

Scottish Woodlands Ltd

The Wildlife & Natural Environment Bill

(An abridged version of this article appears in the Client Newsletter, Autumn 2009)

The way wild deer are managed in Scotland has come under the Holyrood spotlight as part of a wider review of wildlife legislation. Current deer legislation in Scotland is effectively derived from two Acts, the Deer (Scotland) Act 1959 and the more recent Deer (Scotland) Act 1996, with the latter essentially only updating legislation, making the legal framework 50 years old. After an initial consultation during 2008, Deer Commission for Scotland (DCS) submitted advice to Ministers that current legislation was not 'fit for purpose' and the result is that deer law has been included in the wider review of wildlife law under the current draft Wildlife & Natural Environment Bill.

Deer occupy an unusual dual role in forestry which varies according to the type of woodland and species of deer present. Firstly, as woodland managers we all recognise the importance of deer to the forest environment and as a source of employment, enjoyment and revenue with many investors drawn by the attraction of some of the best stalking in the world. But secondly, deer are also a serious economic threat, being one of the few large mammal groups with a taste for trees, capable of causing significant damage if unmanaged. This has led to the development of a network of both amateur and professional stalkers specialising in woodland deer management, contributing significantly to the annual cull of all species of wild deer in Scotland. In recognition of the need for effective year round control, the forest industry also currently benefits from exemptions from the close seasons to control deer to prevent or react to damage to trees and timber, which are important concessions and arguably result in a noticeable proportion of achieved culls.



Although the final shape of new legislation is difficult to determine at this stage, a public consultation into the Bill was ongoing until 4th September and as a Company we responded to ensure that our clients' interests were represented. The Bill is looking at three main themes, firstly being the statutory protection of deer (closed seasons), secondly, competence of the practitioners and thirdly, the concept of collaborative deer management.

With regard to closed seasons, the consultation questioned whether these should be removed in favour of an increased training-based approach, with all those undertaking deer management registered as 'fit and competent'. Although, as a forest management company we fully support some form of

stalker training (most of our sporting tenants and occupiers already hold the DSC1 course, which is likely to represent the assessment level), we feel that this should not be linked too closely to seasons as these should represent a safeguard to deer welfare. As such we felt removal or significant alteration of the closed seasons is unnecessary and would prefer retention of the occupier exemptions, even if further regulation of this area is required.

With regard to collaborative deer management, we felt that clear interpretation of what this means is required. As a business we are fully supportive of Deer Management Groups where these exist, but these were primarily set up to promote sustainable management of herding red deer on the open range, where individual owners share a common deer resource, and where over exploitation by one individual can have a detrimental affect on the stalking and economic opportunities available to another. In forest situations such cooperation is less necessary, as cull levels tend to be assessed specific to each property as opposed to over a wider geographical range, and are often a reaction to identified damage or threats. Furthermore, roe and sika deer account for a significant proportion of the woodland cull, both of which are more isolated in their habits, making a decision on what to shoot more down to what is physically achievable as opposed to selection by age or quality.

As part of the proper management of forests and woodland it is important that owners and occupiers continue to be in a position where they can carry out legitimate deer control for forest protection provided this is done with due regard to Best Practice, regulation and of course deer welfare. In this way we can ensure deer and trees can be treated as an asset and we await the draft legislation with interest.

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