

Minutes of the East Loch Shiel Deer Management Meeting held at the Ardgour Memorial Hall on 19th November 2019 at 10:00 a.m.

ELS 59A Approved Minutes 12 November 2019 - Word.

Present:

Steve Fox (Chairman)(Carnoch)
Ewen Maclean (Secretary)(Ardgour & Glenscaddle)
David Mosgrove (Vice-Chair)(Conaglen and Ariundle)
Lynda Campbell (ADMG)
Lorraine Servant (SNH)
Rory Sinclair(Resipole)
Jim Jackson (Resipole)
Harvey Phillips(Inversanda)
David Mackenzie (Conaglen)
Ross Maclean (Conaglen)
Shaun Corrigan (Ardgour)
Victor Clements (Nativewoods)
John Jackson (FLS)
John Macdonald (WHV)

Apologies: Robin Maclean, Ross Dunsmore, Caroline & Charles Colbourne, PC Kevin Swift, PC Angela Campbell, Kenneth Knott, B McPherson, Acharacle CC.

ACTION POINTS HIGHLIGHTED IN LIGHT GREY

Minutes approved and signed by S Fox, Chairman. 10/09/2020.

The meeting was asked and agreed with a voice recording being made to help with the preparation of the minutes.

1. Chairman's Welcome and Apologies

Steve Fox welcomed the group to the meeting and introductions were made.

2. Introduction of new SNH WMO

Lorraine Servant was introduced to the group as the new SNH WMO/liaison. The group looks forward to a positive and constructive relationship with SNH.

3. Chairman's opening remarks

SF thanked those present for attending and handed out agendas for the meeting.

Our main achievements this year include: -

An SNH helicopter count of the group open range has been undertaken.

The results from the SNH assessment were highlighted with SF informing the group that the ELSDMG assessment scored the group with 90 green, 11 amber and no red scores, a solid improvement on the previous assessments.

Further substantial baseline HIA's have been carried out.

The Eastern Working Group is undertaking a collaborative woodland plan involving 4 estates working with Victor Clements.

Finally, the DMP revision/update is underway for completion in time for the 2020 spring meeting.

4. Minutes of the Previous Meeting

Minutes from the previous meeting were signed by SF and certified as a true copy of the events. (An error was made and an earlier copy of the draft minutes were issued. An email

apology was sent to the attendee's with a note that a copy of the final approved Spring 2019 minutes are posted on the ADMG website.)

5. East-West Working Group Reports

The reports were circulated last week. SF invited comments, suggestions or corrections. None were offered and the reports were accepted.

6. Action Points Summary

Some items, were read out for comment with responses below. (An updated summary action points list is prepared for issue following this meeting and is posted on the ADMG website.)

Due to senior FLS staff changes and policy review, the planned meeting between DM and FLS to attempt progress on the ongoing fencing issues had still not taken place.

JJ confirmed the FLS population density assessments are still scheduled for 2020.

SF asked LS if the new best practice guides are available yet? LS stated that members should use existing guides on DSH and BB and that when the new guides are published, they will be compatible with the existing. DM asked if SNH could clarify grassland monitoring as much of the ELSDMG area is grassland dominated. VC commented that both grassland monitoring and woodland monitoring are extremely technical and require extensive botanical knowledge. Questions are raised about whether members would be able to undertake worthwhile surveys given lack of specialist training. LS said the group should stick to just BPG - BB and DSH monitoring.

RS asked if the Western end included NSWG? SF clarified that NSWG was a separate Deer Management group in their own right, outwith our DMG area, securely fenced from the ELS DMG group, satisfying their own objectives and confirmed that NSWG is not part of ELSDMG.

The ELS DMP is under review for an update by the Spring 2020 meeting. DM repeated his request that the Western Working Group including FLS contribute to the Western Working Group-specific items for inclusion in the DMP and highlighted the continued lack of input from FLS on the development of, and previous updates to, the DMP.

7. Plan and timetable to address outstanding issues from SNH assessment

SF referred to the 11 amber scores and looked at how to best resolve them. It was agreed that separate meetings with fewer members from each working group would take place to resolve the ongoing issues relative to their respective areas. **ACTION - For Eastern Working Group - EM, DM, SF. For Western Working Group – RS, FLS, SNH**

8. Estate Reports

a. Cull Reports:

WHV: Claish Moss 5 stags, Sunart Estate 10, Resipole woodlands 0.

FLS: From their whole ELSDMG area landholdings, 90 stags, 19 hinds, 6 calves, 8 roe buck, 1 roe doe and advised these were figures to date with cull continuing through the winter.

Conaglen: 37 Conaglen, 17 Glenscaddle, 11 Glen Gour.

Inversanda 5 stags

Resipole 7 stags

Carnoch: 9 Stags

Ariundle and Drimnatorrin outstanding.

b. All members agreed that the condition of the stags was excellent across the board, with the rut starting early. It was reported there was a shortage of mature stags over the Eastern sporting areas.

c. Poaching and DVC's:

None reported. Sheep and deer worrying issues were reported by RS and JM, the police are aware and the dog owners known to members.

d. Members reported a lot of heather beetle impact. LS stated that expected regrowth would happen quickly. RM suggested that burning was a good option to deal with the issue. SF was concerned that the heather beetle impact would affect future HIA monitoring analysis. LS disagreed as the heather would soon recover.

SF read out the following extract from a Heather Trust publication. In many areas, the Heather Trust believes that the heather beetle *Lochmaea suturalis* has been instrumental in driving the change from heather to grass dominated moorland. This is a particularly significant cause of moorland decline in the wetter areas, generally on the west side of the country where there is often greater competition from grasses. Purple moor-grass *Molinia caerulea* is often the chief competitor.
<https://www.heathertrust.co.uk/#!/heather-beetle/c58r>

e. HIA, shelter and forage availability:

Significant HIA's have been carried out with many results presented for analysis. Due to personal circumstances, SF was unable to complete the scheduled 1st re-measure on 10 plots or provide the promised support for Inversanda with their Baseline plots. Both are re-scheduled for 2020.

Other outstanding HIA's are for SNH Clais Moss – no detail yet and put back from 2019 to 2020. FLS are not doing any having previously explained that their priority was to monitor woodland condition. They have extensive woodland HIA data and results. Their view is that if the woodland condition impacts are satisfactory then adjacent open range by default should also be satisfactory and there should be no need for them to carry out open range HIA. FLS are in dialogue with SNH to agree this is a reasonable way forward. No outcome has been notified. ACTION SNH FLS

No major changes to winter forage availability were reported, the meeting was advised that any fencing undertaken by Conaglen was compensated for in other areas as was the harvesting in Glen Tarbert.

9. Deer Counts

a. Helicopter Count Report

DM displayed the 2019 SNH map with the count and area figures. There are a number of errors on the map which has previously been pointed out and other changes. It was observed that some labelling and hectareage are incorrect, some areas entirely are left out and extra areas counted in. SNH has been asked to make the corrections, also the full shape-files and data are required from SNH to allow correction, interpretation and comparison with previous counts by the DMG. ACTION LS

LC asked if it was true to say that SNH is looking to reduce or stop helicopter deer counts? LS confirmed that SNH are looking to reduce their overall carbon footprint and helicopter counts had been highlighted as a contributing factor to carbon emissions with cost also being a factor.

b. FLS Population Assessment report

JJ confirmed FLS will be undertaking a population assessment during 2020. ACTION JJ

c. Recruitment and mortality counts

Sample recruitment counts had been carried out from both the West and East open range areas and are used to update the population model. LS was asked 'Has SNH or BPG a published mortality count method?' And 'How to convert [mortality] data into a useful

statistic?' LS advises that for adult deer we use the SNH standard of 2% but vary as needed based on the observations of the stalkers. For calves, carry out sample recruitment counts late spring by which time the winter mortality will have occurred. This then gives the actual 'post-winter mortality' recruitment figure with no need to calculate further.

10. FLS Fencing Update and Update from FLS

SF read out the following email (below) from KK highlighting the fact that FLS are looking to further reduce their costs associated with fencing.

[Email extract from K Knott 07/11/2019.](#)

[As a direct Scot Gov agency we have been asked to look at reducing fencing costs particularly the use of deer fencing where other alternatives may exist, this could mean anything from extended fallow periods, species choice to the obvious culling regimes. There will be lots of internal discussion on this particularly the business case for each and every fence that is proposed from scratch or as a repair.](#)

[This may have an impact on the consideration of fences within the Group area and I will be writing to David on a similar theme to follow up on where David and I had got to regarding a meeting to discuss. Significant senior staff changes has delayed this , and current review along with Regional manager puts us in a position of re assessing our position on a number of projects – Conaglen and fencing , with ancillary issues being one of them.](#)

ACTION KK

KK reports (via email copied above) due to senior FLS staff changes and policy review, the planned meeting between DM and FLS to attempt progress on the ongoing fencing issues had still not taken place.

JJ informed the group that FLS is targeted to be self-sufficient in 5 years' time, that their fencing budget would be cut further and FLS are going to look at alternatives to fencing in the future.

Government has dictated that FLS are to increase their deer cull a further 10%.

A discussion was had around the various methods available to protect tree crops and the FLS methodology of culling deer rather than fencing areas off to protect the tree crop was questioned.

JJ asks that the open range members increase their culling operations near the FLS fences to reduce the pressure on the fences.

Concerns were raised that migration of deer into the FLS woodlands via the failing FLS fences was already causing significant economic impacts on the local community and businesses and subsequently on the revenues to the exchequer.

It was felt that FLS were considering their own circumstances in isolation rather than the wider position by pursuing the above policy and that the continued and potentially increasing aggressive FLS culling policy would cause further economic damage with primary and secondary local employment at risk within the sporting and supporting local businesses.

RM expressed his concern that the agreement made by FLS not to cull outside of their fenced areas, had not been observed and that night and/or out of season culling was being carried out on the open range. JJ disagreed that agreements had been made.

11. Population Model

SF presented the updated model summary. Our model uses the 2009 FES population assessment, with the 2010 and 2016 counts as datums to calibrate the model. The calculation to 2018/19 compared to the 2019 count also support the model basis. These all

demonstrate significant migration from the Eastern open range area into the Western Working Group area which, if prevented would allow a significant reduction in the open range deer density.

The model forecasts forward to 2024/25 season using various scenarios and assumptions and will be further updated with the actual stag cull and proposed hind cull figures. **ACTION SF**

12. Proposed Hind Culls

Ardgour: 12-15

Conaglen: similar to last year

Sunart: 15/18 on Sunart, with extra effort based around the Scotstown/Anaheilt common grazings.

Claish Moss 10

FLS similar to last year

Inversanda: 7-10

Resipole: 10-12

Carnoch: 8-10

13. Collaborative Woodland Application addressing Conaglen Designated Sites, Ardgour, Carnoch, Conaglen and Glenscaddle woodland proposals.

VC gave a presentation highlighting the aims, methods and background to the collaborative proposals. Whilst woodland proposals are under consideration on all four estates there is significant emphasis being placed on the designated woodland sites. VC anticipates bringing firm proposals forward in the near future. **Action VC DM**

14. Strategic fence

VC has prepared a Draft Strategic Fencing Analysis report. He has walked the fence and observed evidence of deer passing through the fence and also makes the point – why wouldn't the deer migrate through the failing fence? The hill deer which do migrate through the fence are likely to be naïve, more easily found and culled than the resident woodland deer.

The report includes a population assessment between the 2016 and the 2019 counts which also supports the ELS population model calculation demonstrating that significant numbers of deer are migrating East to West.

VC has also calculated that if the migration could be halted the EWG area deer density could be reduced by around 24% whilst at the same time allowing for increased sporting stags to the desired level and a much-improved stag: hind ratio. Again, this supports the earlier calculations made by the ELSDMG.

A discussion was held surrounding the proposed strategic fence which would divide the group roughly East to West and would mitigate any issues of deer migrating into the Western end.

The Eastern Working group area open range members are increasingly concerned as to the current damaging effect of the losses of deer through the porous deer fence which is very likely to get worse following the FLS change in policy regarding fencing and increased culling policy reported above. Already we have a shortage of sporting stags in the East and are having to constrain our culls further. This is now causing negative effects on the local economy and employment prospects.

Any fence would, however, be pointless if FLS continue their aggressive culling practice on the open range to the East of the strategic fence often utilising out of season and night shooting.

EWG members have on a number of occasions proposed alternative measures to address this issue including the purchase of the 'lost land' between the FLS internal deer fence and the actual march along with assuming fencing responsibility commitments. In yet another attempt to resolve this issue to the benefit of all DM sent a detailed email outlining his thoughts on this to KK at FLS on the 7th November 2019.

JM expressed his concerns as to the effect the strategic fence would have on deer numbers moving East to West and said it would lead to a significant reduction of deer numbers in the Western end.

This would, of course, be very beneficial to the FLS forestry enterprise by reducing the costs to the taxpayer of culling the migrating deer which, using FES quoted figures would easily average over £27,000 a year plus the substantial costs of the deer impacts to the woodlands.

15. Other Designated Sites.

SNH are requested to provide specific updates as to designated sites in the Western Working Group area. See notes below. ((GT was to hold meetings with the owners of these designated sites (minuted 02/11/2018)). **ACTION SNH**

16. Update from ADMG

LC updated the group on the nation-wide review process. Overall progress amongst the Deer Management Groups is good. It is hoped that the SNH report will recognize the hard work and achievements of the ELSDMG along with all the ADMG members.

ADMG is proposing that the assessment process take place at 5-year intervals going forward.

ADMG has come under criticism for lack of visibility and is now taking active steps to engage further using more means.

Next ADMG Regional Meeting 21st November Kingsmills Hotel Inverness.

AGM 26th February 2020 venue TBC

17. Update from SNH.

LS stressed that the group had made good progress, and encouraged the group to keep making steps forward. It is hoped that the SNH report will recognize the hard work and achievements of the ELSDMG members.

LS highlighted the focus on climate emergency which is high up within the SNH priorities and encouraged the group to look actively at peatland restoration. The main thing is to encourage conditions for the growth of Sphagnum Moss to absorb CO² which would also reduce the risk of wildfire severity.

LS referred to her email (that was circulated on October 23rd) in reply to the concerns raised over re-wetting of peatlands (as highlighted in the ELSDMG Spring 2019 report.)

Whilst LS agreed there could be spikes in methane emissions following re-wetting of peatland the later information she provided suggests these will only be short term, whereas the long term benefits will outweigh these. LS advised that the local peatland officer at Lochaber Fisheries Trust will advise on potential peatland restoration works.

LC was asked to confirm that the threat of Section 7 intervention has now been withdrawn following the successful SNH Assessment.

LS advised that SNH was keeping a watching brief over ELSDMG and expecting to see improvement works occurring on the ground within two years.

A lengthy discussion then took place around designated sites on Conaglen. Conaglen's view was that the Pinewoods designated sites are currently classed as favourable and it was totally unjustifiable to change the classification based only on a changed assessment method.

Conaglen confirmed the area had benefitted from much expansion and improvement work over the last 35 to 40 years. This work, implemented by enlightened owners has included expansion of the woodland by about 100 ha, an ongoing series of rotational enclosures to protect young planted trees and remove the grazing pressure from sections of older trees to allow regeneration in pulses.

Conaglen highlighted due to disease implications it would be contrary to Scot Gov Forestry policy to introduce pine saplings for planting adjacent to the Ardgour SSSI and in addition, the support system available does not encourage low-density broadleaf planting in large areas. Over several years the owner has made a number of applications for low-density planting and regeneration schemes and has also tabled various schemes for consideration; all on the basis of continuing the next areas for rotational fencing, working on almost 40 years of previous woodland expansion and protection work. To date, each proposal has been refused by the support network or fallen foul of the imposed criteria.

A further proposal for 3 Pinewood enclosures has been with SNH and FCS since 2018 which is as yet undecided.

LS advised that despite these improvement works, following the recent survey SNH was planning to downgrade the designations to unfavourable based upon a 2018 survey. Conaglen queried if this was simply a downgrading of the classification based upon an updated SNH assessment methodology and the apparent lack of understanding of the rotational fencing system rather than any actual significant changes in the current woodland structure in a comparison between the 2018 and previous SNH Assessments.

The meeting was reminded that GT [Former SNH WMO for ELSDMG] had pre-judged his claimed condition of the woodlands some years ago, well in advance of any survey and without ever having visited the woodlands.

DM then re-iterated previous points made that the survey is flawed and that any move to change the designations would be challenged by the owner of the SSSI, who already understands from a prior meeting with FCS and SNH that FCS is not in agreement with any suggestion that trees will grow under either mature canopy or on deep peat which are the two primary limiting factors in relation to the central area of the designated site and no funding would be available from them if the site remained with a favourable condition designation.

Concerns were and have previously been raised over the latest survey regarding sample locations, methods, classification, interpretation and so on. (It is worth noting here that much of this had been discussed at previous DMG meetings and covered in the ELSDMP and reports.

VC says many other groups also have concerns with the survey. He feels that your [SNH] woodland colleagues don't know how to deal with this but are under a lot of pressure and their inclination is to make this much more difficult.

LS said that SNH as a public body, having spent a lot of taxpayer's money on the survey have to work with the survey information we have been given and have a duty to reflect this. SF suggested that LS [or SNH] challenge the survey result. Both DM and the ELSDMG have consistently strongly disagreed with the latest survey regarding sample locations, methods, classification, interpretation and so on. LS, however, accepts the results.

LS says if the estate continues to carry on with the work on the designated sites, as they have been doing for the last 35 to 40 years, the classification may in future be upgraded to 'Unfavourable Recovering Due to Management' (URDTM).

DM commented that as far as he could see that SNH had pre-made this decision based on GTs opinion regardless of results from reports and totally ignoring 35-40 years of expansion work in the woodlands. DM added that FCS deem the woodland creation and expansion in question to be a success and that they have confirmed that in a meeting with SNH, also that funding would not be available to fence areas of dense mature canopy or deep peat where there was low likelihood of any trees growing in the future.

DM again suggested SNH were trying to follow up on GTs prejudged and flawed agenda suggesting that the woodland should be reduced in classification to justify the right to apply for grants only, as FCS won't fund favourable condition woodlands for the type of work SNH are suggesting.

DM highlighted that this would be the first time ever that the Favourable condition for the Ardgor Pinewoods would be degraded to Non-favourable Condition and that it looked very suspect that SNH already has stated in the future this may be upgraded to 'Unfavourable Recovering Due to Management' (URDTM) if we keep doing what we have always done in terms of continuing woodland expansion and protection.

DM suggested that this proposed outcome seemed to be trying to justify a pre-made decision to force a downgrading of the classification of the woodland to force reduction of deer numbers; whilst ignoring the principle of rotational fencing and 35-40 years of previous woodland expansion and improvement work completed in the SSSI.

It was felt that the approach taken now by SNH will actively discourage any further woodland [or similar] restoration or creation works as it was a total slap to the face in terms of the previous 35-40 years of expansion and improvement work to downgrade the woodland status at this time.

Both DM and the ELSDMG have consistently strongly disagreed with the latest survey regarding sample locations, methods, classification, interpretation and so on.

LS said she was under the understanding that we had accepted the survey results whereas DM said the opposite was true and referred back to the site meeting: -

"SNH Woodland and Wildlife Management Officers L Servant, G Taylor and Woodland Advisor J Hall visited the Conaglen Pinewoods on 12th Feb 2019. This was the first time any of them had been to these woodlands and the impression they gave was that they were pleasantly surprised to find these woods are in much better order than perhaps they had thought they might be. This visit allowed them to see for themselves the success of the 'rotational fencing' principle that Conaglen has implemented since the 1970s to ensure they retain and expand upon the woodland area in the medium to long term."

DM reminding LS that at the end of the above site meeting, having demonstrated that the woodlands were in much better condition than the claims made by SNH, Conaglen will not accept and will challenge any attempt to downgrade the condition classification for these woodlands. This was the last communication between SNH and Conaglen or the group in this regard.

It was agreed that a meeting between DM and LS would be necessary and take place before any Conaglen designation is changed.

LS confirmed the decision to classify the designation would be hers to make but the decision would be reviewed by a manager.

LS goes on to say the Survey Results have been published in the media. - ??

VC who is involved with further development work on the EWG designated sites should also be involved and in attendance at this meeting. **ACTION VC DM and LS**

18. Stakeholders and Public comments.

No other stakeholders or public comments were received either in advance of or during the meeting.

19. AOB.

No other business.

Meeting closed 14:15.

Date of next meeting April / May 2020 TBC

Chairs summary post-meeting:

Thank you all present for your input to this meeting.

We are pleased to welcome Lorraine as our new SNH WMO/liaison. The members look forward to working with Lorraine to further develop our Sustainable Deer Management and hope that Lorraine's appointment marks the start of an improving relationship between SNH and the DMG membership.

A lot of ordinary management business was discussed and reported on throughout. A significant part of the meeting though was taken up by two main items;

1. Discussions around FLS and strategic fencing with the open range members extremely concerned by the latest communication from FLS advising of further fencing budget reductions, fencing policy change and the targeting of a 10% increase in the FLS deer cull.
2. Discussions around the SNH proposal to downgrade the condition status of designated sites.

Whilst I don't intend to go over these again in this summary, I would express my hope that FLS will give serious consideration to the proposals made by the open range members to address the fencing issue. The proposals have benefits for Sustainable Deer Management, the 'Public Interest', all DMG members and to the environment as well as significant financial benefits to FLS and the taxpayer.

Also, my hope is that with fresh eyes at SNH and the involvement of Victor Clements of Native Woods, pragmatic solutions to the Doire Donn and the Ardgour Pinewoods can be found, again to provide benefits for Sustainable Deer Management, the 'Public Interest', all DMG members and to the environment.

S Fox,
ELSDMG Chair