235	1030	595	79	107	71	7090
2002/03	5(6)	258	185	62	17	17	12	126	64	24	0	0	0	765
	10(2,4)	16	18	8	0	0	0	0	0	0	0	0	0	42
	18(2)*	243	365	170	155	222	143	503	1261	764	11	14	7	3858
	26(2)*	940	712	328	405	212	138	951	868	311	18	21	12	4916
2003/04	5(6)	362	78	45	43	17	19	66	36	8	0	0	0	674
	10(2,4)	0	0	0	0	0	0	0	0	0	0	0	0	0
	18(2)*	714	625	332	135	214	174	621	1140	727	58	52	65	4857
	26(2)*	609	761	221	237	161	117	403	232	189	29	54	47	3060
2004/05**	5(6)	213	41	34	30	14	15	22	52	12	0	0	0	433
	10(2,4)	0	0	0	0	0	0	0	0	0	0	0	0	0
	18(2)*	402	439	237	224	310	206	598	1299	858	35	42	10	4660
	26(2)*	305	173	55	225	106	71	264	183	114	0	0	1	1497

Notes: * Deer culled at night 18(2) authorisation, in close season, are also reported under 26(2) approval

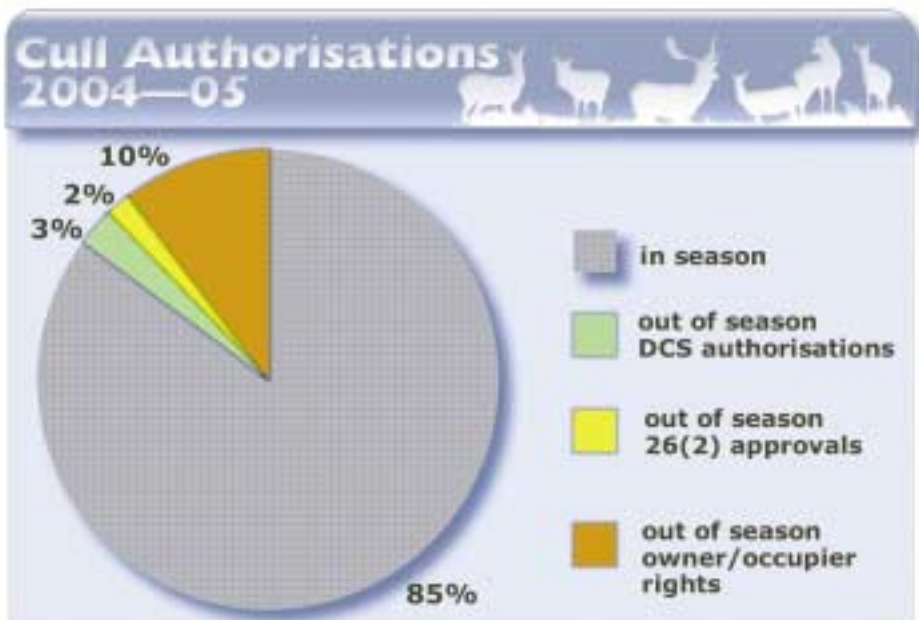
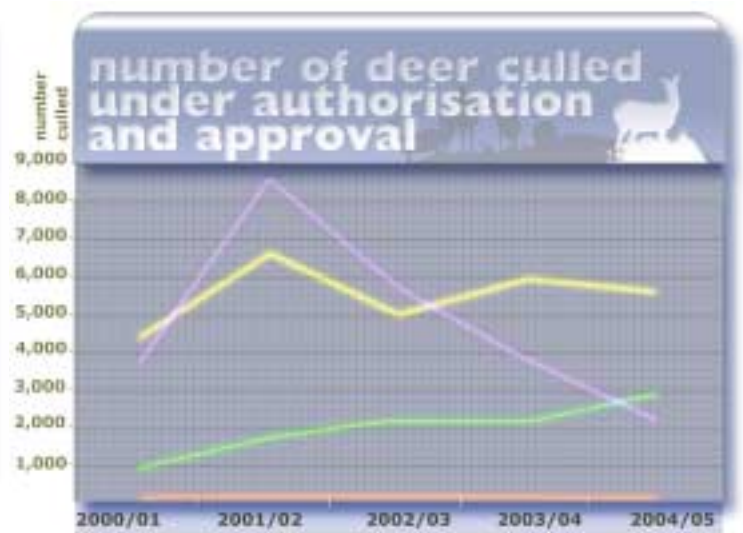
**Returns as of 08/07/2005 – 36 returns outstanding

Figures in yellow indicate changes from previously published data due to late returns

Deer Killed Under Authorisation to Protect Natural Heritage, 1 April - 31 March Annually

Year	section of Deer Act	Number of Deer Killed Under Authorisation / Approval												TOTAL
		RED			SIKA			ROE			FALLOW			
		stags	hinds	calves	stags	hinds	calves	bucks	does	kids	bucks	does	kids	
2000/01	5(6)	148	87	27	17	10	1	49	34	8	0	0	0	381
2001/02	5(6)	202	209	112	3	5	1	20	7	2	0	0	0	561
2002/03	5(6)	586	461	187	1	1	0	49	35	14	0	0	0	1334
2003/04	5(6)	645	361	159	20	1	1	54	90	14	0	0	0	1345
2003/04	10(4)	0	53	26	0	0	0	0	0	0	0	0	0	79
2004/05*	5(6)	1470	399	191	15	2	0	137	106	7	0	0	0	2327

Notes: * Returns as of 08/07/2005 – 36 returns outstanding



In Season	90,780
Out / authorised	2,813
Out / 26(2) approval	2,129
Out / owner/occupier	10,831

Authorisations, Requests and Approvals Issued by Section of the 1996 Act, 1 April - 31 March Annually

Year	section of Deer Act issued number	Number of Deer Killed Under Authorisation / Approval													TOTAL
		RED			SIKA			ROE			FALLOW				
		stags	hinds	calves	stags	hinds	calves	bucks	does	kids	bucks	does	kids		
2000/01	5(6)	69	348	152	64	27	35	11	88	71	15	0	0	0	811
	10(2,4)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	18(2)*	328	673	631	276	135	212	137	428	1036	696	12	11	11	4,258
	26(2)*	501	942	627	219	219	168	106	489	494	289	16	4	3	3,576
Totals		898													
2001/02	5(6)	70	633	383	185	17	11	1	99	113	11	0	70	56	1,579
	10(2,4)	1	2	4	1	0	0	0	0	0	0	0	0	0	7
	18(2)*	433	938	842	359	218	331	184	833	1,676	1,080	38	45	14	6,558
	26(2)*	649	2,110	1,477	591	309	262	153	1,450	1,219	640	102	113	77	8,503
Totals		1153													
2002/03	5(6)	53	844	646	249	18	18	12	175	100	38	0	0	0	2,100
	5(7)	1	0	0	0	0	0	0	0	1	0	0	0	0	1
	10(2,4)	5	25	18	8	0	0	0	0	0	0	0	0	0	51
	18(2)*	279	641	559	216	177	255	158	583	1,427	814	14	17	8	4,869
	26(2)*	577	1,224	855	408	428	213	138	1,042	974	328	19	59	12	5,700
Totals		915													
2003/04**	5(6)	54	1,011	439	204	63	18	20	120	126	22	0	0	0	2,023
	10(2,4)	1	0	53	26	0	0	0	0	0	0	0	0	0	79
	18(2)**	272	982	814	395	164	253	198	676	1,312	796	69	63	85	5,807
	26(2)**	385	831	843	249	252	168	119	490	354	202	50	96	89	3,743
Totals		712													
2004/05**	5(6)	55	1,687	440	225	45	16	16	162	168	27	0	0	0	2,786
	10(2,4)	1	27	0	0	0	0	0	0	0	0	0	0	0	27
	18(2)**	216	751	605	297	232	325	215	651	1,364	875	60	72	51	5,498
	26(2)**	245	617	261	84	248	118	78	346	232	144	0	0	1	2,129
Totals		517													

Notes:

5(6) authorisation – Unenclosed woodlands, natural heritage and deer in public places

5(7) authorisation – Scientific purposes

10(2) request – Emergency powers: deer coming from particular land. DCS request in writing to person with right to kill

10(4) authorisation – Emergency powers: person with right to kill, unwilling or unable to kill deer, DCS authorises a competent person to follow and kill deer

18(2) authorisation – Night shooting

26(2) approval – Daylight shooting on agricultural crops and enclosed woodlands by third party

* Deer culled at night 18(2) authorisation, in close season, are also reported under 26(2) approval

** Returns as of 08/07/2005 – 36 returns outstanding

Figures in yellow indicate changes from previously published data due to late returns

5.3 Fitness and competence

During 2004-05, DCS introduced a Fitness and Competence register – a way of ensuring that anyone authorised by DCS to kill deer is fit and competent to carry out that task. The register will meet the requirements of Section 37 of the Deer (Scotland) Act 1996, to ensure that anyone authorised to take or kill deer, at night or during the close season, is capable of doing so. The individual authorised to take or kill is known as the ‘nominated controller’.

Once fully operational the register will include all the names of the nominated controllers who cull deer under DCS authorisations. Controllers culling deer under Section 26 (2a, b and c) of the Deer (Scotland) Act 1996 – the occupier, owner, owner’s employees and any other person normally resident on the land – are excluded from the need for a DCS authorisation. In this respect, an occupier is any tenant or sub-tenant, including sporting tenants, provided they have a legally binding tenancy agreement. An employee is anyone holding a legally binding contract of employment.

Next year’s targets

- Investigate introduction of unified data collection system.
- Ensure that statutory cull returns are received and used.
- Ensure that statutory venison returns are received and used.
- Ensure that authorisations are issued promptly and their use monitored.
- Use compulsory powers where justified – Section 8, Section 10 and Section 11 of the Deer (Scotland) Act 1996.

Deer controllers who do not meet the above criteria must be approved in writing by DCS as being ‘Fit and Competent’ and their names will be placed on the register by DCS. The names of nominated controllers who cull deer under Section 5(6) authorisations to prevent damage to unenclosed woodland, the natural heritage or in the interests of public safety or under Section 18(2) for night shooting will also be placed on the register by DCS.

To acquire DCS ‘Fitness and Competence’ status, applicants seeking authorisations will be asked to provide details of two referees for each nominated controller.

Applicants anticipating the need for DCS authorisations after 21 October 2005 are advised to have their nominated controllers on to the register in advance. This will avoid delays in the issuing of authorisations. If this is not done, it could create significant delays as DCS require references before an authorisation is issued.

5.4 Section 8 Control Schemes

Where deer are managed in such a way that they continue to cause damage to public interests or present a threat to public safety, and where it has been impossible to secure agreement under Section 7, or where a Section 7 agreement has failed, DCS has powers to implement a compulsory Control Scheme under Section 8 where it is necessary. No use was made of Section 8 in 2004-05.



& TRAINING

Last year's targets

- Publish second tranche of Best Practice Guides (see 6.1).
- Promote the work of DCS and Best Practice (see 6.2).
- Promote training in Best Practice (see 6.3).
- Further develop integrated data management systems (see 6.2.3).

6.1 Best Practice Guides

The development of a series of Best Practice guides is a major initiative that is being overseen by a cross-sector steering group. The aim is to provide Best Practice guidance and supporting information on the whole range of deer management issues in a single, succinct and approachable suite of around 80 guides. The printed guides are in loose-leaf format to allow for updating or review as necessary.

The first tranche of 23 guides was launched on 4 July 2003 and made available to subscribers in a paper format. It was also available and continues to be displayed on the Best Practice section of the DCS website. Following a letter from the Minister at the beginning of 2004, work has focused on updating and revising the 23 Best Practice guides already published. Another eight new guides have also been published. The production of guides has fallen behind schedule due to changes in staffing and other reasons outwith the control of DCS.

More than 1300 practitioners have subscribed to the printed series and DCS has received a great deal of positive feedback, confirming that the guides have been well received.

6.2 Information and Publicity

6.2.1 Publications and the Internet

DCS has continued to expand the use of the website to publish a wide range of documents including the Corporate Plan, research papers and a comprehensive list of meetings.

The annual *Who, What and Where We Are* guide was also published – an A4 fold-out document providing a concise guide to the organisation and its staff.

The DCS Communications Strategy and DCS website are now subject to a continual rolling review to keep them relevant and up to date. Internal and external communications also came under scrutiny in an audit of DCS communications carried out by an external consultant. The report highlighted a number of areas requiring improvement, including the need for better media relations and a greater effort to engage with the wider community. The audit also found that existing publications were highly regarded within the industry, the website was considered accessible and informative, individual staff members were effective communicators and the Deer Management Round Table was effective. DCS have accepted the recommendations in the audit report and are now in the process of implementing the recommendations.

6.2.2 Events and meetings

The annual North Seminar at Drumossie attracted around 150 people from across the deer sector. The programme included presentations on deer-related road traffic accidents, deer fencing, authorisations and calf tagging.

New exhibits, which contained information on Best Practice Guidance, were produced for the Game Conservancy Scottish Fair at Scone and the Moy Game Fair.

6.2.3 Information technology

During the year DCS introduced a new database to encompass its GIS facility. The database will allow DCS to meet e-government targets.

6.3 Training

Best Practice Guidance is now being used to provide the knowledge and understanding needed to obtain Vocational Qualifications in various areas of deer management.

In February 2005, DCS organised training in census techniques, including the use of helicopters, for Deer Management Group census co-ordinators. The event was held at Mar Lodge and the surrounding area and was designed for representatives from Speyside, Tayside and East Grampian Deer Management Groups. A total of 12 DCS staff also attended, together with eight FCS staff who attended under the terms of the Joint Working Agreement. The exercise contributed to the continued professional development of staff, providing experience of various techniques and processes.

Next year's targets

- **Publish second tranche of Best Practice guides.**
- **Plan DCS operations to comply with agreed Best Practice and actively promote their use throughout the deer sector.**
- **Promote the work of DCS and Best Practice.**
- **Promote training in Best Practice.**
- **Maintain and further develop integrated data management systems.**



The DCS research programme is overseen by the Deer Research sub-committee of the Board. During the year DCS chaired the Deer Research Co-ordination Committee to maximise co-ordination and collaboration in funding for deer-related research by government bodies (DCS, FCS, SNH and SEERAD).

7.1 Review of research / new information

During 2004-05 a number of research contracts were let to provide reviews to support the production of the Close Seasons consultation document. As mentioned elsewhere, the census trial (assessing the accuracy, precision and cost effectiveness of different deer count methods) completed its final year. In addition research and analysis was conducted on:

- ∞ damage by deer – developing new methods to assess diffuse deer damage;
- ∞ analysing distance sampling data in relation to Sika deer numbers;
- ∞ a literature review and scoping study on the selection of animals for culling.

Last year's targets

- **Research based on gathering new information.**
- **Review of existing information.**
- **Promote an integrated approach on deer research spend by Government.**
- **Research to inform consultation on close seasons.**

Summaries of all research projects for 2004-05 are available in Section 10.

Next year's targets

- **Agree and implement DCS research programme.**
- **Agree and implement reviews to support the development of Best Practice.**
- **Promote an integrated approach on Government funding for deer research.**



Last year's targets

- **Publication of DCS Publications Scheme as required under the Freedom of Information (Scotland) Act 2002 (see 8.1).**
- **Out-turn within 2% below annual net allocation (see 8.2 and Section 13).**

DCS Governance covers the proper management of the organisation, the need to adhere to such principles as openness, accountability and transparency, and the efficient use of resources. DCS needs to comply with its Management Statement and Financial Memorandum and with the Government's guidance to Public Bodies.

While many activities are ongoing from year to year, a number of significant developments took place during 2004-05.

8.1 Openness and accountability

DCS continued to hold Board meetings in public. In addition, informal 'Meet the DCS' meetings were also held during the year in Dumfries and Ullapool. These events provide a useful opportunity for DCS to explain its work and policies and also to listen to the views and concerns of those with an interest in deer issues.

During the year, the Deer Management Round Table met twice and remains a key element in

DCS' commitment to informed debate and consultation.

DCS implemented regulations as required by the Freedom of Information (Scotland) Act 2002. DCS received 120 requests for information under the Act and responded to all requests for information within 20 days of receipt.

8.2 Resource management

Expenditure was within 0.03% of the allocated budget of DCS. Section 13 of this report provides details.

Staff

The Chairman's Foreword describes the changes in staff during the year. Staff structure and deployment continues to be kept under close review and, combined with changes in staff and job specifications, staff training and development remains a high priority for DCS.

Next year's targets

- **Continued implementation of DCS Code of Conduct and Freedom of Information regulations.**
- **Ensure effective and efficient corporate governance.**
- **Ensure DCS communication skills and capacity are adequate to meet enhanced role in land use management.**
- **Seek adequate resources and prioritise and manage expenditure.**
- **Ensure efficient use of resources, develop management tools and maintain support services.**



In October 2004 Scottish Ministers asked the Deer Commission for Scotland to undertake a consultation on the Close Seasons.

The Close Seasons are prescribed by Scottish Ministers in orders made under Section 5 of the Deer (Scotland) Act 1996. This allows deer to be shot during the Close Season under the following circumstances:

- Individuals occupying land have the ability to protect their property when serious damage is occurring or is likely to occur. These individuals do not require authorisation from DCS.
- When individuals are authorised to do so by DCS to prevent serious damage or potential danger to public safety.
- To prevent unnecessary suffering of deer.

The aim of the consultation was to gather views on the concepts and need for Close Seasons and the information gathered will form the basis of any proposed changes to the Close Seasons deemed necessary in the future. The DCS received a total of 1193 responses to the consultation and an Executive Summary of those responses is included in the Appendix.

The responses will allow DCS to provide Scottish Ministers with the best information available when deciding whether any changes should be made to the Close Seasons in the future.



The Research Summaries are the responsibility of the authors and do not necessarily represent DCS policy.

Selection of animals for culling - age and condition

Professor Rory Putman

This report reviewed the methods used for ageing and condition scoring in domestic livestock, deer and other wild ungulates, to identify possible methods for application to wild red, roe, sika and fallow deer populations in Scotland. Based on conclusions drawn from this literature review and any wider survey, designs were offered for possible field trials to assess the efficacy or reliability of what are considered the available methods.

Summary

Because relatively little formal literature exists on methods available for ageing deer or other

wild ungulates in the field, the approach taken in the current study was to contact a sample of professional stalkers and canvas their opinions on what cues they use to assess age and condition of individual deer in the field.

Credibility of such indicators could then be assessed more formally by examining the published literature for any known correlations between estimators used and age/physical condition, and whether or not that relationship was sufficiently robust to allow accurate prediction of age/condition.

A literature search was also made to explore the additional methods that might have been applied elsewhere to assess the age and condition of free-ranging wildlife, and also (indeed primarily) methods used in livestock husbandry.

A review was also offered of methods available for more accurate assessment of age and condition post mortem (in the larder), to

consider indicators that may be appropriate for calibration/validation of field estimates. Finally, a set of protocols was suggested for objective trials, which could seek to establish the power, accuracy and ease of reproducing field estimates.

Individual letters were written to 60 experienced stalkers asking them what methods they used to distinguish different age-classes of animals in the field from direct observation, and what indicators they used to assess physical condition. In response, many noted that the degree of selection imposed (and the type of selection) was strongly influenced by the objectives of management. Many also commented that, whatever the desirability of a selective cull was, constraints of time (and high cull numbers) often meant that such selectivity was impossible.

All respondents also stressed that when selection was possible or desirable and they were attempting to assess age and condition of beasts before taking the cull, any assessment was always based on a combination of features rather than on any one character in isolation. In fact no single characteristic is capable of differentiating all categories of age or condition. Each may be used to discriminate some classes from others, but no one factor reliably differentiates between all age or condition classes; so a combination of cues is needed.

All stalkers emphasised that assessments of age and condition were not absolute and that no one should attempt to assess absolute age in the field. All agreed that at best they attempted to place animals into general age-classes (young of the year, yearling, young adult, prime adult, old) or condition classes. Finally, all noted that assessment of either age or condition was more difficult in woodland situations, where views of animals were often incomplete and decisions had to be based on a brief glimpse.

In relation to age, the most consistent

methods offered by stalkers appeared similar for all species (with perhaps the exception of roe), as overall height; shape of head/length of head; depth of chest in relation to length of leg; angle of neck/hang of head; dished back/pot-belly; behaviour.

In relation to males, all stressed that caution should be used in assessing age from antler development, but suggested that antler shape and configuration, and length of pedicles may be used to distinguish yearling males, two-year old males and a further class of young adults. Old animals may be recognised (in combination with other estimators above) by thickness of beam.

Review of relevant literature confirmed that there was some evidence of a correlation between increasing age and body size, particularly head length, timing of coat change and antler shedding (although this latter literature is in itself largely anecdotal). There is also a documented change in antler mass and complexity, although this is confounded past a certain stage of maturity by effects of individual condition. However, none of these factors shows linear correlation with age. Thus the indicators used may be sufficient simply for categorical distinction between discrete age classes rather than as indicators of precise age.

No attempt is made here to offer measures designed to select 'inferior' stock, which might be culled to try and improve population (genetic) condition. Consideration is restricted to methods that may be used to assess individual (physical) condition. Indicators consistently used by stalkers include: condition of coat; visible shape of spine (with underlying neural processes obvious in animals in poorer condition); visible shape of pelvis; evidence of scouring or other obvious signs of disease; visible injury; and behaviour (isolation/being bullied; lethargy). Feeding behaviour may also be used to assess whether or not an individual is broken mouthed.

Condition 'scores' are widely used in the

monitoring of body condition and welfare in domestic livestock. Almost all of these scores are based on qualitative assessment of subcutaneous fat, or muscle coverage, of ribcage and rump. By convention, condition is assessed on a five-point scale (although many workers then subdivide this into half units or quarter units).

A number of more recent studies have more formally assessed the degree of correlation which may be achieved between the subjective Body Condition Score (BCS), and more direct methods of measuring depth of subcutaneous fat in sheep, cattle and goats. Repeatability and reproducibility of BCS was found to be high (88% and 80% respectively), when scoring was restricted to integer scores; consistency was increased where a number of specific measures were assessed in combination.

Riney (1955, 1960) produced a 5-point condition score for assessment of (physical) condition of wild deer (specifically red deer), based on standardised assessment of the amount of flesh covering ribs and rump. This has subsequently been modified and used by others for assessing condition of other free-ranging ungulates. However, this index takes account only of physical attributes, and takes no note of overt signs of disease or injury, or of behavioural cues.

Those indicators which – when used in combination – appear most consistently to reflect age and condition of free-ranging animals are summarised. Possible trials designed to test and validate these indices are outlined and costed. While perhaps the most obvious approach is that of a self-calibrated field trial, comparing estimated age/condition of culled animals from visual observation before the shot is taken with estimates of age and condition of the same animal determined subsequently in the larder, it is clear that it is extremely difficult to ensure ‘honesty’ of reporting and overcome conscious, or

completely subconscious, adjustment of (field or larder) estimates *a posteriori* to minimise mis-match.

A complementary study is thus also proposed to give an overall assessment of the selection apparent in the whole cull by comparing age profiles and condition profiles recorded for past (completed) culls by stalkers who profess to be selective in the cull, with profiles returned by stalkers who have been culling completely unselectively. If selective stalkers are indeed able to select accurately for age/condition, then age profiles returned by them in the cull as a whole should differ significantly from those returned by unselective cullers.

References

- Riney, T.** (1955) Evaluating the condition of free-ranging red deer (*Cervus elaphus*) with special reference to New Zealand. *New Zealand Journal of Science and Technology*, 36B: 429-63.
- Riney, T.** (1960) A field technique for assessing the physical condition of some ungulates. *Journal of Wildlife Management* 24: 92-4.

Developing methodologies for monitoring deer impacts in the ‘wider countryside’: Initial scoping study

Martin F. Price and Susanne V. Thomson, Centre for Mountain Studies, Perth College, UHI Millennium Institute

This report reviews existing information on the definition of public interest objectives in the wider countryside and potentially useful data sets for assessing deer impacts. It is of particular relevance in the context of the Nature Conservation (Scotland) Act 2004 and the resulting need for closer co-operation between stakeholders.

Deer have both positive and negative impacts. Many cannot be disentangled from those of other herbivores. Definitions of the effects of deer are subjective, and relate both to private and public management objectives for a particular area. Potential effects can be described with respect to natural heritage and biodiversity; native woodland; commercial forestry; agriculture; landscape, recreation and tourism; orchards and gardens; sporting interests; soil protection; and public safety (road traffic accidents).

Public interest objectives include maintaining, enhancing, and promoting the enjoyment of landscapes and biodiversity; protecting wildlife and other aspects of the natural heritage; protecting and enhancing woodlands and commercial forests; promoting the safety of citizens; optimising the volume and pattern of river flows by increasing water retention values in river catchments; and minimising the risk of erosion and natural hazards.

The 'wider countryside' is not uniform. A detailed review is made of the definition of public interest objectives relating to deer in UK, Scottish and local biodiversity action plans and strategies; the Natural Heritage Futures and Natural Care programmes of Scottish Natural Heritage (SNH); Scottish forestry; and in relation to vehicle accidents.

Various methodologies and data sets could be used to monitor the diffuse impacts of deer in the wider countryside, including Macaulay Habitat Impact Assessment; SNH Site Condition Monitoring; monitoring of Environmentally Sensitive Areas; and various programmes of the Forestry Commission. Landscape and visual impact assessment should be used to evaluate impacts on landscapes. The existing data sets are based on different methodologies developed for specific, but varying, purposes; only some

specifically consider deer, and only SNH Site Condition Monitoring is related to management objectives.

Issues relating to deer impacts are complex and uncertain. Addressing these issues requires co-operation between diverse stakeholders with regard to research, monitoring, and management relating not only to deer, but also other herbivores. The principal attention of existing co-operative structures is in the uplands and on red deer; there is greater need for joint working in forests and lower-altitude environments.

There is considerable knowledge and expert opinion on the impacts of deer on aspects of the public interest in the wider countryside. However, considerable research is needed into the relative impacts of different species of deer and other herbivores, especially in lower-altitude environments, and on trends in these impacts. A comprehensive synthesis of all existing knowledge and information would be valuable, and should be linked to recent and forthcoming policy imperatives.

There is a need for greater sharing of data and information, and to ensure that monitoring programmes provide results directly useful for management. To identify trends, assessments using standardised methodologies will need to be repeated. A key issue will be to establish the extent to which impacts can be attributed to deer, rather than other herbivores. Given the diversity of habitats and variation in local management objectives, robust methodologies for monitoring impacts – not only on species and habitats, but also on broader public interest issues, such as landscape and recreation – are needed. They will need to be analytically valid and cost effective, providing accessible, reliable, and useful information to enable all stakeholders to make well-informed decisions.

Estimates of sika deer abundance in the Borders

C. Brewer and S.T. Buckland, Centre for Research into Ecological and Environment Modelling, The Observatory, Buchanan Gardens, University of St Andrews, St Andrews, Fife, KY16 9LZ, Scotland

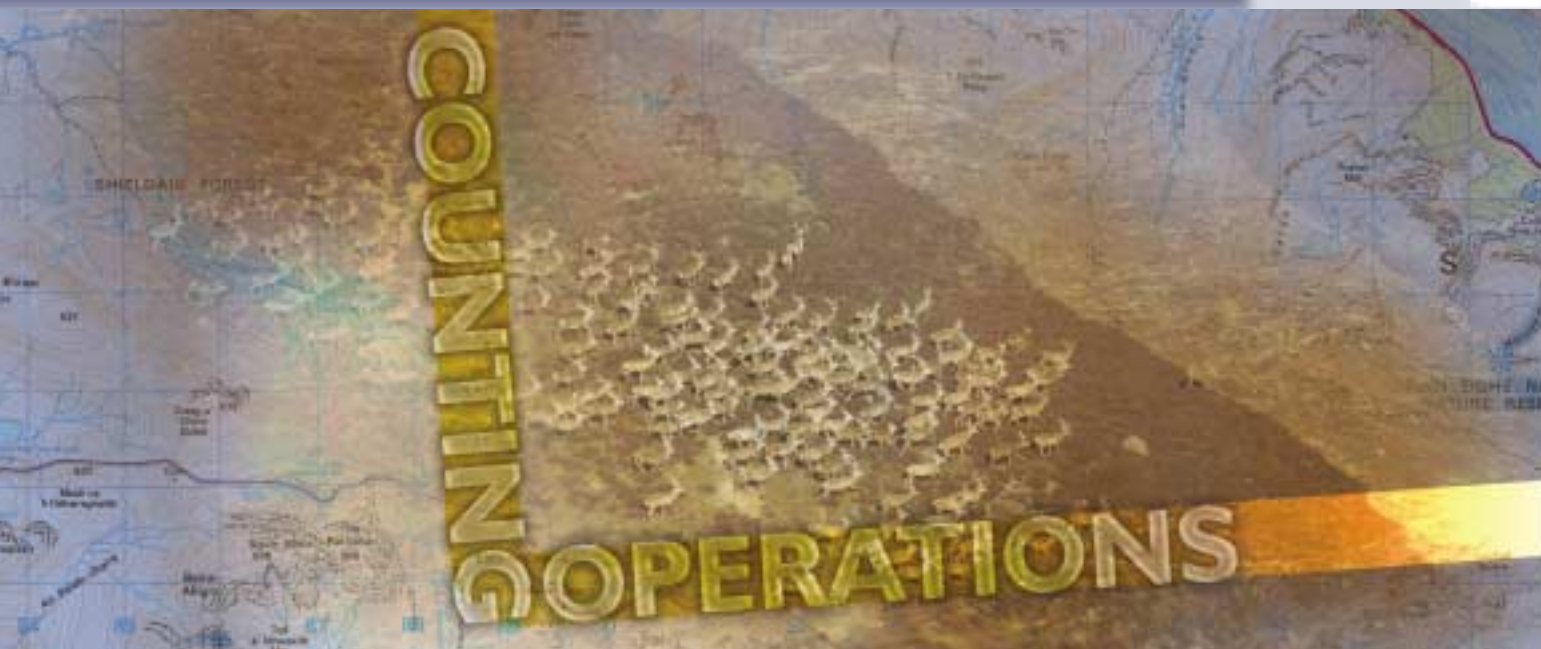
Summary

Sika deer density and abundance estimates for several forests in the Borders of Scotland in 2002 are presented, based on line transect dung surveys within the region. The survey area was divided into thirteen geographic blocks. Line transect methods were employed to estimate dung density in each of four habitat groups: open ground, establishment/pre-thicket, thicket, and pre-fell. The number of pellet groups deposited per day per km² was estimated by dividing these densities by the estimates of dung decay rates. These estimated densities were divided by the defecation rate, to give the deer

density estimate for each block. Abundance estimates were then obtained by multiplying the density by block area.

Total abundance for the set of forests surveyed in 2002 is estimated as 626, compared with 429 deer for the same subset of forests in 1998. Thus we estimate that abundance has increased by 46% in 4 years, an annual rate of increase of nearly 10%. This suggests that the cull for these sites would need to be increased by around 60 each year to prevent further increase.

A preliminary analysis of tree damage indicates no correlation between deer density and proportion of trees damaged. Possible further analyses are reviewed, and the problems of using tree damage for managing deer populations are discussed.



East and West Grampian Deer Count 2005

A count of red deer in the East and West Grampian Deer Management Group Areas was carried out from 22 to 25 February 2005. The aim of the count was primarily to aid in finding solutions for two DCS Sites for Assessment within the two Deer Management Group areas, and for four out of five sub-groups in those locations. The area also contained two Priority Sites. An additional aim was to inform collaborative deer management within and between the subgroups.

To achieve these aims DCS funded the helicopters and contractors, with additional contributions from the Deer Management Groups and also SEERAD. Deer Management Group members also provided valuable assistance with co-ordination, moving deer from woods, provision of fence-line data and counting.

Pre-count planning took place in December 2004, with co-ordinators from each Deer Management Group sub-group identified. Prior to the count, information was gathered on deer fences within the entire area to be counted.

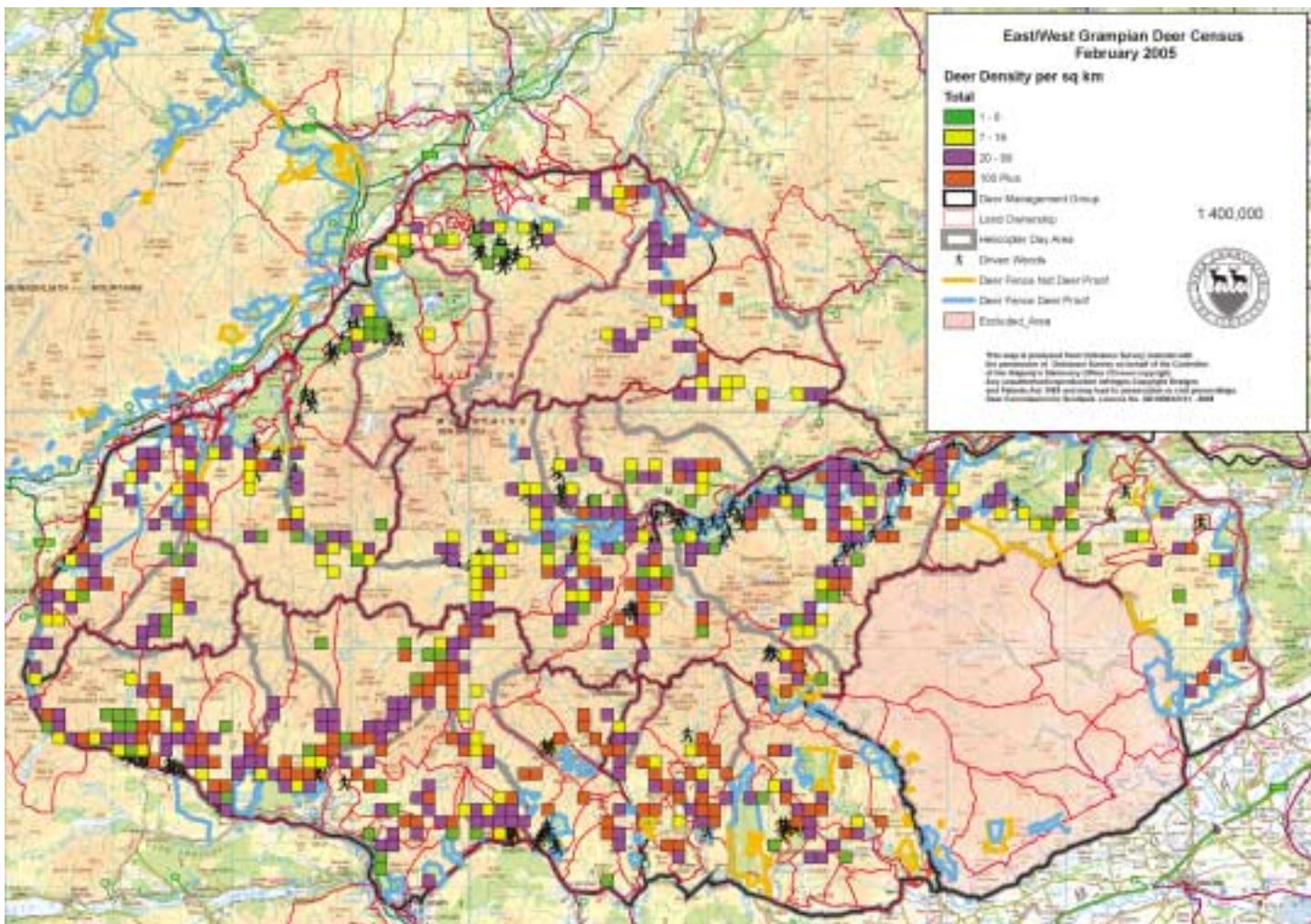
During the four-day counting operation, deer were moved into open areas from woodland areas by 15 DCS contractors and Deer Management Group staff. Deer moved from woods and those already on the open range were counted by observers in four helicopters used simultaneously on each of the four days. On the fourth day, five helicopters were used in the operation. Each helicopter was crewed with a navigator, a recorder, a photographer and a verifier (a representative from the Deer Management Group subgroup). Co-ordination and liaison between helicopter teams and ground teams was used to ensure deer moved from woods were included in the count.

An area of 347,645 hectares was covered during the four days. A total of 3464 deer were counted using sight methods, but digital cameras were also used, with 834 photographs used to count 43,740 deer. The total population was estimated to be 47,204.

DCS estimates that in terms of helicopters, DCS staff, contractor and DMG staff, the cost of the count was approximately £2.20 per deer or £28.27 per 100 hectares.

Details are shown in the following table and map.

DMG	STAGS	UNCLAS-SIFIED	TOTAL	AREA (km ²)	DENSITY (deer/km ²)
Speyside	1,788	5,570	7,358	103,818	7.26
Tayside	5,008	12,852	17,860	80,176	22.27
E. Grampian (subarea 1)	1,614	7,064	8,678	37,185	23.34
E. Grampian (subarea 2)	2,372	4,712	7,084	44,915	15.77
E. Grampian (subarea 3)	22	1,067	1,089	19,431	5.6
E. Grampian (subarea 5)	1,897	3,238	5,135	62,120	8.27
totals:	12,701	34,503	47,204	347,645	13.58





Commission members' profiles (as at 31 March 2005)

Andrew Barbour

Andrew Barbour has worked in various land use sectors, including deer management, for over 20 years. Based in Highland Perthshire, one of his main duties is acting as woods manager for Atholl Estates. His own family owns the neighbouring Bonskeid Estate where he also runs a farming business with his wife. He is a member of the Forestry Commission's Perth & Argyll Regional Forestry Forum and a member of their National Regional Advisory Committee.

Earl of Dalhousie

James, Earl of Dalhousie, is a landowner in Angus. He is President of the British Deer Society, Chairman of the East Grampian Deer Management Group and Scottish Woodlands Limited, and Vice-chairman of the Game Conservancy Trust.

Andrew Hamilton

Andrew Hamilton is a rural practice Chartered Surveyor and a partner with land and estate agency firm Strutt & Parker. He is

the managing agent for a number of sporting and agricultural estates, with specialist interests in rural land management, agricultural holdings, nature conservation, land reform and crofting matters. He has represented clients on several Deer Management Groups. He is an agricultural arbiter and a member of the Scottish Ministers' Panel of Arbiters.

He is the former Chairman of the Rural Practice Faculty of the RICS, Chairman of the RICS Working Groups on Land Reform and Agricultural Holdings, and has represented the RICS on the Tenant Farming Forum, the Scottish Executive's Expert Working Group on the Nature Conservation (Scotland) Act/Bill and the Scottish Executive's Consultative Panels on crofting and land reform. He has been Chairman of St. Cyrus Community Council since 2003.

Peter Mayhew

Pete Mayhew has over 20 years experience of nature conservation land management. He is currently Senior Conservation Manager with RSPB in north Scotland, with responsibility for

over 36,000 ha of land managed by RSPB in the Highlands and Western Isles. Before this, he was Head of Conservation with the British Association for Shooting and Conservation. He is chair of the Capercaillie Biodiversity Action Plan steering group.

James Duncan Millar LVO

He has already served two three-year terms as a Member of the DCS and was re-appointed in January 2002. He served as a Company Commander, Training Officer and Staff Officer at the Ministry of Defence, returning to manage the Remony Estate in 1985. In 1987, he became Chairman of the South Loch Tay Deer Management Group and in 1993 was appointed Chairman of the South Perthshire Deer Management Group. He has been a member of the Scottish Landowners Federation committee concerned with National Planning and Renewable Energy and a member of Highland Perthshire branch of the Scottish National Farmers Union. He is also Convenor of Atholl and Breadalbane Agricultural Society sheep section and chair of Kenmore and District Community Council.

Professor John Milne OBE (Chairman)

Professor Milne lives in Aberlour in Moray. He was a Member of the DCS from 1999-2004 and was Deputy Director of the Macaulay Land Use Research Institute until March 2004, having worked for the Hill Farming Research Organisation from 1970-86. He has specialised in research into the grazing behaviour of cattle, sheep and other herbivores, including red deer, and their effects on hill vegetation, especially heather. He has published widely on these subjects and is involved in a range of scientific societies and bodies. He was a Member of the Executive Committee of the Association of Deer Management Groups from 1996-99 and President of the British Society of Animal Science in 2001-02. He edits a scientific journal, *Grass and Forage Science*.

Josephine Pemberton

Josephine Pemberton is a senior lecturer at the School of Biological Sciences at the University of Edinburgh. She conducts research into the ecology and evolution of ruminants, which includes studies on red deer on the island of Rum, and on hybridisation between red and sika deer in Scotland.

Simon Pepper

Simon Pepper has been head of WWF Scotland for 20 years and is currently its director, working to secure improved policies on natural resource use issues in Scotland. He has served on official advisory committees addressing environmental issues in forestry, aquaculture, farming and sustainable development and is currently on the National Committee of Forestry Commission Scotland and the management board of WWF UK. He keeps a breeding flock of Scottish Blackface sheep on a small holding in Highland Perthshire.

Niall Rowantree

Niall Rowantree has 23 years experience in deer management having worked as a professional stalker in the open range in the western and central Highlands. He spent six years as a deer management adviser/contractor for private estates and various government agencies and nine years with the Forestry Commission for Scotland where he reached the grade of Chief Ranger for Cowal and Trossachs before returning to the private sector. He has also been involved in deer management in England and various locations in Europe and has a particular interest in the sustainable management of deer in a range of desired habitats and in implementation of best practice. He is currently the Head Stalker/Manager of Corroul Estate near Fort William.

Colin Shedden

Colin Shedden has worked for sporting shooting interests for 20 years, in Scotland and in Europe. This includes a three-year period of research on deer management in Scotland for the British Association for Shooting and Conservation and Scottish Natural Heritage. He currently sits on Scotland's Moorland Forum, the Access Forum and the National Goose Management Review Group, as well as being a Heather Trust board member.

Sir Michael Strang Steel CBE

He lives near Selkirk, in the Scottish Borders, where he has farming and forestry interests. He was a Forestry Commissioner from 1988-99 and Chairman of the Native Woodlands Advisory Panel during this time. He is

Chairman of the Timber Marketing Group, Chairman of the Scottish Forestry Trust and was Chairman of Alba Trees PLC until 27 May 2003. He is a member of the Forestry and Timber Association, the Scottish Landowners Federation, the RSPB and is Director, Southern Uplands Partnership.

Professor Susan Walker OBE

Sue Walker lives in Braemar in Aberdeenshire and has particular interests in integrated land and water management. She is a part-time Professor of Geography and Environment at the University of Aberdeen and is a freelance consultant. She is a Board Member of Scottish Natural Heritage, the Scottish Environment Protection Agency and the Cairngorms National Park Authority. She is also a Member of the Fisheries (Electricity) Committee.

Committee structures (as at 31 March 2005)**Deer Management Committee**

Earl of Dalhousie (Convener)
Andrew Barbour
Peter Mayhew
James Duncan Millar
Prof John Milne
Niall Rowantree
Colin Shedden
Sir Michael Strang Steel

Strategy Committee

Simon Pepper (Convener)
Andrew Barbour
Andrew Hamilton
Prof John Milne
Josephine Pemberton
Prof Susan Walker

Resources Committee

Andrew Hamilton (Convener)
Peter Mayhew
Prof John Milne
Simon Pepper
Prof Susan Walker

Research Sub Committee

Josephine Pemberton (Convener)
Peter Mayhew
Prof John Milne
Prof Susan Walker

Best Practice Working Group

Colin Shedden (Convener)
James Duncan Millar
Niall Rowantree

Staff profiles (as at 31 March 2005)

David Balharry (Technical Director)

Manages the technical staff and provides advice and guidance on all species of deer and their management to the Chairman and Members of the Board. With the Director, he undertakes the operational management and policy development of DCS under the direction of the Board.

Alan Corrigan (Operations Manager)

Responsible for the management of DCS vehicles and field equipment, authorisations and organisation of field work operations including deer censuses.

John Craig (Deer Officer)

DCS' Deer Officer for South Scotland with particular responsibility for deer issues with Woodlands In & Around Towns (WIAT) and venison dealers. His work also focuses on potential priority sites, encouraging local collaborative deer management, deer management plans for Scottish Forestry Grant Schemes and DCS authorisations.

Mary Crawford (Office Manager)

Responsible for the south Scotland office and database management, which includes the DCS' Venison Dealers and south Scotland property databases, statutory annual cull returns, monthly/annual venison records and the Deer Management Committee (DMC) Minutes. She is also the first point of contact for enquiries regarding existing and potential venison dealers.

Mike Daniels (Research and Data Manager)

Leads on research and data collection, data management and analysis and habitat monitoring.

Miles Davis (Geomatics Officer)

Responsible for managing the Deer Commission's Geographical Information System. He also assists the Research & Data Manager.

Sue Dymond (Management Support Officer)

Technical Support Officer for the North – administration of authorisations, annual cull returns and property information for the North.

Raymond Edwards (Head of Administration)

Responsible for the management of the administrative team, finance and office management. The post also covers good governance issues, training provision and human resources issues.

Laura Fenton (Administration Support Officer)

The Technical Support Officer in the South supports the Office Manager and the Technical staff based in the southern parts of Scotland and is first point of contact regarding enquiries from potential and existing subscribers regarding Best Practice Guidance.

Jessica Findlay (Inverness Office Management Support)

The Management Support Officer is responsible for assisting with the development of staff structures, management team support, maintaining the consultations register, committee meeting arrangements and arranging meetings with Government agencies and non-Government agencies.

Donald Fraser (Deer Support Officer)

Provides support for the Deer Officer in the North West particularly in collaborative deer management and in the collection, presentation and reporting of data. DCS lead on advising FCS on deer matters relating to Scottish Forestry Grant Scheme in the Highland Conservancy area.

Iain Hope (Deer Officer - North East)

DCS lead for area-based casework relating to the DCS Priority Site Process, collaborative deer management, Moorland Management Schemes and Scottish Forestry Grant Schemes.

Robbie Kernahan (Deer Officer - North West)

Deer Officer for the North West of Scotland. He leads on all Priority Site work and collaborative management in the North West of Scotland and is also the national lead for fencing and road traffic accidents involving deer.

Peter Kirk (Deer Officer - South West)

DCS lead for Priority Sites, collaborative deer management, authorisations and Scottish Forestry Grant Schemes in the South West of Scotland. He is also the national lead on deer welfare and species biology.

Colin McClean (Deer Officer - North East)

Deer Officer for the North East of Scotland including Priority Sites and collaborative deer management.

Alastair MacGugan (Deer Liaison Officer)

The Deer Liaison Officer's role includes collaborative deer management, authorisations, and advice on deer management plans prepared to support Scottish Forestry Grant Scheme applications.

Graeme MacRae (Field Team Manager)

The role of the Field Team Manager includes collaborative deer management, habitat assessments, deer censuses, authorisations and general field duties.

Claire McNeilly (Procurement Officer)

The main roles of the post are purchasing goods and services on behalf of the DCS, and the preparation of monthly and annual financial reports

Nick Reiter (Director)

Overall management and policy coordination of the Commission, including the proper financial control and governance of the organisation, the deployment of staff and resources, and the provision of advice and support for the Chairman and Members of the Board.

Carol Taylor (Administration Support Officer)

First response for public enquiries (e-mail), front of office reception and telephone enquiries for the Inverness Office, and general administrative support.



ABSTRACT OF INCOME AND EXPENDITURE FOR THE YEAR ENDED 31 MARCH 2005

Note that 'DCS Administration' includes support for the Commission's Board and Committee meetings, adherence to good governance requirements and a range of administrative support for DCS' key tasks. The following notes form an integral part of this abstract:

- (1) This figure includes the provision of additional allocations received from SEERAD to provide for:
- (a) provision of disabled access, development of 'Knowsley' to provide additional office space and replacement of timber garage. The Commission were given an additional allocation of £75,000 during the year to (a) upgrade and develop disabled facilities to meet new legislation requirements, (b) develop the building to create more office accommodation and (c) replace an existing

garage. During the year, work was completed on upgrading and developing disabled facilities together with replacement of a timber garage. No work was carried out to create additional office accommodation. The costs of the work completed amounted to £41,938 with the remainder being returned to the Scottish Executive. The allocation of £41,938 has been included in the above Abstract of Income and Expenditure and.

- (b) deer census work (£100,000). During the year, DCS received an additional allocation of £100,000 to assist with the costs of deer census work in the Grampians. From this allocation, DCS incurred costs amounting to £88,560 with the remainder being returned to the Scottish Executive. The allocation of

- £88,560 has been included in the above Abstract of Income and Expenditure.
- (2) Income received by the Commission is through the disposal of vehicles, equipment surplus to requirements and re-imburement of costs relating to field work.
 - (3) The increase in costs under the heading Members' Salaries was due to an increase in the number of Members from 9 to 11 with effect from 1 January 2005.
 - (4) The increase in costs under the heading Chairman and Members' Travel and Subsistence is due to the late submission of claims in respect of costs incurred during the financial year 2003-04.
 - (5) The increase in costs under the heading Staff Travel and Subsistence is due to the late submission of claims from financial year 2003-04 and costs associated with the deer census carried out by staff in the Grampians.
 - (6) The increase in costs under the heading Accommodation is due to the development of 'Knowsley' to upgrade disabled facilities, provide a replacement garage and develop office accommodation.
 - (7) Costs under the heading of Administration included capital expenditure on Information Technology equipment. Costs increased during the year to provide tablet laptops for helicopter work, digital scanners for electronic filing systems and the costs of appointing a new Chairman and Board Members.
 - (8) The heading Other includes the costs of staff training, field staff equipment and protective clothing. Additional costs were incurred during the financial year due to the need to purchase and equip a suitable trailer for field operations, to develop a secure area within 'Knowsley' for storage of field staff equipment and to purchase additional equipment to maintain DCS exemplar status. DCS also invested in severe weather clothing.
 - (9) The increase in costs under the heading Research, Development and Training was due to the need to develop DCS' database systems to meet e-government targets by the end of 2005.
 - (10) The table at the foot of the Abstract details expenditure against each Corporate Target for 2004-05. Details of expenditure against each Corporate Target for 2003-04 are shown in brackets.

	Totals			
	2004/05	2004/05	2003/04	
RECEIPTS	£	£	£	
Provision	1,474,918 (1)		1,218,521	
Other Receipts	26,579 (2)		31,731	
Total		1,501,497	1,250,252	
<hr/>				
PAYMENTS				
Salaries and Wages:				
Chairman (including Pension)	28,398		27,811	
Members	39,843 (3)		36,999	
Staff	579,541		556,097	
Total		647,782	620,907	
Travel and Subsistence:				
Chairman and Members	14,831 (4)		8,998	
Staff	29,971 (5)		22,105	
Total		44,802	31,103	
Other Operating Payments:				
Accommodation	125,315 (6)		72,315	
Administration	226,788 (7)		167,742	
Vehicle and Transport	160,159		163,964	
Other	128,068 (8)		56,798	
Research, Training and Development (includes production of Best Practice Guides)	168,134 (9)		137,402	
Total		808,464	598,220	
Grand Total		1,501,048	1,250,230	
Excess of Income Over Payments		449	22	
<hr/>				
Corporate Target	Actual Costs		% of Total	
	£		Actual Costs	
A : Policy Development	122,448	(65,266)	8	(5)
B : Deer Management	483,363	(511,787)	32	(41)
C : Regulatory Provisions	146,021	(110,275)	10	(9)
D : Information, Advice and Training	357,087	(220,026)	24	(18)
E : Deer Related Research	143,326	(123,762)	10	(10)
F : DCS Administration	248,803	(219,114)	16	(17)



Executive Summary of Responses to the DCS Consultation on Close Seasons

March 2005 : Consultation Process

The Close Seasons Consultation Paper was published on 29 October 2004. The consultation list included all members of the Deer Round Table, the Chairs of all Deer Management Groups, local authorities, Association of Chief Police Officers (ACPOS) and private land management companies. The initial deadline for receiving responses was 4 February 2005 but was subsequently extended to 25 February to allow Deer Management Groups, in particular, further opportunity to respond.

In total 1193 responses were received. Of these 1001 were received en bloc from the

Scottish Gamekeepers Association (SGA) and took the format of a pre-printed response within which respondents were required only to complete their name and address. In addition, a number of individually posted SGA pro formas were received. Annotated SGA pro formas were analysed individually.

Analysis

The primary purpose of the close seasons consultation was to elicit the spectrum of opinions of those interested in deer management in Scotland. Specifically, the consultation sought views on the concepts and issues behind the need for close seasons rather than seeking to concentrate on specific dates.

As it was intentionally not a referendum on a suite of proposed dates, the analysis has concentrated on the range of statements produced. It has not attempted to rank the common responses by popularity.

Q2.1 Duty of care through legislation or Code of Practice

In absolute terms, the majority of respondents were not in favour of a duty of care prescribed specifically in law.

There was agreement amongst agencies and a number of NGOs that the degree of responsibility should be proportionate to the degree of intervention. In terms of deer managers, this is best described through a set of guides and not through primary legislation. The difficulty of providing a meaningful definition of duty of care that could withstand legal challenge was further reason for using codes. The quasi-legal status of these codes was also questioned. Although animal welfare organisations believed in a greater degree of responsibility, codes were still viewed as the main policing method.

There was general confusion about the difference between codes of practice and guides. Lantra described the approach taken by Health & Safety legislation where ministers sanction a code of practice; all other guidance is advice. This guidance has a critical role in providing learning support material and could be used to provide examples of how a practitioner met the Statutory Code when being challenged. Lantra felt that with the low degree of intervention in wild populations, the duty of care was limited. Further, the duty of care rested with Government and the industry as a whole to ensure that there was an appropriate skilled and resourced workforce.

Q2.2 Should all those who kill deer be required to demonstrate minimum standards of competency?

There was general agreement that competence should be demonstrated. There was however considerable divergence as to what this meant and what form the demonstration should take. A number of individual responses and SGA explained that taking a guest to a target was the most common method of competency testing and that this combined with Best Practice Guidance was adequate.

These responses did not indicate whether there should be any form of independent check.

A number of NGOs and SNH were concerned that a legal requirement to demonstrate competency may have implications on the ability of landholders to control deer in season. A number of sporting NGOs further believed the ultimate responsibility lay with the landowner and it was the landowner's responsibility to ensure the competence check was appropriate. They cited the training and assessment opportunities offered through voluntary qualifications such as the Deer Stalking Certificates and S/NVQs in game-keeping and wildlife management as demonstration mechanisms.

Some NGOs advocated that the demonstration of competence should be tied in with issuing Firearms Certificates. ACPOS supported the concept, but outlined a number of difficulties that would require greater consideration before this approach could be considered.

A number of NGOs including SSPCA, the John Muir Trust and SRPBA believed that all who shot deer should be required to be independently assessed as fit and competent.

Q3.1 Are there moral reasons for a close season?

There was no clear opinion as to whether there were moral imperatives that dictated the need for close seasons. A number of respondents commented that other mammals were not subject to the same degree of legislative control as deer. SSPCA, RICS Scotland and ADMG thought the moral reasons for close seasons depended on the degree of intervention.

A number of respondents commented on the 'distasteful' aspect of shooting pregnant hinds and felt there were welfare considerations to shooting females at certain periods as well as shooting stags after the rut.

Q3.2 Can concerns about shooting in the close season be met by codes and when should Government get involved?

No clear, outright opinion was expressed. Most agencies agreed that codes and best practice guidance had a strong role to play in reducing welfare issues. There was recognition that Best Practice was already helping to influence the actions of owner/occupiers who currently shot during the close season to protect against damage.

A number of NGOs argued that government intervention was required to moderate welfare concerns during particular times of the year and that this should be through a close season with appropriate authorisations. Other NGOs argued that ultimately the responsibility for welfare cannot be derogated to a third party. This combined with the development of Best Practice removed the need for legally imposed close seasons. Those same NGOs strongly supported the application of voluntary close seasons implemented through agreement at the Deer Management Group level.

Q3.3 Should seasons vary by species and sex?

There was a majority agreement that if seasons were in place then they should vary by species. The reasoning varied from biological considerations to the sporting considerations of differing species. However, a number of NGOs advocated a compact close season based on females having dependent young and, if this was adopted, they would advocate no differentiation. A number of NGO and agency responses believed the biological variance was not so great as to warrant different dates for different species.

Q3.4 Should seasons vary geographically?

There was general agreement that while there were different considerations between geographical areas, and woodland versus open

range habitats in particular, the legislation framework required would be too complex.

Q3.5 Should close seasons take account of the stage of pregnancy?

There was a majority view that close seasons should take account of the stage of pregnancy. The arguments for this included the abhorrence of shooting females heavy in calf both from the sensitivities of the stalker and from the possible reaction by the general public.

One welfare argument advocated by a number of NGOs was the possible risk to females close to full term from excessive disturbance, although no evidence was cited. Additional arguments included the need for a close season for females that covered the calving dates and a period beforehand to allow for early calves.

Advocates for Animals and the League Against Cruel Sports did not agree that hinds should be shot while they were pregnant and felt that there was a welfare issue for the growing foetus.

Q3.6 When are juveniles no longer dependent on their mother?

The majority response was 'no response'. Of those that had an opinion the majority view was that it was difficult to set the date, but if supplied this ranged from 2 to 24 months with a slight weighting to 10 to 12 months. There was clearer opinion about the ability to set a date when the juvenile was no longer nutritionally dependent on its mother and this was related to weaning.

Q3.7 Do juveniles require a close season?

There was some confusion in that a number of responses stated that there should be a close season for juveniles because the hind season existed without further testing the arguments for or against.

A number of NGOs suggested that there should be a close seasons for juveniles at least until they were at foot. This would remove any possibility that misidentification could lead to young females being shot where they had a calf lying in cover.

The NGOs who advocated earlier that there was no clear need for legal close seasons did not believe that this should be any different for juveniles. There was a clear difference of opinion between those on the open range and those who stalked predominately in woodland; those in woodland more in favour of not having a close season for juveniles.

Q3.8 Do males require a close season?

The majority of respondents advocated a close season for males. This was based on the premise that open range red stags require protection after the rut because they are in poor condition and require access to undisturbed winter feeding and shelter. BDS exemplified this by their contention that protection is required only for upland red males but defining upland would be impossible and therefore there was a need for a short winter season for red stags.

BASC believed that red and roe males did require a season, citing post rut welfare considerations for red deer and thus the present dates should remain. For fallow and sika, BASC advocated that a change to the close season would increase the efficiency of control but that there was a need for a close season to ensure these species were regarded as a sporting quarry rather than as pests.

SNH, FCS, NTS, RSPB, JMT and the RICS believed that there was no biological or welfare argument that required males to have a close season.

Q3.9 Should close seasons be based only on welfare or other considerations?

The majority of responses considered that close seasons should be based on considera-

tions other than welfare, albeit welfare was an important component and should not be compromised for the sake of advancing these other considerations. Venison, socio-economic and damage ranked the highest within the issues identified.

The agencies mainly took the view that the primary consideration should be welfare and that other issues were operational issues that were the responsibility of deer managers and should be directed by Best Practice Guidance. A number of the non-sporting NGOs took the same view, believing that using close seasons as a means to manipulate population was a mistake.

Q3.10 What close season dates should be set for all four species of wild deer in Scotland, split by sex?

The majority of respondents advocated the status quo. Very few respondents therefore put dates forward. For those that did there was considerable variance in the dates given.

Q4.1 When should killing be allowed in the close season for the protection of property?

The majority of respondents sought the status quo with regard to occupiers' right to protect their property. However, these same respondents included the need for the action to be authorised through DCS. This would imply that they sought a tightening of the current legislation.

A number of NGOs considered that the occupier should have the absolute right to protect property from damage by deer, the onus of proof that the action was not reasonable resting with DCS. Scottish Rural Property and Business Association (SRPBA) and ADMG advocated an absolute right to protect property but that it should be moderated through authorisations by DCS, who would test for welfare issues.

A number of respondents wanted to means test cases to show that serious damage was or

was likely to occur and that all other reasonable means had failed. FCS highlighted the response of a number of organisations, that it is almost impossible to define serious damage or the likely threat of serious damage in a robust enough manner. RSPB put forward support for the definition 'a change in state that is regarded as detrimental to legitimate objectives'. They did, however, look for means testing by DCS. Authorisations, they felt, should be the exception not the norm.

BDS and BASC did not support the legal advice provided to DCS regarding the potential for deer to be considered as property under human rights legislation. BDS supported a strong authorisation process where DCS would be required to means test applications. BASC believed that occupiers should be able to protect property where there was reasonable cause and damage is serious. Further, that this should not be means tested, but that the owner should be able to provide evidence of both scale and extent of the damage if challenged.

Q4.2 Should Section 25 be expanded?

Numerically the majority of respondents saw no need to change Section 25. Those that did respond to this question appeared to be mainly concerned with open range red deer.

FCS, SNH, RSPB, NTS and JMT were more supportive of a change where not taking action in certain circumstances would lead to greater welfare concerns. A number of organisations felt that there was little difference between disease and starvation while others felt that it would be difficult to define starvation in a meaningful manner and that would not be applied to wider circumstances.

Q4.3 Should killing during the close season be allowed in the interests of public safety?

The majority of responses supported the status quo. There was slight disagreement between a number of respondents as to

whether 'in the interest of public safety' should be further defined. However, a number of NGOs supported the present definition used by DCS.

A number of NGOs supported the taking of deer in the interest of public safety but only when all other reasonable mitigation measures had failed. BDS advocated that the action should be taken generally through the authorisation process but that the law should allow for retrospective authorisations in exceptional circumstances.

Q4.4 Should killing during the close season be allowed to protect natural heritage?

The majority of respondents supported the status quo. While acknowledging the need to protect the natural heritage, most of the sporting NGOs felt that the evidence required to issue authorisations needed to be stricter and that all other measures would need to be shown to have failed, pointedly commenting that deer were an integral part of the natural heritage in their own right.

SRPBA felt that deer management should not take place on a reactionary basis and that by allowing close season shooting (particularly with severely shortened seasons) it would be admitting that deer control for the environment had failed. SRPBA advocated the requirement for well worked up management plans that would facilitate more effective open season culling.

Q4.5 How can exceptions be prevented from being overused?

Greater DCS enforcement with recourse to legal action and the development of Best Practice were the main methods described. Lantra highlighted the benefits of further investment in training at all levels within the deer sector.

There were a number of calls for the development of a tagging system or an increased scrutiny of cull returns. A number of individual

responses proposed a ban on the sale of venison during the close season.

NGOs that argued against the need for close seasons pointed out that this would not be an issue as abuse would be related to welfare. Cruelty legislation would then be the mechanism by which cases would be tested.

Q5.1 Should all taking in the close seasons be subject to the same process?


There was a clear majority support for all close season shooting to be authorised, in effect asking for the absolute removal of occupiers' rights to protect property and for the direct intervention of Government. It is of interest that in reply to earlier questions there was a strong call for minimal interference from Government and that as deer were wild animals, there was no need for a statutory duty of care nor the establishment of an owner's responsibility towards that wild resource.

Highland Council, NFUS and SAC all felt that there would be no further welfare benefits to removing the current Section 26 conditions.

Q5.2 How should owners/occupiers deal with emergency situations?

Proposals ranged from retaining the status quo to not allowing any close season shooting. Where respondents sought the intervention of DCS, there was a split as to whether this should be through a rapid response from DCS officers, retrospective authorisations or simply requiring the notification of action to DCS.

photographs (source material) © Neil McIntyre and DCS 2005
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A large herd of deer is captured in motion, running across a vast, snow-covered field. The deer are silhouetted against the bright, overexposed snow, creating a sense of dynamic movement. The background is a soft, hazy landscape of rolling hills under a bright sky.

Further copies of this document are available from

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