

Appendix 1 Management of Deer



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25 November 2010

Dear Richard

Following our site visit to Tullos Hill on Monday 15th November, I am pleased to offer some advice and recommendations in relation to deer management on the site.

It is clear from the general layout and nature of the ground that the site is attractive to roe deer. Observations made on the ground would suggest that there is fairly significant deer activity in certain areas, with obvious tracking along some of the metal paling fence lines.

We discussed the possibility of deer proof fencing of the site and discounted this on the basis that a core path runs through the site and the fact that the requirement to provide for public access would make any such measure virtually impossible. Even if deer fencing were a possibility, it would be entirely normal that SNH would request a compensatory cull of deer to account for the loss of range. I would observe that the current "kissing gates" are unlikely to be deer proof and the metal barriers that have been erected to frustrate access by motorcycle users are certainly not deer proof.

You have made the decision not to pursue smaller exclosures within the site boundary and I am inclined to agree with this approach in that it should result in the most natural looking mix of vegetation and woodland. Even with exclosures in place, there are then issues of fence maintenance/vandalism and the added difficulties that smaller exclosures bring in terms of access for weed management and the like. Again, there is the issue of reducing available habitat for deer and the fact that we would consequently expect a reduction cull. You have also decided not to use tree guards due to the visual impact and the likelihood of these being blown away, possibly damaging the trees they are meant to protect and creating a littering issue.

Given all of this, it seems apparent to me that successful establishment of trees, particularly highly palatable native hardwoods, will be impossible without appropriate deer management taking place on this site. Some of this deer management work can be aimed at frustrating deer access where by possible e.g. fitting a water gate under the metal paling fencing on the eastern boundary where the ditch (which appears to be a main access route for deer) goes under the fence. Other work can be done to make the site less attractive to deer in the short term and this should include the removal, at the earliest opportunity, of areas of gorse on the site. Gorse obviously provides harbourage for deer and this shelter not only makes the site



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more attractive for deer but also makes deer management more difficult. I strongly believe that gorse removal is essential to the successful management of deer on this site.

Given that all the possible physical methods of protecting trees from deer damage have been excluded, it is clear to me that appropriate deer management is necessary to achieve woodland establishment on this site. We have, in the context of other sites, considered other methods of deer management. The darting of deer with anaesthetic drugs for removal to another area or for humane dispatch by vet/slaughterman is an option that we explored as recently as last year. This is an option that initially appeals to many people as a potential non-lethal option. However, we are of the opinion that it would be illegal to kill or take deer with anything other than a deer legal firearm. In addition to being illegal, translocating deer, especially territorial roe deer, in this way will give rise to all manner of animal welfare concerns. Furthermore, we have sought veterinary advice which suggests that tranquillisation of roe deer results in up to 50% mortality. Another much talked about possibility is immuno-contraception, but there is the issue of finding a suitable delivery mechanism etc. Although it should reduce the population in the longer term, it does nothing about the deer which are habituated to using the site.

Given that we have ruled out non-lethal control options, it would appear that lethal control is the only option and it is certainly the option that we would recommend to you. We understand the potential PR issues and are willing to offer the Council what assistance we can in this regard. I am sure you are well aware of the arguments, but would suggest that majoring on the fact that public money would potentially be wasted if deer management is not carried out and the trees fail to establish is a good first line. There are many other lines that can be explored, including some of the foregoing arguments about non-lethal mechanisms for deer management.

On the specifics of deer management, I can see both advantages and disadvantages in the use of either contractors or staff. As long as anyone involved is suitably experienced and insured, there should be no difference in the outcome. It may be preferable to be seen to be doing it in house and have greater control rather than using contractors, or it may be preferable to utilise the distance between instruction and deed that comes from using contractors.

I would suggest that shooting in daylight and in season would be the best option in the first instance, although it may be that high levels of disturbance due to public access mean that the vast majority of deer utilisation occurs at night.

Out of season shooting can be contentious, but is very often necessary to prevent damage. Out of season shooting is allowed at any time of year on enclosed woodland under Section 26 of the Deer (Scotland) Act 199 if it is conducted by the occupier, the owner, their employees or any other person approved in writing by SNH as fit & competent for the purpose. I would, however, highlight that the site cannot be considered to be enclosed by a stock proof barrier, although this could be achieved by replacing the anti-motorcycle gates with an appropriate access friendly alternative.

SNH can issue an Authorisation under Section 5(6) of the Deer (Scotland) Act 1996 to cull deer out of season to prevent serious damage to unenclosed woodland. I would anticipate that this would be the mechanism that you would use in the first instance. We will only authorise the shooting of female deer from 1st September to 30th April due to welfare reasons of having dependent young. I would strongly suggest that even if you were culling without authorisation under Section 26 that you do not shoot female deer in this period due to the potential media angle. Again, any controller acting under such an authorisation needs to be on the SNH Fit & Competent register.

We would expect you to have made efforts to manage deer in season and during daylight before we would consider issuing an authorisation for night shooting under Section 18 of the Deer (Scotland) Act 1996. I do anticipate that night shooting could be a useful tool for this site, especially given the high levels of public access. There is trade off, however, between the visibility of using a spotlight on this site versus appropriate dawn and dusk conventional stalking techniques.

Having visited the site, I am content that appropriate deer management can occur in a safe manner. Communicating this to access takers and the wider public may be more of a task which will require a robust communication plan. I would suggest that a suitable deer management plan will help in this regard and I am more than happy to offer assistance in this regard. Further to this, it will be necessary to have at least some idea of deer numbers on the site. I would propose that SNH staff conduct a night time census using thermal imaging equipment and possibly a spotlight. I would suggest that we try to organise this at the earliest available opportunity and would request your assistance in obtaining vehicular access and a permit to work. This census will not provide a definitive picture of deer utilisation of the site, but will give a minimum index of deer present.

I trust that the foregoing covers all the relevant issues and provides some assistance in your planning for this site, but please do not hesitate to contact me if I can be of any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'James Scott', written in a cursive style.

James Scott
Deer Management Officer, North East