**NatureScot – South Grampian Deer Management Group**

**Minutes of meeting held at Kilry Hall**

**Wednesday 25 January 2023**

CD asked everyone present to give their names and who they were representing. Attendees as follows:

Doug McAdam DMG Chair

Deirdre Stewart, DMG Secretary,

Helen Macintyre – assisting DMG officials

Will Reid – Callater

Liam Donald - Glenshee

Major Gibb – Glen Isla House

Jamie Gammell and Susannah Gammell – Alrick

Kevin Peters and John Thomson – Forest & Land Scotland

Angus McNicoll – Invercauld

Mark Mitchell – Bell Ingram representing Scottish Water

Hugh Niven – Clova

Colin McClean – CNPA

Chis Donald **(Chair)** and Gavin Clark, NatureScot

DMcA intimated that he had received apologies from Richard Gledson (Bachnagairn) and Florian Kuhnle (Tulchan) both of whom were unable to attend. DMcA relayed the position from RG which was that they were willing to sign the S7 but had some concerns over the current final draft which had been circulated for signature. Also noting that their deer density across the whole estate was already circa 8/km2.

It was noted that Major Gibb, Jamie Gammell and Hugh Niven all had other pressing engagements later in the morning and may not be able to stay for the whole meeting.

CD also informed the meeting that NatureScot had been given feedback from the agent acting on behalf of Archie Bennett (Auchavan, Glen Cally etc) , and their position was that they were minded not to sign the S7.

CD gave an introduction to the purpose of the meeting. NatureScot’s view is that damage is occurring to the protected area, although noting that there has been a reduction in deer density from circa 45/km2 twenty years ago, to around 16/km2 currently. The proposed S7 would provide a framework for collaboration and could provide help and support to those who sign up. He also noted that the group’s DMP is out of date and acknowledged that the DMG had requested a S7 in spring 2022. The S7 as drafted looks to achieve a deer density of 10/km2 or below within 3 management seasons i.e. by spring of 2026. Since the first draft had been circulated in late September 2022 we had listened to points raised and made some accommodations. CD also noted that when the DMG had requested that a S7 be prepared, it was so as to enable further regulatory action if needed against any parties who didn’t sign up or engage in collaborative deer management. However the S7 process requires a purpose and evidence based on the pillars of sustainable deer management and the appropriate purpose was based on environmental evidence. He confirmed that those who did sign up and deliver S7 would not be subject to further regulatory action. The target and timescale for achieving the reduction were fixed and the detail of how it would be delivered would be matters for the Steering Group to deal with after the agreement was signed. He further explained the process for those parties who did not commit to the S7 process, NatureScot would pursue use of S8 which amounted to a mandatory control scheme. Finally, he noted that Heritage Horizons (HH) would come into play with the development stage due to report soon which could feed into a new DMP or land use plan alongside the S7.

DMcA asked if the deer density of <10/km2 was the main output of the S7 and CD and GC agreed it was although clarified that the purpose and targets were to prevent damage to the habitats and deer density was a proxy for that.

DMcA asked if there was scope for revision of the final draft S7 which had been circulated. CD answered that the request had been for parties to attend today with the purpose of signing the draft as it currently stands.

DMcA asked for clarification that S8 would be used selectively, and not against those who were signed up to the S7 process and CD confirmed that was the case.

CD noted the external pressures with significant press and other interest in what happens at Caenlochan. He sees the S7 as a positive measure which can help both NatureScot and the estates by demonstrating that action is being taken.

SG asked what resources would be available, and also wondered if deer counts could be done more often to provide better information as she felt the cull allocation as presented did not accurately reflect the movement of deer? CD confirmed that deer counts would be carried out along with habitat monitoring. There was discussion over the frequency of counts, noting that in many other parts of the country counts were undertaken on a 5 year cycle and the Caenlochan area was already subject to more frequent counting. CD clarified that future deer census would reset the population model but would also require input of annual variables such as recruitment and mortality.

GC explained how the cull allocation had been calculated while noting that any count was only a snapshot and had to be interpreted with caution at an individual property level. This was the reason the allocation used a zonal approach.

JG emphasised the regular and significant movement of deer from outside the DMG (to the west) and this is exacerbated by disturbance from hill walkers. He also asked for clarification on who owns deer which might be shot by NatureScot in a control scheme. CD noted that the Act laid out the provisions for allocation of costs in a control scheme.

Major Gibb asked NatureScot to confirm what level of maintenance cull would be needed if the population was reduced to the level sought? GC replied that the population model indicated a maintenance cull of around 300, but this was some distance in the future and the models are subject to numerous variables and so have to be treated with caution.

Major Gibb also asked if public support was on offer if stalking businesses became unviable. Both CD and CMcC confirmed that there was no public funds available to support a stalking business.

CMcC noted that Heritage Horizons was one way in which public funds were available to look to alternative income streams and assist businesses to restructure if necessary. However he also noted that some of the neighbours to South Gramps DMG, such as SDNA DMG are already at or below the level of population which NatureScot are seeking, and are running viable and high quality stalking which continues to provide jobs – stalking businesses demonstrably can work at that level.

Major Gibb left the meeting without giving commitment to sign the S7 as presented.

JG again reiterated that movements of deer from the west needs to be better taken into account. CD noted that the S7 boundary is to a degree arbitrary and there may be arguments for making it both larger and smaller – the issue of where to draw the line is not unique either for the S7 of for the DMG boundary itself. Again these were issues which could be examined by the Steering Group during the delivery phase.

DMcA asked what the process would be for amending the S7 boundary. CD responded that the Steering Group would have to consider if the current boundary undermined the purposes of the S7 and NatureScot could then enter into dialogue with other parties to address the issues, and invite them to join the S7 if appropriate or NatureScot engage with these parties to support the purpose of the S7 through other methods.

HN asked what is happening now that FLS have taken over ownership of Glen Prosen? JT answered that they are culling deer and returns have been shared with the DMG. A management plan will be developed but may take 2 – 3 years. It is unclear to what extent fencing may be used but in any case FLS would be looking to reach a deer density of perhaps 2 – 7/km2. They would be more focussed on hinds as a means of population reduction. If fencing was used there would be a compensatory cull.

CMcC described the process of HH and that the development phase is nearing completion. If S8 regulation is needed he noted that both CNPA and the ultimate funders (Lottery) would need to consider if it was appropriate to continue to the delivery phase.

DMcA gave cull returns for the season to date – [ 589 / 539?] and said their own modelling showed that if the same level of cull was continued that would reduce the population to the level sought within the time specified (i.e. spring 2026).

KP asked about the rationale for not including those DMG estates to the south (zone 4) when it was recognised that deer did move from here back up into the core area. CD noted this was essentially the same point as raised earlier and the same process for expanding the area of the S7 would apply.

DMcA asked how the success of the S7 will be judged? CD reiterated that the process needs to be an adaptive one and that is the fundamental purpose of the Steering Group. The purpose of the S7 was to prevent damage to the designated site and NatureScot was aware that habitat recovery to favourable condition may be slow. However preventing damage is more straightforward and addressing deer density was the first step.

CD then asked to go around the table asking for an expression of intention to sign;

WR – defer to AMcN but concerns about delivery of the allocated cull. He reminded the meeting that he had also mentioned at the previous meeting the effect of hare populaitons.

AMcN – unable to sign at present because the terms presented are not compatible with the contracts with sporting partners. They believe the cull proposed (over 3 years) would reduce the deer density at Callater to around 4/km2. It is also undeliverable. He further noted that a long term strategy beyond the reduction cull phase is needed. Furthermore, he requested that the S7 be delayed until the Heritage Horizons report is available and didn’t see the necessity of the agreement being signed today. He proposed a new timeline be agreed today such that an agreement would be in place before the start of the 2023 stag season. He felt a lack of confidence in the process which had got us to the present situation.

GC noted that the cull allocation in Annex 4 of the final draft S7 is for one year only and thereafter would be subject to adaptation – this is explicit in the agreement as presented.

CD answered that the imperative is that the situation has persisted for many years and damage cannot be allowed to continue. Culls in recent years have been too low – albeit there may have been reasons for that. Furthermore, if there are parties who decline to sign the S7 agreement and NatureScot has to pursue further regulatory action such as S8, that would take time and in order for it to be in place by next season, we needed to pursue the S7 being signed now.

DMcA asked if amendment can be made to the draft agreement to clarify that the cull allocation is only indicative. CD confirmed that would be acceptable. GC added that the footnotes to the cull allocation table in Annex 4 already state that it is indicative at a property level and that focus should be on the zones.

DMcA further asked if it can be made explicit that the Steering Group would be able to seek expansion of the boundary of the S7. CD answered that the agreement and Annexes already make provision for this.

AMcN commented that he thinks the change in Glen Prosen objectives will have a significant effect. JT agreed that could be the case but felt it is impossible to look too far ahead. CD added that deer movements will be subject to change as local culling pressure increases and this underlines the need for an adaptive approach.

JG noted that he was minded to sign a S7 but felt that these changes being discussed needed to be resolved first and incorporated in a revised agreement. SG agreed and AMcN added that he felt it was unreasonable for those not signing today to be at risk of regulatory action when some simple changes should be able to be agreed relatively quickly and would encourage far more of the parties to sign.

DMcA asked whether the S7 was competent if some parties signed but others didn’t. CD said yes but regulation would then follow for non-signatories in a parallel process.

HN agreed that it was unreasonable to expect parties to sign today when these potential amendments had been identified. CD offered that the changes sought would be recorded in the minutes today and clarification issued thereafter, but those present favoured reissue of a revised text and conclusion to signing at a further meeting within 2 weeks

DMcA also pleaded for a revised draft to get more on board. There was discussion around the DMG’s response to the previous draft, including their request for more recognition of socio-economic factors. Also that a revised draft to a tight timescale would give those not able to be present today the chance to sign. CD noted that all parties had been given adequate notice of the meeting and it was their choice not to be represented. NatureScot has balancing duties, and do consider other factors of public interest such as socio economic factors. He also confirmed that in this DMG and deer range, in the balance between environmental factors and socio economic, the evidence is weighted to the environment as the priority and that other DMGs/properties in the Highland red deer open range operate viable and successful businesses within the 10/km² limit.

JG and SG said that while minded to sign they would prefer to see the amendments discussed being incorporated. They then left the meeting due to another commitment.

GC then highlighted that both of the amendments being requested are actually covered within the existing text. He quoted para 8.2.2, that *the Steering Group will*

“Consider future population levels and cull targets, and any other deer management topic or activity which will assist the Purpose of the Agreement to be achieved, including expansion of the Control Area”

Also regarding concerns over the cull allocation in Annex 4 of the agreement, the footnotes to the table (no4) said that “individual property allocations should be considered indicative.”

In discussion, others thought these points needed to be more upfront and explicit. It was clarified for the avoidance of doubt that the change would be about the Steering Group’s ability to influence the boundary of the S7, including expansion, but not about expansion of the S7 area to cover additional properties at the present time.

DS asked why Balnaboth had been excluded. GC answered that it had been felt that the change in ownership of Glen Prosen would make Balnaboth of less significance.

MM advised that Scottish Water would sign the S7, but noted that if amendments were to be made there was little point in them signing the agreement today and then having to incorporate variations.

AMcN – minded to sign but would need to discuss further with the estate’s sporting partners.

JT confirmed that FLS is willing to sign today.

There was discussion around the merits or otherwise of including the cull allocation as currently presented at Annex 4. A range of views were expressed. On one hand if it was only indicative then it was meaningless. Others felt that without some indication of cull allocation there was insufficient for individual estates to know what was being asked of them and hence give them the confidence to sign.

DMcA suggested the allocation could be replaced with a paragraph setting out how an allocation would be achieved.

GC also pointed out that the S7 would provide the basis for any further regulatory action against non-signatories so needed to provide clarity on what was requested of them. He was unsure whether it would be competent to remove the allocation entirely and would have to take advice.

DMcA asked about the status of the meeting. It had been called by NatureScot as a Steering Group meeting but as the S7 was unsigned, he felt it should be considered as a proposed Section 7 NatureScot liaison meeting.

In conclusion it was agreed:

1. A further meeting would be held at the same venue on Friday 10 February
2. NatureScot would prepare amendments to the current draft and send those to the DMG office bearers who would discuss with members
3. A revised version for signature would be circulated ahead of the meeting on 10 Feb, with the expectation that this would be signed by authorised attendees or by that date for any that were unable to attend.
4. If land holdings decide not to sign on or by the 10th February they carry the risk of regulation.
5. Draft minutes of today’s meeting would be circulated ahead of the next meeting

JT noted he was not available on the 10th but would make separate arrangement with NatureScot for signing.

The meeting closed.