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ABERDEEN CITY COUNCIL

8 July 2011

Suzanne Kelly

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Dear Ms Kelly

Deer Management

Thank you for your letter of the 15 June 2011. We are making every effort to answer all of the points that you have raised. To assist with clarity the responses have been grouped in a format which I hope corresponds to your questions.

I have responded with reference to the numbered points in your letter.

1. a) The £43,831.90 you refer to does not relate in any way to the current Tree for Every Citizen Project. This as a grant repayment from a previous planting scheme from 1996 which failed due to deer damage and a lack of weed control. This amount was repaid to Forestry Commission Scotland prior to your enquiry so at the time of your enquiry dated 20 May 2011, when you asked "if ACC owed £44,000" our response was correct as the re-payment had been made against the 1996 grant payment prior to this date.

b) Regarding your request to see relevant financials on the entire tree scheme could you please clarify which tree scheme you are referring to and detail what information you are requiring.

c) There is no business plan to justify the potential future timber crop and subsequent potential 'income stream'. These are possible benefits in future years as a consequence of the City managing its woodland and are not the reasons for the "Tree for every Citizen" initiative.

d) The public were not asked to find a sum for ten years worth of tree guards. With reference to your paragraph, which commences "Your paragraph 2", these sums refer to deer fencing, I have given responses to

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your questions given here (relating to the deer fencing, numbers of trees and the consultation process) elsewhere in this letter in response to other points you have raised.

e) I note your views on the consultation process, however I believe that the consultation process was robust. We consulted on the locations, layout and species mix of the proposed planting areas but the implementation of these schemes is undertaken through industry standard processes which are limited by the funding availability. There is no reason to consult on the detail of how projects are implemented especially when the proposals will be implemented following established good land management practice.

2. a) Aberdeen City Council has no control over how the media report Council meetings. In this case the media did not accurately report on the decisions of the Committee and have continued to publish inaccurate information about the project. They have published their interpretation of the committee decisions.

Officers had presented, at the request of the committee, an options appraisal on deer management which clearly states that with the option of fencing that further deer management would be required (March 2011). This was one of the reasons in the first place that the Council had agreed reluctantly to deer culling as a means of managing the deer population at Tullos Hill. The committee and not Mr P Leonard gave the opportunity to individuals and organisations opposed to deer culling to raise finances for deer fencing etc. at Tullos Hill. This same committee in March 2011 had approved the deer management plan but implementation of the plan was put on hold by the committee until the next meeting in May 2011 giving some time for individuals and organisations to consider the invitation. The timescale was limited due to the reasons given later in this response. At the same time it was made clear at the March 2011 committee meeting that even with fencing deer management would still be required due to loss of habitat. The committee did not have to give these individuals and organisations the opportunity to raise the money for deer fencing etc. but did so in good faith.

b) There was no requirement to refer consultees back to the first phase proposals or committee reports as the consultation was on the locations, layout and species mix of the proposed planting areas. Committee asked that a consultation be undertaken on the proposed locations of the phase 2 sites and their layout.

c) Money from the 'public purse' is money that is from taxes, council tax and other charges as well as funding which is from sources such as the European Union. It is money that local or national government have to spend on the provision of services and facilities.

You refer to Tullos Hill being the site for 40,000 trees; this is not the correct number of trees for the site. This was the approximate number of trees planted in the 1996 Woodland Grant Scheme, not what is proposed for the

Tree for Every Citizen Project. The current proposal will involve planting around 39 hectares of woodland with between 2000 – 2500 trees per hectare. Within the 39 hectares there will be areas left unplanted as glades, for paths and to retain views across the city which is allowable under the grant scheme.

There is no requirement to have a full enquiry into the Tree for Every Citizen project as stated previously. The relevant Committees of Aberdeen City Council to which we report have agreed the project. We take our instructions from Elected Members not individual members of the public who may disagree with the decisions taken by their elected representatives.

3. a) I note your views regarding land management, however the Council's position is as stated in committee reports and previous correspondence to yourself. The site has not had deer on it for generations at the current level. The majority of the site is a former landfill site which has been in continuous operation since the 1950's to the present day. When the site was in more active use as a landfill site it was not appropriate deer habitat. There is some existing woodland on the site which is failing to regenerate naturally due to the pressures of deer damage. The populations of roe deer in Scotland have risen dramatically over the last 10 -15 years with a series of mild winters (apart from the last two) and the lack of appropriate management particularly in urban areas such as Aberdeen where historically the population was small. Roe deer are principally a woodland species which has had to spread into other less favourable habitats such as Tullos Hill as the woodland habitat reaches its ecological carrying capacity for the species.

You state that Tullos Hill is capable of sustaining its current animal population. This is your opinion; you offer no evidence to support this. The advice we have had from the relevant government advisory bodies and the evidence on site suggests otherwise.

No culls of roe deer have taken place on Tullos Hill authorised by Aberdeen City Council in the last 30 years.

b) You quote the SSPCA in your response. We have been unable to find any evidence from the charities policies that it has one that is against culling. We are in the process of checking this with the organization. We believe that the quote from Mr Mike Flynn is based on inaccurate reporting of the committee decision in the media. If the SSPCA were financially able to and prepared to relocate the deer legally within the project timescales then the City would be amenable to them doing so.

4. a) Regarding contacting Mr. Robins, his enquiry was responded to by officers of Aberdeen City Council. The Council had taken advice from the specialists in the field recognized by the relevant funding bodies. Mr. Robins was suggesting that a retired officer from another local authority would be in a better position to give advice. This person is not a

recognized expert in the field or part of any recognized organization. If Aberdeen City Council had gone down the route of taking advice essentially from a member of the public rather than from those working in the field, with access to the latest research and scientific information, and from respected governmental advisory organizations, it would be seen as being highly unprofessional.

b) The timescales for objectors to raise the money were limited by the grant funding availability and timescales to implement the project which is set out with the control of Aberdeen City Council. Our officers are experienced in sourcing funding for this type of project. This is a part of their professional role in managing, enhancing and promoting our green space areas. They have been working in collaboration with Forestry Commission Scotland, the governmental advisors on woodland management and establishment in Scotland. This combined with officers' work in partnership with businesses in the private sector to achieve funding for projects gives us a strong basis to work from. The funding package developed is for the long term establishment and sustainable management of these new woodlands.

5. a) The non lethal options that you have highlighted are intended for the domestic garden scale usage and the chemical repellents as you state need to be reapplied frequently in the growing season. This is not practical over a 39 hectare site. The ultra sonic devices are not practical on a site the size of Tullos Hill and as you state are only effective initially. There would also be welfare issues if the deer are displaced from Tullos Hill by these deterrents given the high population levels in the local area. The deer would still need to go somewhere as is the situation with erecting deer fencing.

b) The trees that are deer resistant listed on the website you quote are mainly non native species that will not be of benefit to our native biodiversity apart from offering shelter. Our native wildlife is adapted to feeding from native trees and shrubs and associated invertebrate and vertebrate species. The ecological food chain needed for a sustainable ecological system cannot be maintained with these non native species. Many of the tree species listed are not suited to the climatic and environmental conditions in Aberdeen. I note that some of the species listed, including Scots pine, ash and hawthorn have been subject to deer damage on other sites within Aberdeen. If we were to include the exotic species listed the project would not be eligible for the funding available. The website does state "There are very few trees that are entirely deer resistant."

c) I note your views regarding the credentials of the Council's officers. I can assure you that my officers are well qualified, experienced professionals in their work so are working from a fully informed and researched basis which is why we have adopted the proposals as agreed by Committee.

d) You quote a statement from another local authority officer, he may be able to comment on what they have done in Glasgow but this does not qualify them to speak on the situation in Aberdeen. Our officers have recently spoken to colleagues managing the woodlands in Glasgow and they have indicated that there has been very little or no new tree planting on woodland scale in recent years and that roe deer numbers have increased dramatically in their area which is limiting what they can do. There was extensive planting 10-15 years ago but at that time deer were not a problem.

There is no requirement for us to consult with officers at other local authorities on our projects. Skills and experiences are shared at a professional level through conferences, professional journals etc.

e) Your second quote is not referenced as to where it has come from and relates to the earlier 1996 project. The issue of post planting maintenance is an integral part of the Tree for Every Citizen Project and will be funded as a part of the grant payments. The experience from this scheme can clearly be seen at some of the tree planting sites from 2010 are that every young tree has been nibbled by deer which, if allowed to continue, will kill the trees.

f) A formal pre planting survey is not required for a project of this nature. As stated in previous responses our officers have extensive knowledge of the habitats, species and archaeology present on the site. Areas of importance are not being planted, for example areas of heath land or archaeological importance. In a more natural heath land environment, (not on former landfill sites) the areas around heaths are often wooded and a small area of appropriate woodland within the heath benefits this habitat.

g) There is no proposal to exclude deer from Tullos Hill; the proposal is to manage the deer numbers at a sustainable level. Once the woodland is established it will provide a far better habitat for deer which are a mainly woodland living species and other wildlife, rather than what is present on site.

h) Specific dates and times cannot be given for any proposed deer cull as this will depend on weather conditions on site. This is not only for deer welfare but also for safety of the operatives and any visitors on site. Any cull will take place in line with the requirements of the "Deer Scotland Act 1996" and respecting the appropriate closed season period.

As a part of the tree planting programme, areas of gorse are due to be cleared to reduce the ongoing spread of this invasive species which is of limited biodiversity value. No dates have yet been set for any of this work to be carried out on Tullos Hill.

i) Your comments regarding the football stadium are not relevant to the tree planting programme at Tullos Hill. This was an application that was submitted by Aberdeen Football Club and not the Council; but in

determining the application the Council took full account of all environmental implications. Details on this matter can be seen on the City's website when referring to the Full Council minutes and Agenda items.

6. a) In the information forwarded to the community councils as a part of the consultation there was an offer for officers to provide any further information which would include attendance at a scheduled community council meeting to discuss the proposals. Torry Community Council did not request any further information or input and to date have not submitted any objection to the project proposals to Aberdeen City Council. As stated at point 1 above the consultation was on the location and species mix not on the methodology which is a part of established and normal best practice woodland establishment and management.
7. a) Officers from Housing and Environment have been working closely with successfully with Grampian Fire and Rescue Service for more than five years on reducing wilful fire raising in the Kincorth and Tullos and other areas across the city. As a part of this they have looked at reducing the risk of fires establishing in woodlands and Grampian Fire and Rescue Service agree that broad leaved trees represent a much reduced risk of fire than conifers and certainly a much less risk than gorse that would remain on site if tree planting was not to go ahead. You refer to an unnamed former fire department captain, this is not a rank that exists in Grampian Fire and Rescue Service so clearly is not a local person.

If you were to look at the nature of the sites where forest or other wilful fires occur in the countryside they generally occur in heath land, gorse, scrub, grassland or coniferous woodland both in incidents in Scotland, England, across Europe and North America. Fires in mixed or broad-leaved woodland are rare.

There is no requirement to write reports on why creating woodland will reduce the risk of wilful fire raising when it is common knowledge that mixed woodland is a lower fire risk than gorse scrub and grassland. The tree for every citizen is about improving the green space areas of the city in an efficient and cost effective manner, not generating a series of reports that are of little or no value to the project.

8. a) The Tree for Every Citizen project was one of the commitments that the administration as whole agreed to in the Vibrant Dynamic and Forward Looking document in 2007. This Council policy was formed from a combination of the manifesto pledges of both the Liberal Democrats and SNP parties and therefore has the full mandate of the people of Aberdeen. The Council's processes do not require Elected Members of the party who propose projects to declare an interest at any meetings where the project is discussed. Elected Members have to declare an interest if they are a part of an organization which can benefit unfairly from being a part of any discussion. This is not the case with this project. Therefore we are not acting ultra vires and there is no need for an investigation.

9. a) The area on which it is intended to plant trees is a remediated landfill site.

Tullos Hill is in part a heath land ecosystem which is a priority habitat for NE Scotland. There are no plans to plant trees on the areas of heath land as a part of the Tree for Every Citizen project or any other project. The heath land areas are within areas which have never been land filled. The areas to be planted are for the mostly on areas of former landfill where the soils are too rich to support a heath land ecosystem. The remaining areas are on areas where there is either rank improved grassland or gorse scrub which will not support a heath land ecosystem.

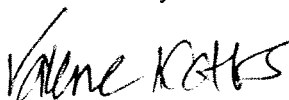
By planting appropriately planned woodland adjacent to the heath land, the ecotone that is created is of greater ecological benefit than the ecotone between heath land and grassland.

10. a) I note your views in the final paragraphs of point 10 and refer you to my responses given earlier in this reply for several of the points raised.
- b) The actions relating to the final planting schemes and letters being sent to householders adjacent to the scheme have not yet took place. The plans for the tree planting work had to be put on hold until the decision of the Housing and Environment Committee was made regarding deer management. Without the ability to reduce the deer numbers the funding package to deliver the project would not be available. The plans are being finalised and once completed letters can be sent to the residents who directly adjoin the proposed planting areas asking for comments on the design and species mix of the proposed planting.
- c) The objections that have been received by Aberdeen City Council regarding this project since January 2011 to 28 June 2011 total 244 letters or emails from 197 individuals/organizations. This includes letters/emails from 3 Community Councils (Cove & Altens, Kincorth & Leggart, and Bridge of Don). I attach a copy of the community council letters as requested.

We have made every effort to answer your points and this is a full and comprehensive response made to your letter and previous correspondence. The Council's position has been clearly explained to you and is a matter of public record.

We remain open to further dialogue regarding any new points you may wish to raise but consider the matter closed with regards to these and other points you have previously raised.

Yours sincerely



Valerie Watts
Chief Executive