Written submission from Lowland Deer Network Scotland

Land Reform (Scotland) Bill
We are pleased to submit comments on the Land Reform (Scotland) Bill for consideration by the Rural Affairs, Climate Change and Environment Committee of the Scottish Parliament. The undernoted views are those of the private sector members of LDNS. Our public sector partners and sponsors, SNH, FCS and Transport Scotland have not participated in the preparation of this submission nor expressed any view on it.

Firstly, as a general comment, while we acknowledge the intent to increase community ownership and involvement in the management of land, we are concerned that further fragmentation of ownership and management in the lowlands will add complexity to the function of deer management. In particular where communities may wish to engage in environmental improvements such as woodland planting they may need assistance to manage the deer if planting is to be successful.

Some communities may take the view that deer should not be culled (some local authorities already have a no culling policy!) and in that situation planting will fail unless deer are excluded by fencing. On the other hand much of the lowland deer management skill base is local. Locally based vocational stalkers, most of whom take training and standards very seriously, and many being members of Lowland Deer Groups (LDGs), represent an important resource for deer management throughout much of lowland Scotland.

Referring now to the specific measures relating to deer it must be said that the lack of detail in the Bill makes comment difficult. In regard to Part 6 we have the following questions and comments:

1. The Bill proposes to repeal the exclusion of shootings and deer forests from the valuation roll. Our assumption is that this measure would apply to all land where deer are present and where sporting rights have a potential value. Deer of one or more species, are now present throughout both rural and urban parts of Scotland and in many local authority areas the properties requiring to be valued for this purpose will be very small and very numerous.

2. It is not clear whether the Small Business Bonus Scheme (Scotland) will be applicable in respect of ‘sporting’ subjects but, if so, valuations will be required over all landholdings to establish whether they fall above or below the SBBS threshold. We presume that land owned by public bodies, including local authorities, will stand to be assessed. If that is correct some public land, particularly land managed by Forest Enterprise Scotland that is let for stalking, is likely to be liable for business rates.

3. Our main concern in relation to lowland deer management is that business rates will represent an additional cost of managing deer and act as a disincentive to achieving sufficient levels of control in the interests of the environment, of limiting economic damage and of public safety. Certainly vocational stalkers, many of whom are members of LDNS, and who carry out much of the deer management throughout lowland Scotland, may be deterred from doing so in future if they believe they may be likely to face a charge to business rates.
4. We have had some difficulty in engaging with farmers in the LDNS and anticipate that this difficulty will be increased if farmers, wishing to avoid incurring additional costs, suspend or reduce such arrangements as they may have for deer control.

5. There is considerable difficulty at present in obtaining full and accurate returns of deer culled, particularly on landholdings not known to SNH and therefore not making an annual return. Progress is being made in extending information gathering but this is likely to be set back if the possibility of facing a charge to rates is a deterrent to openness in regard to deer management.

6. It is also not clear as to how Assessments will be made. While some deer control, over a small proportion in the lowlands, is carried out as ‘stalking’ where paying guests are involved, most is carried out as a control operation generating no letting income, albeit there may be a small contribution to costs from venison sales. How will the Assessors be directed to distinguish between management culling and stalking and will reliefs be available where no letting income is generated?

The measures proposed under Part 8 of the Bill are intended to supplement the existing powers of SNH to enable the setting up of deer panels, engage with local communities where appropriate and to require the preparation of a deer management plan within a time limit, with penalties for non-compliance. We understand that these measures are not intended to be implemented until after completion of the 2016 review of deer management.

In general terms we accept the necessity for the Scottish Government and relevant Agencies to have powers to intervene in circumstances where deer are causing negative impacts on public or private interests. Deer management in the Scottish lowlands differs greatly from the system in the highland red deer range where DMGs are mostly long established and have full geographic cover. The fragmented pattern of ownership and management in the lowlands means that achieving full land cover is difficult, but arguably less of a necessity. Roe deer are the most common species and, being of a territorial rather than a herding habit, deer management takes place at much more local scale and collaboration within the increasing number of LDGs (lowland deer groups) commonly takes the form of cooperation between vocational deer managers rather than formal collaboration in terms of a detailed deer management plan. That being the case we would hope that SNH will continue to support and influence deer managers through the Lowland Deer Network rather than resort to its statutory powers except as a last resort.