

EAST LOCH SHIEL DEER MANAGEMENT GROUP CONSTITUTION

Updated: 24th April 2019

1. The Deer Management Group Area Size and Boundaries

The East Loch Shiel Deer Management Group extends to a total area of 45,403ha.

The boundaries for the East Loch Shiel Deer Management Group are shown on the attached plan. The Eastern Sub-Group area is shown bounded in yellow on the plan and the Western Sub Group area is shown bounded in Blue on the plan.

2. Functions and Objectives

The main objective of the DMG shall be to ensure the well-being of the deer population within the DMG area, to protect the environment and biodiversity, and to help achieve a sustainable and economically viable locality while taking account of the public interest and those of other stakeholders.

To achieve this objective the DMG members will;

- i) Work collaboratively to develop, operate and periodically review a deer management plan for the DMG area, focusing in particular on deer welfare, sustainable land use, and biodiversity.
- ii) Progress the functions of the Group under the Code of Practice on Deer Management, ADMG Principles of Collaboration, ADMG 'Benchmark', and SNH 'Public Interest' guidelines.
- iii) Encourage the adoption of a common policy in all matters relating to the red deer herd within the area; with the aim to maintain a sustainable, stable deer population with a planned sex and age structure which is capable of being supported on the winter range available within the area.
- iv) Encourage property owners and members to keep detailed records and carry out such practices as are required by statute and as are recommended from time to time by SNH Wildlife Operations and/or ADMG.
- v) Act as a forum for discussion on deer management subjects and generally as a discussion group for neighbours within the DMG, where issues can be raised and matters of dispute resolved. As such assist in resolving any differences in deer management objectives within the group area.
- vi) Promote the activities of the ELSDMG, the ADMG and the principle of voluntary self-regulation of deer management activities, contributing to the legitimate public interest in deer and communication of deer management plans to the local community.

3. Membership

As DMGs operate under a voluntary system the first principle would be that no property, body or person has to attend or be a member of a DMG. As such a DMG cannot compel any property, body or person to be a member of the DMG. Additionally, DMGs have the right not to accept a property, body or person as a member of the DMG if the reason is justifiable.

Membership will be open to the owners of land holdings within the ELS deer range where the management of red deer is a continuing requirement, or to other bodies, or people with a legitimate interest in the deer management of the ELSDMG area. Only those properties within the described ELSDMG area are eligible to join the ELSDMG. Only those bodies or people with a legitimate interest in the deer management of the described ELSDMG area are eligible to join the ELSDMG.

All members agree to comply with the Function and Objectives as stated in 2 above with proposed new or re-joining members demonstrating compliance prior to being accepted as a member of the ELSDMG at which time their membership is to be ratified by the group at an AGM or Special Group Meeting.

All members agree to: -

- i) commit to working to the ELSDMG DMP.
- ii) a satisfactory level of commitment to ELSDMG meetings.
- iii) provide historic count, cull, HIA and other returns and information as requested by the group.
- iv) a satisfactory level of participation in group counts, culls, assessments or other as required.
- v) pay without delay agreed ADMG and or ELSDMG subscriptions and shared costs e.g. helicopter counts, consultants' fees, etc as they fall due.

Details of members and the identified properties within the Group Area are as included in Section 13 below. The properties and bodies detailed as members have meaningfully engaged and continue to engage with and participate in the ELSDMG and as such are included as members.

Any other properties or bodies who have not meaningfully engaged or participated fully with the ELSDMG are considered to have either not been a member or have allowed their membership of ELSDMG to lapse by their own failure. A member, property or body which does not continue to meaningfully engage or participate with the ELSDMG for a period of two years without exceptional circumstances notified to the group, will be deemed to have let any claimed membership lapse.

Each property, body or group within the ELS deer range, with a legitimate interest in deer management, is to nominate a representative to attend the ELSDMG meetings. A representative from SNH and FES will be invited to attend all meetings.

4. Office Bearers

A Chairman, Vice-Chairman and Secretary/Treasurer shall be elected. The usual term of office for each position will be three years. Election or re-election of Office Bearers shall occur on the resignation of any office bearer or upon the request of a proposer and seconder from among the membership. Nominations for these appointments shall be proposed and seconded and, in the case of the Chairman and Vice-Chairman, nominations and nominees shall be from among the voting members.

All officers shall be unremunerated except for the reimbursement of reasonable expenses on ELSDMG business against submission of receipts.

The responsibilities of the officers shall be:

Chairman – to conduct meetings to ensure that issues are fully discussed and decisions documented; to ensure that members receive necessary information; lead communications with the local community and political representatives, represent ELSDMG with the ADMG and contribute to policy development, facilitate resolution of disagreements between members.

Vice-Chairman – support the Chairman and deputise where necessary, assume some of the duties of the Chairman as required. Also, to coordinate the updating of deer management plans and obtain, consolidate and disseminate cull statistics.

Secretary/Treasurer – schedule meetings; issue meeting notices, agendas and papers; keep minutes; keep members informed of ADMG and other developments and coordinator collection of ADMG subscriptions.

5. Group Meetings

- i) The Group will meet a minimum of twice annually.
- ii) Group Meetings shall be held at such times, dates and places as the Group shall decide.
- iii) Members will be given notice in writing issued by post or email at least two weeks in advance of the Group Meetings, which notice shall state the time and place of the meeting and/or business to be transacted; business not on the agenda can be taken at the Chairman's discretion.
- iv) All meetings will operate to an agenda and will be accurately minuted. Voice recordings of meetings may be taken. Attendees should actively participate and agreed actions and decisions should be recorded.
- v) The agenda for the meeting and any relevant papers will be issued by post or email at least two weeks in advance.

6. Annual General Meeting

The Annual General Meeting (AGM) of the group should be held once a year. Written notice of the time, date and place of the AGM should be sent by post or email with suitable notice and in any case not less than one month before the meeting. This notice should also detail the items to be included on the agenda. Business not on the agenda can be taken at the discretion of the chairman.

7. Special Meeting

A Special Meeting may be held where and when determined by the Group and shall be held upon the decision of the Chairman or upon a request in writing to the Secretary, signed by at least a quarter of the Deer Management Group voting members. Notice of the meeting will be as for the notice of the Group Meetings.

8. Circulation

As well as the notices of all meetings, the current membership role, agenda and minutes of all meetings will be circulated to all members as well as SNH Wildlife Operations and the ADMG. The secretary shall also circulate such other papers as are agreed by the group from time to time.

9. Funding

Group costs including secretarial and ADMG contributions (if applicable) will be negotiated and paid as necessary by the group members.

10. Voting

- i) The nominated representative from each significant land holding member or group, within the deer range of the DMG area shall have one vote.
- ii) The undernoted and similar land holdings are managed as single units even though in many cases they are owned by separate parties and legal entities and even though some holdings within the DMG boundaries are non-adjointing with others. As such the complying representatives of these properties accept one vote each in relation to issues concerning the ELSDMG, on the sole agreement that each representative for the listed land holdings abides by the same one vote condition.

Namely:

Broadland Properties Ltd/Conaglen Estate
FES &/or FCS
SNH
Sunart Estate (SGRPID)

In addition, if new members request to join or re-join the DMG, it is stipulated that areas of land which operate under a combined management remit, such as Crofting Townships or Woodland Owners Groups, must be represented by the single point of contact. The single allocated vote in all cases must be held by the Chairman or a formally Appointed Township Clerk.

- iii) In the case of an even vote, the Chairman shall have a casting vote as well as a deliberative vote.

11. Proxies

Proxy votes may be made, in which case, these should be in writing failing which, verbal contact should be made with the Chairman or Secretary prior to the meeting. The nominated proxy will have the power to vote and act on their behalf in all matters.

12. Quorum

A quorum at a meeting shall consist of not less than fifty percent of the voting members or their nominated proxies.

13. Group Members

The ELSDMG extends to a total area of 45,403ha.

13.1 The identified properties within the Western Working-Group of the DMG area are:

Property	Owner/Tenant(s)	Area Size (ha)	Primary Objective	Member	Votes
Forestry Enterprise Scotland					
Achnanellan & Pollock Woodland & Hill	J Jackson Sporting Tenant - J MacDonald	1,239	Forestry	Yes	Yes
Drimnatorran Woodland & Carnoch Woodland	J Jackson	950	Forestry		
Glen Hurich	J Jackson Ex. 2,124 Ha Open Hill Sporting Tenant of Partial Area - Broadland Properties Ltd	4,154	Forestry		
Resipole Farm	P Sinclair	1,387	Agriculture /Sporting	Yes	Yes
Resipole Woodland Members/Properties	Agent: M Harris Sporting Tenant - J MacDonald	714	Forestry	No	No
Scottish Natural Heritage					
Ariundle NNR	SNH (Torlundy) - R Kilpatrick Culling Tenant - FES	70	Environmental /Amenity	Yes	Yes
Claish Moss	SNH (Torlundy) - R Kilpatrick Sporting Tenant - J MacDonald	568	Environmental /Amenity		
Sunart Estate Including: Anaheilt Township Ardery Farm Ariundle Township Ranachan Hill Scotstown Township	SGRPID – R. Dunsmore Sporting Tenant - J MacDonald	3,318	Sporting/ Agricultural	No	No
Total		12,400		3	3

Appendix 1

13.2 The identified properties within the Eastern Working-Group of the DMG area are:

Property	Owner/Tenant(s)	Area Size (ha)	Primary Objective	Member	Votes
Achaphubuil & Camusnagaul Woodlands	Sporting Rights Owned by - Broadland Properties Ltd	64	Amenity Forestry	Yes	Vote Counted RE Conaglen
Achnalea Plantation	C Boyd	60	Forestry	No	No
Ardgour Estate Including: Salachan Farm Keil Farm	R Maclean of Ardgour Glen Gour Sporting Lease Sporting Tenant – Broadland Properties Ltd	4,534	Sporting	Yes	Yes
Ariundle Farm	W MacPherson Represented at DMG meetings by Broadland Properties Ltd	1,220	Agricultural	Yes	Yes
Conaglen Estate	Broadland Properties Ltd	15,201	Sporting	Yes	Yes
Drimnatorran Farm	R MacIntosh	815	Sporting	No	No
Druim Laith (North Carnoch) Including: Glen Tarbert Plantation	S Fox	1,488	Sporting	Yes	Yes
Forestry Enterprise Scotland					
Doire Mhor (Callop), Drumfern and North Loch Shiel Woods	J Jackson Approx 161 Ha Fenced in East Sporting Rights Held by - Broadland Properties Ltd	731	Forestry	Yes	Vote Counted in Section 15.2
Glen Hurich	J Jackson Open Hill in Northwest Sporting Tenant of Partial Area - Broadland Properties Ltd	2,124	Forestry		
Glenscaddle Estate	E Maclean of Ardgour Sporting Tenant - Broadland Properties Ltd	4,893	Sporting	Yes	Yes
Inversanda Estate (North)	Mr & Mrs Colburne	1,690	Sporting	Yes	Yes
South Garvan Woodland	R Nicholson Sporting Rights Owned by - Broadland Properties Ltd	183	Forestry	Yes	Vote Counted RE Conaglen
Total		33,003		9	6

14. Review of Constitution

The DMG constitution may be reviewed at any time on the written request of a member and will be automatically reviewed if a new landowning member becomes active within the DMG area.

The constitution shall be reviewed at least every three years and if updated be re-approved at the AGM.

Approved by the ELSDMG at its meeting on 29th April 2019.

Signed: **(Chairman)**

Date: