

# East Ayrshire Council Deer Management Statement



Image: Roe deer (Creative Commons)

Tom Edwards, May 2023

#### Contents

1	Pι	urpose	rpose				
2	Ва	ackgro	und	3			
	2.1	Wha	at is the law on deer management?	3			
	2.2	Wha	at is the Scottish Government and NatureScot's policy on deer management?	. 4			
2.3 Recent and future policy developments		ent and future policy developments	5				
	2.	3.1	Lowland Deer Panel	5			
	2.	3.2	Deer Working Group	5			
	2.4	Wha	at deer are present in East Ayrshire?	6			
	2.5	Dee	r habitat in East Ayrshire	7			
		5.1 levant	Deer habitats on land owned or managed by East Ayrshire Council, and Council policies	8			
	2.6	Why	y manage deer?	9			
	2.7	Wha	at information is needed to inform deer management?	9			
3	С	urrent	deer impacts and deer management in East Ayrshire	10			
	3.1	Dee	er impacts in East Ayrshire	10			
	3.2	Wha	at deer management does East Ayrshire Council undertake currently?	13			
	3.3	Wha	at deer management is carried out by others in East Ayrshire?	13			
4	Fι	uture d	eer management by East Ayrshire Council	14			
	4.1	Hov	v should the Council decide whether deer management is required?	14			
	4.2		v does the Deer Code apply to East Ayrshire Council?				
	4.3	Wha	at MUST East Ayrshire Council do?				
	4.	3.1	What MUST East Ayrshire Council do to manage deer?	17			
	4.	3.2	What MUST East Ayrshire Council do to regulate sales of venison?	17			
	4.4	Wha	at SHOULD East Ayrshire Council do?	17			
	4.5	Wha	at further actions COULD East Ayrshire Council take?	21			
5	Re	ecomn	nendations	23			
6	Re	eferen	ces	24			
7	Αŗ	ppendi	ces	27			
	7.1 Appendix 1 – Information requested and meetings held in preparing this state 27			nt			
	7.2	App	endix 2 – Maps	29			
	7.3	App	endix 3 – SNH's approach to deer management	32			

#### 1 Purpose

The purpose of this statement is to inform East Ayrshire Council's production of a Deer Management Statement that will establish a framework for the Council to fully consider its deer management responsibilities. Contextual information is also provided summarising: the current national law and policy on deer management; available information about deer in East Ayrshire; and the responsibilities that the Council has to manage deer under current legislation both as a landowner/manager, and as a public body.

#### 2 Background

#### 2.1 What is the law on deer management?

The key piece of legislation on deer management is the Deer (Scotland) Act 1996 [the Act]. The Act has been amended several times, most significantly in 2011 and 2016. The Act sets closed seasons during which deer may not be taken and minimum requirements for firearms for killing deer. It also prohibits certain methods of killing or taking deer to protect their welfare. The Act established the Deer Commission for Scotland as an NDPB to advise Government on deer management. In 2011 the functions of the Deer Commission for Scotland under the Act were transferred to NatureScot<sup>2</sup>. The Act gives NatureScot powers to secure deer management by: requiring landowners to produce a deer management plan; negotiating a control agreement with landowners to implement specific deer management measures; and, where a control agreement cannot be negotiated, to apply to Scottish Ministers to make a control scheme requiring specific deer management measures. These powers are available under the Act where deer and/or current deer management (or lack of) are causing (or are likely to cause) damage to woodland, agriculture, deer welfare or the natural heritage; damage to the public interest; injury to livestock; or where deer are a danger or potential danger to public safety e.g., because of deer vehicle collisions or the risk of deer vehicle collisions (DVCs).

An amendment to the Act in 2011 required NatureScot to produce a Code of Practice on Deer Management, to provide practical guidance on sustainable deer management, and to give examples of circumstances in which NatureScot would use its powers under the Act.

The <u>Code of Practice on Deer Management</u> [the Deer Code] was approved by the Scottish Parliament on the 14 December 2011. It is not an offence to breach the Code, however, compliance with it is a consideration for NatureScot in deciding whether to use powers under the Act (Scottish Natural Heritage 2011).

<sup>&</sup>lt;sup>1</sup> By Part 3 of the Wildlife and Natural Environment (Scotland) Act 2011 and Part 8 of the Land Reform (Scotland) Act 2016.

<sup>&</sup>lt;sup>2</sup> Scottish Natural Heritage is still the legal entity under the Natural Heritage (Scotland) Act 1991. It rebranded as Nature Scot in 2020, and so is referred to as NatureScot throughout this document.

## 2.2 What is the Scottish Government and NatureScot's policy on deer management?

The Scottish Government and NatureScot's key policy on deer management is 'Wild Deer a National Approach' [WDNA]. This strategy document was first published in 2008, and then reviewed and revised in 2014. The revised document was accompanied by an Action Plan setting out actions to be implemented between 2015 and 2020. WDNA sets the following vision for deer management in Scotland to be achieved by 2030:

"There will be widespread understanding and achievement of sustainable deer management.

- Deer will be valued as part of Scotland's natural heritage, in balance with their habitats and will contribute to a high quality, robust and adaptable environment;
- Deer will be a resource for diverse sustainable economic development with adverse impacts on other land being minimised;
- Deer management will promote social well-being through enjoyment of the outdoors and healthy lifestyles.

Wild deer will be managed in an inclusive way with knowledge used to underpin all decisions." (Scottish Government 2015)

NatureScot's policy is to secure sustainable deer management through a voluntary approach which seeks a partnership with deer managers and encourages effective collaboration between neighbours. NatureScot will only seek to use its powers under the 1996 Act where this approach has been attempted and exhausted. NatureScot's approach to deer management is summarised in a flow diagram in Chapter 5 of the Deer Code which has been reproduced in Appendix 3 of this document.

WDNA highlights other relevant Scottish Government policies and objectives which achieving deer management can make a contribution towards implementing and meeting. These include in particular the policies and measures the Scottish Government is committed to tackle the twin crises of climate change and biodiversity loss. These measures include:

- Climate Change Targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045<sup>3</sup>
- Scotland's Climate Change Plan, which sets out the measures which need to be implement to achieve net-zero. The measures include increasing woodland creation from 12,000 hectares in 2020-21 to 18,000 hectares per year from 2024-25 (Scottish Government 2020a).
- The Scottish Government's Biodiversity Strategy, which set a challenge of restoring 15% of degraded ecosystems. The Scottish Government will publish a new biodiversity strategy in 2022 (NatureScot 2020a). The Scottish Government consultation paper on a revised strategy proposed two objectives of reversing biodiversity loss by 2030; and restoring and regenerating biodiversity by 2045. Among the outcomes proposed for 2030 were that there would be large-scale regeneration of woodland, achieved by reducing deer grazing and browsing impacts; and that the number of deer and their impacts is reduced to enable peatland restoration, natural regeneration of woodlands and increased structural diversity in the uplands (Scottish Government 2022a).

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<sup>&</sup>lt;sup>3</sup> Set in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

#### 2.3 Recent and future policy developments

#### 2.3.1 Lowland Deer Panel

NatureScot convened a Lowland Deer Panel in January 2018 to answer five key questions on deer management in the Lowlands. The panel was remitted to make recommendations within the scope of the existing legislative framework. The panel reported in February 2019, its main recommendations were that:

- NatureScot should work more extensively with Local Authorities to ensure they were aware of their responsibilities under the Deer Code
- Collaborative deer management in the lowlands should continue, with the structures
  to deliver it varying according to the species present, with collaboration over larger
  areas where herding species (red, sika, fallow) are present, and more locally where
  only roe deer are present (Lowland Deer Panel 2019)

#### 2.3.2 Deer Working Group

The Scottish Government appointed an independent <u>Deer Working Group</u> in October 2017 to recommend changes to ensure effective deer management in Scotland that safeguards public interests and promotes the sustainable management of wild deer.

The Deer Working Group (2020) submitted its final report in December 2019. The >350-page document provides a comprehensive review of all aspects of deer management in Scotland, and made 99 recommendations for changes to law and policy.

The Group considered the specificities of managing deer in the urban environment, e.g., the fact that there are a large number of property owners, with little or no experience or interest in managing deer, and also the challenge of managing deer using high-velocity rifles in densely populated areas. The Group considered whether this warranted a different approach, where local authorities would become the deer authority in certain designated areas, with a range of regulatory powers e.g., to licence deer control. It stopped short of recommending this.

The Group made two recommendations which specifically referred to local authorities. These were that NatureScot should work to develop deer management at a local authority level as an intermediate level between the national and local levels (recommendation 91); and that NatureScot should appoint a panel of public sector representatives for each local authority area to advise on deer management recommendation 94). The Group suggested that these panels should include representatives of Scottish Forestry; Forestry and Land Scotland; the Scottish Government Rural Payments and Inspections Directorate; and Police Scotland; as well as representatives to cover local authority responsibilities for roads, venison dealer licensing and planning.

The Scottish Government (2021a) published its <u>response</u> to the Deer Working Group's report in March 2021. The Government accepted almost all of the recommendations the Group made. It said it will take forward the recommendations for legislative change in the current Parliament (i.e., before 2026), and that there will be public consultation before any proposals for legislation are introduced to the Scottish Parliament. The Government said that while legislative proposals are being developed, it will implement the Group's

recommendations which do not involve legislative change, prioritising those which support the achievement of climate and biodiversity targets. On the recommendations referred to above, the Government has accepted recommendation 91, and that NatureScot will develop proposals for Local Authorities (or a similar alternative such as Regional Land Use Partnerships) as an intermediate level for deer management. The Government has not accepted recommendation 94 on the establishment of local authority panels. It has said it will consider this recommendation further once it has developed its policy on an intermediate level of deer management through the implementation of recommendation 91.

The Scottish Government is progressing with implementing the recommendations of the Deer Working Group. For the recommendations which require legislative change, the Government is committed to introduce legislation in the current Parliamentary session (i.e., by 2026). These proposals will be subject to consultation before a Bill is introduced to the Parliament (Scottish Parliament 2022).

#### 2.4 What deer are present in East Ayrshire?

Available information suggests that the main deer species regularly present in East Ayrshire are Red deer and Roe deer, Scotland's two native species of deer. Two other introduced species of deer, sika and fallow, are present elsewhere in Scotland, but do not occur in East Ayrshire. A fifth species, also introduced, the Muntjac, is expanding its range Northwards in England, but is not currently thought to be established in Scotland.

The <u>National Biodiversity Network (NBN) Atlas of Scotland</u> has 138 records of roe deer in East Ayrshire since 1990. The records are well spread across East Ayrshire. The NBN Atlas also has 25 records of Red deer, all of which date from 1990 to 1992. These records are spread across the Southern half of East Ayrshire. There is also one record of a Fallow deer from 2001, from approximately 5 miles South of Kilmarnock. A small number of Fallow deer have also been culled on the National Forest Estate in East Ayrshire.<sup>4</sup>

The British Deer Society carries out periodical deer distribution surveys. The most recent survey was in 2016. The results report presence or absence of deer within 10km grid squares (hectads). The results of the 2016 deer survey showed that roe deer were present in all of the 10km squares within East Ayrshire (British Deer Society 2016<sup>5</sup>). The survey reconfirmed<sup>6</sup> Red deer in seven grid squares in the South of East Ayrshire, in two other grid squares in central East Ayrshire (NS61, NS62 and NS71). Fallow deer and Sika deer were not recorded in the BDS surveys in East Ayrshire.

There is very limited information available on numbers or densities of deer in East Ayrshire, or in lowland Scotland in general.

Nature Scot has carried out a deer count in East Ayrshire in January 2023. The count was done to make an initial assessment of some typical deer habitat in East Ayrshire to inform this project. An area around Lugton, Dunlop and Stewarton was counted during one night, using thermal imaging equipment to detect and count deer from a vehicle on the public road. The areas counted were a mix of farmland and woodland. A total of 76 roe deer were

<sup>&</sup>lt;sup>4</sup> Forest and Land Scotland. 2023. Personal Communication.

<sup>&</sup>lt;sup>5</sup> British Deer Society. 2016. Deer Distribution Survey 2016 – Roe deer: <a href="https://www.bds.org.uk/wp-content/uploads/2020/05/Roe-DD-16.pdf">https://www.bds.org.uk/wp-content/uploads/2020/05/Roe-DD-16.pdf</a> Red deer: <a href="https://bds.org.uk/wp-content/uploads/2020/05/Fallow-DD-16.pdf">https://bds.org.uk/wp-content/uploads/2020/05/Roe-DD-16.pdf</a> Fallow deer: <a href="https://www.bds.org.uk/wp-content/uploads/2020/05/Fallow-DD-16.pdf">https://www.bds.org.uk/wp-content/uploads/2020/05/Fallow-DD-16.pdf</a> Sika deer: <a href="https://bds.org.uk/wp-content/uploads/2020/05/Sika-DD-16.pdf">https://www.bds.org.uk/wp-content/uploads/2020/05/Fallow-DD-16.pdf</a> Sika deer: <a href="https://bds.org.uk/wp-content/uploads/2020/05/Sika-DD-16.pdf">https://www.bds.org.uk/wp-content/uploads/2020/05/Fallow-DD-16.pdf</a> Sika deer: <a href="https://bds.org.uk/wp-content/uploads/2020/05/Sika-DD-16.pdf">https://www.bds.org.uk/wp-content/uploads/2020/05/Fallow-DD-16.pdf</a> Sika deer: <a href="https://bds.org.uk/wp-content/uploads/2020/05/Sika-DD-16.pdf">https://www.bds.org.uk/wp-content/uploads/2020/05/Sika-DD-16.pdf</a>

<sup>&</sup>lt;sup>6</sup> Reconfirmed means that as well as being recorded by the survey in 2016, they were also recorded there in one of the previous surveys of either 2007 or 2011.

counted. This is a reasonably high but not excessive count considering the habitats in the area counted.

Due to the nature of the terrain, often being flat with limited vantage points and the fact that deer spend much of their time in woodland and other concealing habitat, it is not feasible to try to establish the size of deer populations in the lowlands by direct counting. Instead, the approach of NatureScot and other deer managers is to manage deer according to the impacts they are having, e.g., by monitoring the impacts of deer browsing on trees, or the rate and locations of deer vehicle collisions. Where impacts are at an unacceptable level, further management measures are put in place to attempt to reduce impacts, with ongoing monitoring to assess whether management is having the desired effect.

#### 2.5 Deer habitat in East Ayrshire

Deer are naturally woodland animals. Red deer in parts of Scotland have adapted to living on the open hill. In other areas, including in East Ayrshire, Red deer live in woodland. The ranges of the other three species present in Scotland, Roe; Fallow; and Sika are closely linked to woodland. Deer use woodland or dense scrub to lie up during the day or for refuge when disturbed, moving to open ground to feed at dawn and dusk. The increase in woodland cover in Scotland over the last century has allowed deer of all species to increase their range and numbers.

The change in woodland cover in East Ayrshire from 1988 - 2020<sup>7</sup> is shown in the table below.

Table 1 - Change in Woodland Area in East Ayrshire 1988 - 2020

Year	Woodland area, all types	% of East Ayrshire Council
	(hectares)	area
1988	21,196	17%
2020	27,509	22%

Sources: Land Cover Scotland 1988 and National Forest Inventory for Scotland 2020

Woodland cover in East Ayrshire as a proportion of its area is above the national level: 22% for East Ayrshire compared to 19% for Scotland<sup>8</sup>. Woodland cover increased by 5% between 1988 and 2020. This increase in woodland cover and the development of woodland habitat corridors, e.g., along former railway lines; cycle networks, have allowed deer to expand their range in East Ayrshire.

As well as changes in woodland cover, changes in farming practices also have an effect on deer habitat, e.g., a decline in livestock farming can improve the suitability of open habitats for deer grazing. Change in farming was investigated by analysing information from the agricultural census of East Ayrshire. Information was analysed on areas of crops and grass, and the type and number of livestock kept, from agricultural census returns for 1990 and 2020.

<sup>&</sup>lt;sup>7</sup> Analysis of all types of woodland in the Land Cover Scotland 1988 and the National Forestry Inventory for Scotland 2020 datasets. See also Map 1 in Appendix 2.

<sup>&</sup>lt;sup>8</sup> Forestry Research. 2020. Forestry Statistics 2020. Available at: <a href="https://www.forestresearch.gov.uk/tools-and-resources/statistics/forestry-statistics/for

The main changes have been a reduction in the area of crops and rough grazing; an increase in improved grassland and woodland on farms; and a reduction in numbers of both sheep and cattle. The area of woodland on farms increased by almost 200%, from ~2,500 hectares to over 7,000 hectares. The number of sheep kept in East Ayrshire declined by ~one third, and the number of cattle by ~a guarter.

The decline in sheep numbers is in line with the national trend, with a 32% decline in the number of sheep kept in Scotland from 1990 to 2020. For cattle, the reduction is more than the level of decline seen nationally (19% reduction from 1990 to 2020). The reduction in livestock numbers coupled with the increase in farm woodlands is likely to have increased and improved the area of habitat available to deer in East Ayrshire.

# 2.5.1 Deer habitats on land owned or managed by East Ayrshire Council, and relevant Council policies

Land owned by East Ayrshire Council includes woodland, parks and greenspace. The Council also owns and manages a Country Park (Dean Castle) and promotes the protection and sustainable management of Local Nature Reserve(s) (Catrine Voes) and Local Nature Conservation Sites (LNCSs).

The Council has several policies and initiatives which support woodland creation and increasing tree planting in the right places in East Ayrshire. For example the Proposed Local Development Plan 2 contains two key policies on woodland creation: Policy SS13: Strategic Woodland Creation and Policy NE9: Woodland Creation. Policy SS13 (Strategic Woodland Creation) supports proposals within the regional strategic woodland creation pilot area. The pilot area extends from the west of Cumnock down to the east of Dalmellington (illustrated in Figure 12, Page 51 of the PLDP2), which has since been refined further to a smaller area to the west of New Cumnock. Non-statutory Planning Guidance is being prepared to support woodland creation in this area. Policy NE9 (Woodland Creation) is intended to support the Scottish Government's target of creating 18,000ha of woodland annually by 2024/25. The Proposed LDP2 also includes a policy of presumption against loss of trees, woodland, forestry and hedgerows as far as possible as a consequence of development (NE8: Trees, Woodland, Forestry and Hedgerows).

The Planning (Scotland) Act 2019 introduced a statutory requirement for every planning authority to prepare, either on its own of jointly, a Forestry and Woodland Strategy. This will identify woodlands of high conservation value and set out the Authority's policies for the protection and expansion of forestry. This current Ayrshire Forestry and Woodland Strategy (2013) will therefore be required to be reviewed and updated.

East Ayrshire Council is also a signatory to a concordat on the delivery of the Central Scotland Green Network (CSGN). The Proposed LDP2 includes a policy in support of CSGN (SS3). Specifically, this is through development proposals that address gaps in the networks, which would include woodland habitat. The spatial mapping suggests opportunities are greatest in the east and south of the local authority.

The Climate Change Action Plan – Action 16 – provides for additional investment for East Ayrshire Woodlands to work with landowners and communities to promote woodland development and management activities. The focus is primarily on supporting more proactive management of existing woodland and seeking opportunities for expansion/enhanced connectivity of the woodland habitat network. This could include land in Council ownership.

#### 2.6 Why manage deer?

Deer have an effect on our countryside and us in different ways at different times. These effects are described as impacts. Effective deer management aims to reduce negative impacts, and/or improve positive impacts. As explained in section 2.2 sustainable deer management can make important contributions towards meeting the public policy objectives to address the climate and nature crises.

Examples of deer management measures which local authorities could implement are shown in the table below.

**Table 2 – Deer Management Measures** 

Management measures	Example
Vegetation palatability, taste-based repellents	Planting / managing palatable and unpalatable plant species to encourage / discourage deer in certain areas. Using taste based repellent chemicals to discourage deer from eating certain plants
Vegetation management	Controlling road-side vegetation so that deer by the road can be more easily seen by motorists
Road signage	Warning signs to alert motorists to deer hazards at Deer Vehicle Collision hotspots
Wildlife bridges / underpasses	Provision of crossing points over or under roads and railways to allow deer and other wildlife to cross safely
Individual tree protection	Use of tubes, tree guards or cages to protect individual trees from deer browsing
Fencing	Deer fencing to prevent deer accessing sensitive habitat e.g., newly planted woodland, to prevent deer crossing a road, or to funnel deer movements towards a safe crossing point
Scaring	Use of auditory or visual scaring techniques to discourage deer from particular areas
Responsible public access	Providing information to the public e.g., in parks regularly used by dog-walkers, to advise the public of the presence of deer and of the need to keep dogs under close control
Lethal control	Local authorities could arrange culling of deer either by contacting:
	Members of a local deer management group / Lowland Deer Network Scotland
	Contracting a professional deer controller (this is the approach often taken by Forestry and Land Scotland)
	Training staff in deer control (the Deer Stalking Certificate)
	NB: NatureScot holds a register of fit and competent individuals who have the requisite level of skills and experience to carry out deer control safely and effectively.

#### 2.7 What information is needed to inform deer management?

Three main types of information can inform deer management:

- Information about deer impacts: e.g., deer vehicle collisions, assessments of deer impacts on biodiversity; forestry, farming, greenspace and domestic gardens
- Information about deer: e.g., range; density; numbers; sex ratio; reproductive rate; health
- Information about deer management: e.g., location, condition and date of erection of deer fences; number, sex and location of deer culled; carcass weight and condition of culled deer; number of people employed in deer management; income generated by recreational deer stalking

There is currently limited information of all three types available to inform deer management in East Ayrshire, as elsewhere in much of lowland Scotland. McMorran et.al (2019) investigated the availability of information on deer management in a pilot area in the Stirling and Falkirk area. They identified a number of gaps in information in all three of the above areas, and made some recommendations for improvements in data collection. These recommendations were endorsed by the Lowland Deer Panel. However, it is unlikely that the availability of information to inform deer management is going to change substantially in the near future, due to public sector resource constraints.

Where there are gaps in the information available to deer managers, decision making should follow the precautionary approach. This means that decisions about how to manage deer should not be deferred, they should be made on the basis of the information that is available. An adaptive approach could also be adopted, with management being revised in the light of new information and depending on the results of previous measures.

# 3 Current deer impacts and deer management in East Ayrshire

#### 3.1 Deer impacts in East Ayrshire

There is very limited information available about the positive impacts that flow from deer management in East Ayrshire e.g., the economic benefits from recreational stalking or venison sales; or the intangible benefit from the enjoyment and appreciation people feel from seeing wild deer. It is possible to say more about the negative impacts that deer can have, and the table below identifies potential negative impacts, and comments on what is known about impact levels in East Ayrshire, based on available information.

Table 3 – An Assessment of Negative Deer Impacts on Private and Public Interests in East Ayrshire

Negative Impact	Private / Public Interest	Impact in East Ayrshire	Trend, Severity
Deer vehicle collisions	Both	There were 37 Deer Vehicle Collisions recorded in East Ayrshire in the 5 years 2008 to 2012. This increased to 75 in the 5 years 2013 to 2017.9 A high proportion of collisions are	Worsening, High. It is highly likely that recorded DVCs are an underestimate due to under reporting. There is known to be a reporting

<sup>&</sup>lt;sup>9</sup> Analysis of Deer Vehicle Collision data available from SNH Natural Spaces website: https://gateway.snh.gov.uk/natural-spaces/dataset.jsp?dsid=DVC

Deer	Both	recorded on the M77/A77 accounting for 57% and 29% of records in these time periods (See Appendix 2, Maps 2 and 3) In certain urban sites there can	bias from the trunk road network.  Uncertain, likely to be
welfare – deer health and condition		be animal welfare concerns and the physical condition of deer can be poor compared to other areas. 10 Where deer occur at high density individual deer can experience welfare problems	relatively low.  Nature Scot has produced best practice guidance on managing deer in urban areas. <sup>11</sup>
Deer welfare – poaching, antisocial behaviour, interactions with dogs	Both	from parasites / disease.  There were no recorded crimes involving deer in the Police Scotland Ayrshire Division area in 2017/18, 2018/19 or 2019/20 and one in 2020/21. It is not possible to obtain a breakdown of incidents recorded by Police Scotland for the East Ayrshire specifically. The SSPCA also provided information from its call logs for incidents with postcodes in East Ayrshire. After removing incidents that were DVCs there were 65 incident reports from 2019-22, an average of around 16 per year. In the Police Scotland for the East Ayrshire.	Uncertain, likely to be relatively low.
Natural Heritage	Public	There are 16 Sites of Special Scientific Interest, one Special Protection Area and one Special Area of Conservation in East Ayrshire. 15 Of these sites, two have features which could be impacted by roe deer grazing or browsing – the upland mixed ash woodland of Ness Glen SSSI, which is in recovering condition, and the upland oakwood of the River Ayr Gorge, which is in unfavourable condition but has not been assessed recently. 16	Available evidence suggests impact on the small number of designated features of protected areas which could be negatively impacted by deer is low.

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https://informatics.sepa.org.uk/ProtectedNatureSites/

<sup>&</sup>lt;sup>10</sup> Green, P (2008) cited in Watson et. al (2009)

<sup>&</sup>lt;sup>11</sup> NatureScot. Best Practice Guides. Deer in towns. Part 1 Available at: <a href="https://bestpracticeguides.org.uk/planning/deer-in-towns/">https://bestpracticeguides.org.uk/planning/deer-in-towns/</a> Part 2:

https://bestpracticeguides.org.uk/planning/deer-in-towns-2/

12 Scottish Government, Wildlife Crime in Scotland Annual Reports for 2018, 2019 and 2020.

<sup>&</sup>lt;sup>13</sup> Police Scotland. 2019. Personal communication.

<sup>&</sup>lt;sup>14</sup> SSPCA. 2023. Personal communication. A number of the remaining incidents involved deer which were injured which were likely to have been involved in DVCs, but there were also incident reports of deer being chased and attacked by dogs; deer entangled in fences; or deer which were unable to get out of gardens and other enclosed sites.

<sup>&</sup>lt;sup>15</sup> NatureScot. Sitelink. Available at: <a href="https://sitelink.nature.scot/home?q=east%20ayrshire">https://sitelink.nature.scot/home?q=east%20ayrshire</a>

<sup>&</sup>lt;sup>16</sup>Scotland's Environment Web: Protected Nature Sites. Available at:

		Overgrazing is listed as a pressure affecting both sites, but other site details do not suggest that roe deer are negatively impacting site condition.  The RSPB manages one reserve in East Ayrshire, at Airds Moss. The Scottish Wildlife Trust (SWT) manages 2 reserves in East Ayrshire - Knockshinnoch and Dalmellington Moss. There is one Local Nature Reserve in East Ayrshire – Catrine Voes and Woodlands LNR. The site covers 7 hectares and includes woodlands by the River Ayr. Dean Castle Country Park covers 70 hectares and is predominantly wooded. East Ayrshire Council has also identified 128 Local Nature Conservation Sites, however, these are currently subject to review. <sup>17</sup>	No deer issues have been recorded at any of the RSPB or SWT reserves in East Ayrshire. 18 Impact on other natural heritage sites not known.
Trees and woodland		Around 22% of East Ayrshire is wooded, with a total area of 27,509 hectares listed in the National Forest Inventory in 2020. 42% of this woodland is within the National Forest Estate, and the remainder is in a mix of private and other public ownership. 19 On the National Forest Estate, Forestry and Land Scotland has a target of not incurring more than 10% damage to young trees. Out of 21 sites assessed across 7 forest areas in 2020, only two had young trees with damage below this level.	Available information suggests impacts on unprotected planted trees or regeneration are likely to be high.
Parks / amenity	Public	East Ayrshire Council owns and manages parks and other greenspace (school grounds; golf	Uncertain, likely to be relatively low. Potential for locally high impact where e.g., new amenity

<sup>&</sup>lt;sup>17</sup> Listed in Appendix 2 of the East Ayrshire Council State of the Environment Report 2016. https://www.east-ayrshire.gov.uk/Resources/PDF/P/Planning-SoE-Chapter-3-Ecology-&-Nature-

Conservation.pdf

18 RSPB Scotland. 2023 and Scottish Wildlife Trust. 2023. Personal communications.

19 GIS analysis of the National Forest Inventory 2020 and GIS shapefile of the National Forest Estate, clipped with the boundary of East Ayrshire Council.

		courses; amenity woodland and other greenspace).	planting occurs close to areas with high roe deer density
		There is no systematic recording of impacts.	
Private gardens	Private	No information.	Low.
Farming	Both	The main deer species in East Ayrshire is roe. Whilst damage to farm land by roe deer can be locally significant e.g., browsing of a crop close to the edge of a woodland with a high density of roe deer, in aggregate the impact on farming interests from roe deer is likely to be low.	Uncertain, likely to be relatively low.

#### 3.2 What deer management does East Ayrshire Council undertake currently?

Decisions on the need for deer fencing or other tree protection are taken on a site-by-site basis on the land which the Council owns / manages. The Council has not undertaken culling of wild deer on the land it owns.<sup>20</sup> The Council is surveying deer vehicle collisions to inform the need for deer warning signs on roads for which it is the roads authority.

#### 3.3 What deer management is carried out by others in East Ayrshire?

NatureScot can request an annual cull return from deer managers, which provide details of deer culled on a particular area. Landowners and deer managers are only required to submit a return if requested by NatureScot.

NatureScot receives 17 cull returns from private properties in East Ayrshire. For the five years 2017-18 to 2021-22 the returns show a combined annual average cull of 456 roe deer and 98 red deer. This is highly likely to be an underestimate of the number of deer culled in East Ayrshire each year.

Deer management on the National Forest Estate in East Ayrshire is delivered by a mix of FLS rangers, contractors and recreational stalkers. Information for 8 forest areas in East Ayrshire shows an average cull over the three years 2019-20 to 2021-22 of 388 roe deer, 142 red deer and one fallow deer per year. These 8 forest areas have a cull target for 2022-23 of 426 roe deer and 130 red deer.<sup>22</sup>

In the upland red deer range (broadly, North and West of the Highland Boundary Fault) there is an established network of <u>Deer Management Groups</u>. These are voluntary groupings of landowners and deer managers, who meet to agree and discuss their deer management plans; and which act as a forum for resolving any conflicts which arise if there are competing deer management policies of individual owners.<sup>23</sup> The logic to these groups is that they are managing red deer, a herding species, whose populations range across the boundaries of

<sup>&</sup>lt;sup>20</sup> There is a domestic herd of fallow deer at Dean Castle Country Park, which is culled selectively every 3-4 years to maintain numbers.

<sup>&</sup>lt;sup>21</sup> NatureScot. 2023. Personal communication.

<sup>&</sup>lt;sup>22</sup> Forest and Land Scotland, 2023, Personal communication.

<sup>&</sup>lt;sup>23</sup> As an example, the deer management policies of neighbouring owners could come into conflict where one neighbour wants low deer numbers, because they want natural regeneration of woodland without fencing, whilst another neighbour wishes to maintain relatively high deer numbers for recreational deer stalking.

even the typically large landholdings of the Highlands. In the lowlands, as noted above, the main species present, roe deer, are a territorial and not a herding species. The area over which collaborative deer management would be appropriate is therefore much smaller. That said, the average size of landholdings is also smaller and there remains a logic to collaborative deer management between neighbouring properties, just at a smaller scale. The analogue to Deer Management Groups in the lowlands is the <a href="Lowland Deer Network Scotland">Lowland Deer Network Scotland</a>, which provides fora through its constituent deer groups for those who are interested in deer management to work together. There are currently <a href="eight groups">eight groups</a> active in lowland Scotland, including a Wigtownshire and Ayrshire Deer Group, which covers the whole of East Ayrshire.<sup>24</sup>

At present, there is no requirement in Scotland to pass a formal test or qualification to be able to cull deer, except for out of season or night shooting. NatureScot keeps a register of persons who are "fit and competent" to control deer who are eligible to apply for such authorisations. There are currently 28 people listed on the register who live in East Ayrshire, and a further 6 people who have been listed previously.<sup>25</sup> The number of people who take part in deer stalking who live in and around East Ayrshire is not known, but is likely to be higher than this.

#### 4 Future deer management by East Ayrshire Council

#### 4.1 How should the Council decide whether deer management is required?

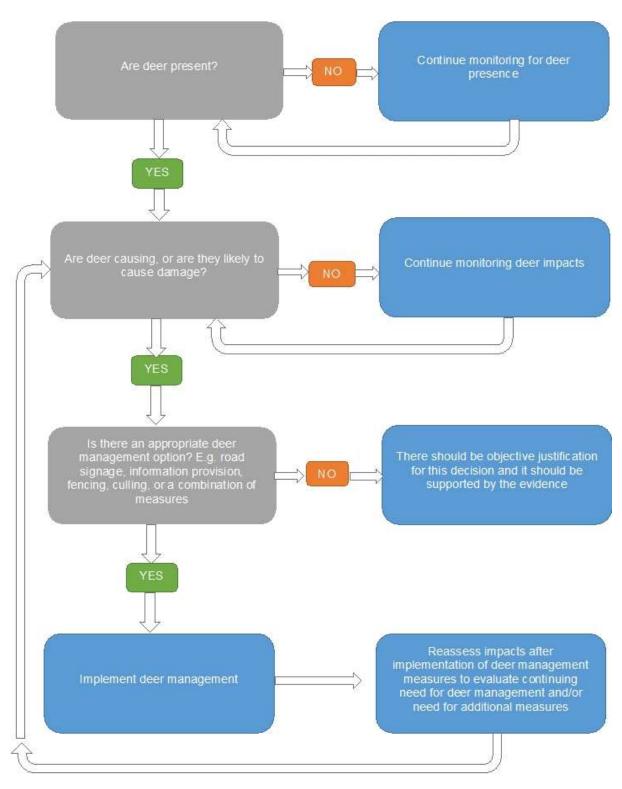
Whilst until now East Ayrshire Council has not had a formally adopted policy or plan in place in relation to deer management, the Council takes its deer management responsibilities seriously. The Council will manage deer in accordance with an agreed deer management statement, which will set out how the Council will manage deer in accordance with the Deer Code. This statement will be the first step in adopting more detailed policies on deer management, and in implementing deer management actions in a consistent way, following an agreed process. In order to decide whether deer management is required, the Council should consider the information available to it. Decisions should be reviewed when new information is available, and in some situations, the Council may need to collect or commission information to support its decision making. The diagram overleaf illustrates an iterative decision-making process the Council could follow.

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<sup>&</sup>lt;sup>24</sup> Wigtownshire and Ayrshire Deer Group. 2023. Personal communication.

<sup>&</sup>lt;sup>25</sup> NatureScot. 2023. Personal communication. Fit and competent certification lasts for five years, and must then be renewed for an authorised person to remain on the register.

Figure 1 – A Decision Making Process for Deer Management



Note: under the Deer (Scotland) Act 1996 "damage" includes situations where deer and/or current deer management (or lack of) are causing (or are likely to cause): damage to woodland, agriculture, deer welfare or the natural heritage; damage to the public interest; injury to livestock e.g., where deer compete with them for food; or where deer are a danger or potential danger to public safety e.g., because of the occurrence of or the risk of deer vehicle collisions.

#### 4.2 How does the Deer Code apply to East Ayrshire Council?

Chapter 1 of the Code states that it applies to all land managers who own or manage land where wild deer occur. East Ayrshire Council owns and manages woodlands, greenspace and parks.<sup>26</sup> The Code therefore applies to East Ayrshire Council.

Chapter 2 of the Code poses some questions, to help determine what deer management actions are relevant. The table below shows these questions, together with commentary in relation to East Ayrshire Council.

Table 4 – Questions in Section 2 of the Deer Code to inform deer management

decision making

decision making	
What species of wild deer occur on your	Roe deer occur widely on land
land?	owned/managed by the Council.
How often are there wild deer present on your land?	Deer are present throughout the year
What is the density and distribution of the	Roe deer occur widely. There is no
wild deer population on your land?	information about deer densities.
What is the health of the wild deer population on your land?	Roe deer are widespread in urban and periurban areas in East Ayrshire. Whilst roe deer have adapted to live in these areas, they may be less than ideal deer habitat – deer are disturbed more often than they would be in rural locations, including more frequent interactions with dogs; and the ability of deer to access areas in which to feed may be restricted by development and roads.
How mobile are the wild deer which occur on your land?	Deer territories span across ownership boundaries. Roe deer are resident and do not move large distances seasonally. Male deer and young deer will move to establish new territories, and during the mating season.
What effect are the wild deer having on your own land?	There is no information available e.g., from herbivore impact assessment, to quantify this. Impacts are likely to be low across most land and habitat types, but may be locally high in woodland, especially in areas of tree planting / regeneration.
What effect are the wild deer on your neighbouring land?	Available evidence suggests that deer can have high impacts in places e.g., browsing damage to young trees. The trend and severity of such impacts will depend on what deer management is undertaken, if any.
Can wild deer on your land move onto	Yes
public roads and into green spaces?	
<u>.                                      </u>	

Chapter 3 of the Code sets out what actions are needed to deliver sustainable deer management. Actions are divided into those which MUST be done to comply with the law,

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<sup>&</sup>lt;sup>26</sup> See section 2.5 above

actions SHOULD be taken to avoid regulatory action by NatureScot, and actions which are ENCOURAGED as they demonstrate good practice in deer management.

Chapter 4 of the Code explains how landowners should collaborate to achieve sustainable deer management. Collaborative deer management in the lowland context was considered in detail in the report of the Lowland Deer Panel. The panel concluded that the scale over which collaboration was required depended on the species present. Where roe deer is the main species, as in most of East Ayrshire, the panel concluded that collaboration was appropriate at a local level.

Chapter 6 of the Code explains how it applies to Public Bodies. It states that Public Bodies should demonstrate good practice in the way they collaborate over deer management with neighbours. Additionally, the Code states that Public Bodies must consider the Code when making regulatory decisions that could have an effect on deer, for example, local authorities should consider the implications of planning decisions on deer.

#### 4.3 What MUST East Ayrshire Council do?

#### 4.3.1 What MUST East Ayrshire Council do to manage deer?

The actions listed in the Code which MUST be undertaken largely relate to compliance with legislation and the Code can be read as presupposing that deer management by culling is already occurring. The legal requirement to comply with the provisions of the 1996 Act e.g., on close seasons, and with Firearms legislation, would only become applicable if deer were being managed by culling on land where the Council is responsible for deer management.

#### 4.3.2 What MUST East Ayrshire Council do to regulate sales of venison?

Under section 33 of the Deer (Scotland) Act 1996, local authorities have powers to grant venison dealer licences. Each Local Authority is required to send a list of venison dealers in to NatureScot every year on the 1st January. Venison dealers are required to keep records of the deer they buy, including the species and sex, for at least three years. Under section 36 of the Act, it is an offence to sell venison without a venison dealer's licence, or that has not been purchased from a licensed venison dealer.<sup>27</sup>

The Deer Working Group reported that in 2018 there were 178 licenced venison dealers in Scotland of which 2 were in East Ayrshire. The Group found that East Ayrshire Council was making an annual return on the venison dealers in East Ayrshire to NatureScot.<sup>28</sup>

#### 4.4 What SHOULD East Ayrshire Council do?

It is more relevant to consider the actions which the Code says the Council SHOULD be taking. The actions which are most relevant to the Council are listed in the table below with some commentary.

<sup>&</sup>lt;sup>27</sup> There is a derogation allowing local sales of venison by hunters who supply small quantities of wild game or wild game meat directly to the final consumer or to local retail establishments directly supplying the final consumer.

<sup>&</sup>lt;sup>28</sup> Deer Working Group. (2020) Final Report, Section 11.4 and Figures 25 and 26.

Table 5 – Actions which SHOULD be undertaken under the Deer Code and how they can be implemented by East Ayrshire Council

#### **ACTIONS IN THE CODE**

### IMPLEMENTATION BY EAST AYRSHIRE COUNCIL

#### Actions to ensure that wild deer welfare is safeguarded

Take account of the impact on the welfare of deer in planning decisions relating to the layout and management of public places and amenity planting. East Ayrshire Council is preparing a new Local Development Plan.<sup>29</sup> The proposals include a number of large sites on the fringe of settlements and in the rural area which include or are adjacent to woodland, scrub farmland, and other grassland which will have Roe deer populations.30 When development begins, deer will move. The need to manage deer on sites which are being developed should therefore be considered. For example, the Council could request information on deer as part of the assessment of planning applications, and set conditions on permissions to ensure that any implications arising from developments are addressed. E.g., a requirement for the developer to produce a deer management statement or deer management plan.31

The Council should also consider whether developments provide an opportunity to create infrastructure which will help to mitigate deer impacts, e.g., providing wildlife bridges or underpasses to enable deer and other wildlife to cross roads/railways and reduce collision risk.<sup>32</sup>

NatureScot has produced <u>guidance</u> on assessing and managing deer at development sites, and the Council should follow this guidance in considering how to

photography.

 <sup>&</sup>lt;sup>29</sup> East Ayrshire Council. Local Development Plan 2: <a href="https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/development-plans-and-policies/ldp2/ldp2.aspx">https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/development-plans-and-policies/ldp2/ldp2.aspx</a>
 <sup>30</sup> Based on a comparison of the areas zoned in the maps accompanying the plan with aerial

<sup>&</sup>lt;sup>31</sup> For an example of such a requirement, South Lanarkshire Council's Planning Committee proposed that a deer management statement be a planning condition for the Kypemuir wind farm extension (Report to Planning Committee, 29 January 2019, Application Reference: P/18/1013). This recommendation was followed and the Energy Consents Unit's Decision Letter of 13 September 2019 includes a requirement for the developer to produce a deer management statement at paragraph 54 (Reference ECU 00000541)

<sup>&</sup>lt;sup>32</sup> For a review of the effectiveness of wildlife bridges see, Conservation Evidence. Install overpasses over roads/railways. Available at: <a href="https://www.conservationevidence.com/actions/2526">https://www.conservationevidence.com/actions/2526</a> and Conservation Evidence. Install tunnels/culverts/underpass under roads Available at: <a href="https://www.conservationevidence.com/actions/2514">https://www.conservationevidence.com/actions/2514</a>

	take account of impacts on deer arising as a result of development. <sup>33</sup>		
Actions to protect and enhance the environment			
Manage levels of grazing, trampling and browsing to deliver the favourable condition of natural features within designated sites.	The Council is not a landowner of designated sites which have features susceptible to being affected by overgrazing / browsing by deer, and so this does not apply.		
Manage grazing levels designed to prevent loss or damage to Scotland's biodiversity, especially those key species and habitats identified in the Scottish Biodiversity List.	There is no information available about the extent to which deer are negatively impacting on biodiversity on land owned/managed East Ayrshire Council and/or on neighbouring land.		
	The Council should consider the need to collect information about deer impacts on the land it owns and manages.  Assessments should focus on sites where woodland is a significant component (as woodland is the habitat most likely to be affected by roe deer), and especially on any sites where the woodland structure is known to be poor. <sup>34</sup>		
	The relevant survey method is the Woodland Grazing Toolbox. 35 The Council should consider the need to train staff in this survey method.		
Follow the Invasive Non-native Species Code to prevent further establishment of non-native species.	Available information suggests Sika deer are not present in East Ayrshire, whilst Fallow deer are present, in unknown numbers. The Council should have a procedure in place to record and report any sightings of Sika or Fallow deer on Council owned/managed land, which would then be a trigger for a decision on whether management was required. Muntjac deer are another non-native species which are not currently considered to be established in Scotland. They are spreading Northwards in England and are present in		

Scottish Natural Ho

<sup>&</sup>lt;sup>33</sup> Scottish Natural Heritage. 2016. Guidance - Planning and Development - What to consider and include in Deer Assessment and Management at Development sites. Available at: <a href="https://www.nature.scot/doc/guidance-planning-and-development-what-consider-and-include-deer-assessment-and-management">https://www.nature.scot/doc/guidance-planning-and-development-what-consider-and-include-deer-assessment-and-management</a>

<sup>&</sup>lt;sup>34</sup> Indicators of poor woodland structure would include e.g., absent or poorly developed understorey vegetation, or an uneven age structure dominated by mature trees.

<sup>&</sup>lt;sup>35</sup> The Woodland Grazing Toolbox has been developed by Scottish Forestry, and is a guide to developing a woodland grazing plan. As well as advice on developing a plan, it contains a methodology for assessing herbivore impacts in woodland: Armstrong et. al (2020) Assessing Herbivore Impacts in Woodlands: An Observation-based Method. Available at: <a href="https://forestry.gov.scot/publications/816-assessing-herbivore-impact-in-woodlands-an-observation-based-method/viewdocument">https://forestry.gov.scot/publications/816-assessing-herbivore-impact-in-woodlands-an-observation-based-method/viewdocument</a>

	Northumbria and Cumbria. The same
	procedure should apply should there be
	reports of Muntjac on land which the
	Council owns or manages. <sup>36</sup>
Actions to support Sustainable Economic	
Take account of other economic activities	The Council should consider the
when managing wild deer and minimise	implications of its decisions on deer
negative impacts on them (e.g., food	management on its own land for its
production, forestry, tourism and other rural	neighbours.
businesses).	
Actions to support social well-being	
Contribute to co-ordinated action to reduce	Deer Vehicle Collisions are increasing in
road safety risks	East Ayrshire. The Council is surveying
,	deer vehicle collisions to inform the need
	for deer warning signs on roads for which it
	is the Roads Authority. The Council should
	use the findings of this survey, together with
	other information sources, such local
	reports, to identify any hotspots within its
	area for which it is the Roads Authority. It
	should consider erecting deer warning
	signs at any such hotspots, and the need
	for additional measures, e.g., fencing,
	management of road verge vegetation.
	Where the risk of DVCs remains high after
	these measures have been implemented,
	the Council should collaborate with its
	neighbours to ensure that additional deer
	management is undertaken to reduce the
	risk of Deer Vehicle Collisions to an
	acceptable level.
	acceptable level.
	NatureScot has produced <u>guidance</u> on deer
	management measures which can reduce
	the risk of DVCs. <sup>37</sup>
Be appropriately trained, equipped and	If the Council decided to use its own staff to
aware of health and safety risks associated	cull deer, they should be appropriately
with your deer management	trained <sup>38</sup> and work to site specific risk
With your door management	assessments. If the Council decided to
	secure deer control via a third party it
	should consider only using persons from
	the Fit and Competent Register kept by
	the rit and Competent Negister kept by

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<sup>&</sup>lt;sup>36</sup> British Deer Society. 2016. Deer distribution survey: Muntjac. Available at: <a href="https://www.bds.org.uk/index.php/documents/181-muntjac-dd-16/file">https://www.bds.org.uk/index.php/documents/181-muntjac-dd-16/file</a> The Deer Working Group's report also discusses Muntjac at section 17.3

<sup>&</sup>lt;sup>37</sup> NatureScot. Deer Vehicle Collisions (webpage). Available at: <a href="https://www.nature.scot/professional-advice/land-and-sea-management/managing-wildlife/managing-deer/deer-vehicle-collisions">https://www.nature.scot/professional-advice/land-and-sea-management/managing-wildlife/managing-deer/deer-vehicle-collisions</a>

<sup>&</sup>lt;sup>38</sup> The recognised training which assesses competence in deer management is the Deer Stalking Certificate (DSC), which has two Levels. Achievement of Level 2 is generally regarded as a satisfactory level of competence for a person to go out and manage deer on land belonging to a third party e.g. it is normally required by Forestry Commission Scotland for contractors/recreational stalkers in order to manage deer on the National Forest Estate.

	NatureScot <sup>39</sup> . There are currently 28 people listed on the register who live in East Ayrshire. <sup>40</sup>
Contribute to action to reduce negative impacts of deer on green spaces, public areas and gardens	Deer impacts on greenspaces, public areas and gardens are not monitored systematically. Where deer impacts are identified as an issue, particularly in the Country Park, mitigation measures are put in place.
Actions which should be undertaken by P	ublic Bodies
Demonstrate good practice in collaborative deer management	The Council should take an active role in collaborating on deer management with neighbouring landowners and deer managers. As a minimum there should be a designated point of contact within the Council with whom deer issues can be raised, and there should be an entry for deer in the A-to-Z section of the Council's website.
Consider the impact of regulatory decisions on deer	The Council should consider the impact of regulatory decisions it makes on deer, e.g., it should consider how planning decisions affect deer as described above

#### 4.5 What further actions COULD East Ayrshire Council take?

The focus of this Deer Management Statement is ensuring that the deer management carried out by East Ayrshire Council meets its requirements. The Code proposes a number of additional actions which could be taken to demonstrate good practice in deer management. Two examples of these actions are given below, with commentary.

Table 5 – Examples of actions to be ENCOURAGED under the Deer Code

Examples of actions to be	Comment
ENCOURAGED under the Code	
Promote training and on-going professional	The Council could offer staff the opportunity
development of those involved in deer	to undertake training in herbivore impact
management.	assessment methodologies, deer
	management and/or the opportunity to
	obtain Deer Stalking Certificate
	qualifications. HIA could also be contracted
	out to ecological consultants as required.
Provide information, such as where wild	Public enjoyment of wildlife, including deer,
deer are likely to be seen, and encourage	is promoted by the Council's ranger service,
people to understand more about wild deer	including e.g., signage, guided walks and
and their management.	education outreach.

<sup>&</sup>lt;sup>39</sup> Essentially competence is demonstrated by having a DSC Level 2 qualification, or DSC Level 1 with supporting references. Further details are available on the SNH website here: <a href="https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/deer-licensing/fit-and-competent-status">https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/deer-licensing/fit-and-competent-status</a>

<sup>40</sup> NatureScot. 2023. Personal communication.

NatureScot (2017) has defined 14 public interest actions for deer management. The table overleaf lists these actions, and comments on how they might be delivered by East Ayrshire Council in respect of its own land.

**Table 6 – Public Interest Actions in Deer Management** 

Key Public Interest	Comment
Contribute to the delivery of designated features into Favourable Condition through managing deer impacts	The features for which sites are designated are not susceptible to being negatively impacted by deer, so this action is not applicable.
Contribute to the Scottish     Government woodland expansion     target of 25% woodland cover	The Council is involved in a number of initiatives to create new woodlands (see 2.5.1 above) which are intended to contribute to the Scottish Government's woodland expansion target.
Manage deer to retain existing native woodland cover and improve woodland condition in the medium to long term	East Ayrshire Council owns and manages woodlands. The Council's Climate Change Action Plan provides for additional investment for East Ayrshire Woodlands to work with landowners and communities to promote management activities. The focus is primarily on supporting more pro-active management of existing woodland and seeking opportunities for expansion/enhanced connectivity of the woodland habitat network.
Monitor and manage deer impacts in the wider countryside	There is limited information available about deer impacts in the wider countryside. Deer impacts may be locally high on sensitive habitats / features e.g. unprotected broadleaved tree plantings or regeneration. As set out in Table 4 above, East Ayrshire Council should consider the need to collect information about deer impacts on sites it owns and manages.
5. Improve Scotland's ability to store carbon	East Ayrshire Council has set a target to become net-zero by 2030 and for the wider community to achieve net-zero as soon as possible (and by 2045 at the latest). As noted above, the Council is involved in a number of initiatives to create new woodlands (see 2.5.1 above).
6. Reduce or mitigate the risk of establishment of invasive non-native species	The Council should have a procedure in place to record and report any sightings of Sika or Fallow deer on Council owned/managed land, which would then be a trigger for a decision on whether management was required. A similar procedure should apply should Muntjac deer ever become established in East Ayrshire

Protect landscapes and historic features from deer and deer management activity.	This is, or may be applicable to deer management on Council owned/managed land
Optimise economic benefits of Deer     Management in Scotland	The economic impact of deer management in East Ayrshire is not known, but is likely to
9. Minimise the economic cost of deer	be relatively limited. The Council is developing a deer management statement which will identify the actions the Council will take to minimise the economic costs of deer
Contribute to delivering higher standards of competence in deer management	East Ayrshire Council is committed to ensuring that staff / contractors involved in deer management on Council owned/managed land have the appropriate qualifications, training and equipment.
11. Identify and promote opportunities contributing to public health and wellbeing benefits	East Ayrshire Council encourages appropriate public access to the land it owns and manages to encourage public enjoyment of the countryside and for health and wellbeing benefits. Deer management on land owned and managed by the Council will be consistent with this.
12. Ensure effective communication on deer management issues	East Ayrshire Council will communicate effectively with neighbouring land owners/managers about deer management issues. It will identify a point of contact within the Council with whom deer issues can be raised.
13. Ensure deer welfare is taken fully into account at individual animal and population level	East Ayrshire Council is committed to ensuring that deer management on land it owns/manages takes into account deer welfare
14. Develop effective mechanisms to manage deer.	East Ayrshire Council is developing a deer management statement which will set out the Council's approach to deer management.

#### 5 Recommendations

- East Ayrshire Council should adopt an iterative approach to deer management. The
  first step in this approach is to begin gathering information on deer impacts. Once
  this information is available, the Council should consider what further deer
  management measures are required. The effectiveness of any management should
  be monitored.
- 2. East Ayrshire Council should consider the effects of proposed development on deer as part of the development planning process.
- 3. East Ayrshire Council should consider the effects of proposed developments on deer in its role as planning authority. It should ensure that developers provide it with information in order to allow it to assess this. Where developments are likely to have an adverse impact on deer, the Council should require developers to address them through the production of a deer management statement.

- 4. East Ayrshire Council should consider opportunities to create green infrastructure to allow deer and other wildlife to safely cross transport corridors
- 5. East Ayrshire Council should consider training officers in Herbivore Impact Assessment (HIA), or contracting in ecological consultants to carry out HIA on a site-by-site basis. Making initial assessments of sites the Council owns and manages where woodland is a significant component would be an obvious first step in adopting an iterative approach to deer management in recommendation 1.
- 6. East Ayrshire Council should develop a procedure to record and report any sightings of Fallow, Sika or Muntjac deer on Council owned/managed land, which would then be a trigger for a decision on whether management was required.
- 7. East Ayrshire Council should have a nominated point of contact for deer issues.
- 8. East Ayrshire Council should continue to submit an annual return on the number of licenced venison dealers within its area to NatureScot each year, as required by the Deer (Scotland) Act 1996

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#### 7 Appendices

## 7.1 Appendix 1 – Information requested and meetings held in preparing this statement

#### **Information requested from Nature Scot**

- 1. Details of any deer counts / monitoring involving in East Ayrshire?
- 2. Cull returns received from properties in East Ayrshire
- 3. Authorisations granted in East Ayrshire for night shooting, shooting out of season.
- 4. Fit and competent persons within East Ayrshire
- 5. Deer Vehicle Collision maps for East Ayrshire
- 6. Summary details, if available to NatureScot, of any complaints raised in relation to deer?
- 7. Details of any Herbivore Impact Assessment carried out on designated sites in East Ayrshire, and whether any designated sites in East Ayrshire in unfavourable condition due to deer impacts?

#### Information requested from East Ayrshire Council

- 1. Details of land owned/managed by the Council
- 2. Details of any policy on deer management the Council has
- 3. Details of any herbivore impact assessment carried out, and any deer impacts recorded in on trees, woodland, or in greenspaces or in public parks
- 4. Details of the Council's policy in respect of Deer Vehicle Collisions

#### Other information requests

Forestry and Land Scotland – information on deer management on its landholdings in East Ayrshire.

Lowland Deer Network Scotland – whether it has any members from East Ayrshire.

RSPB Scotland – contacted to ask for information about deer, deer management and deer impacts at their reserve in East Ayrshire.

Scottish Forestry – Information on deer impacts on private forestry and woodland planting proposals in East Ayrshire. No response was received.

Scottish Government Rural Payments and Inspection Department – statistical information on farming in East Ayrshire.

Scottish Land and Estates – whether any of its members in East Ayrshire could provide any information on deer management on private landholdings. No response was received.

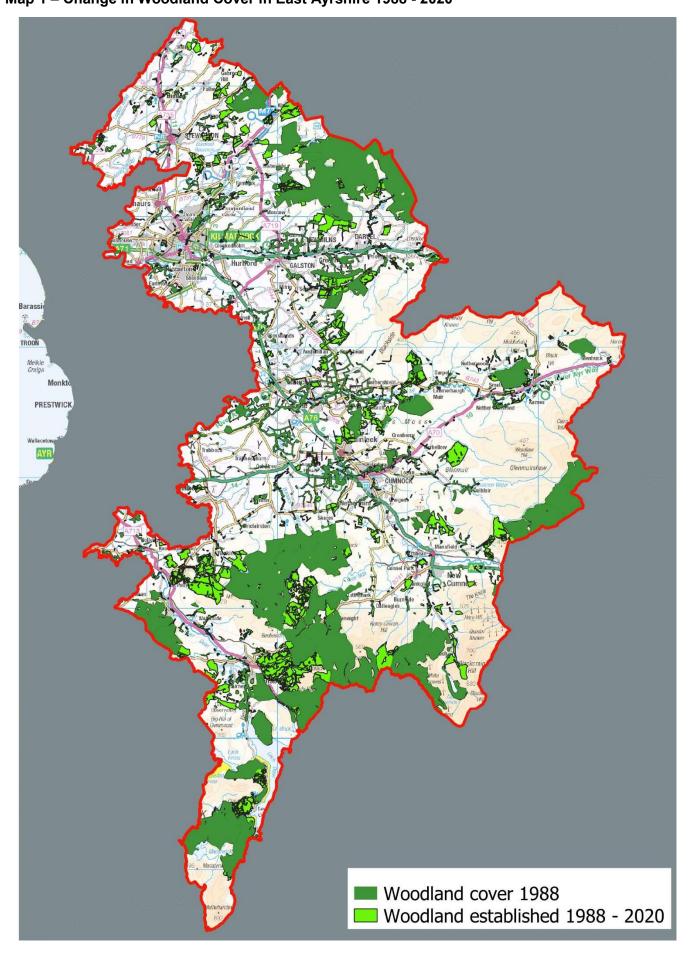
Scottish Society for the Prevention of Cruelty to Animals (SSPCA) – requested information on any callouts or reports related to deer welfare in East Ayrshire.

Scottish Wildlife Trust – contacted to ask for information about deer, deer management and deer impacts at their reserves in East Ayrshire.

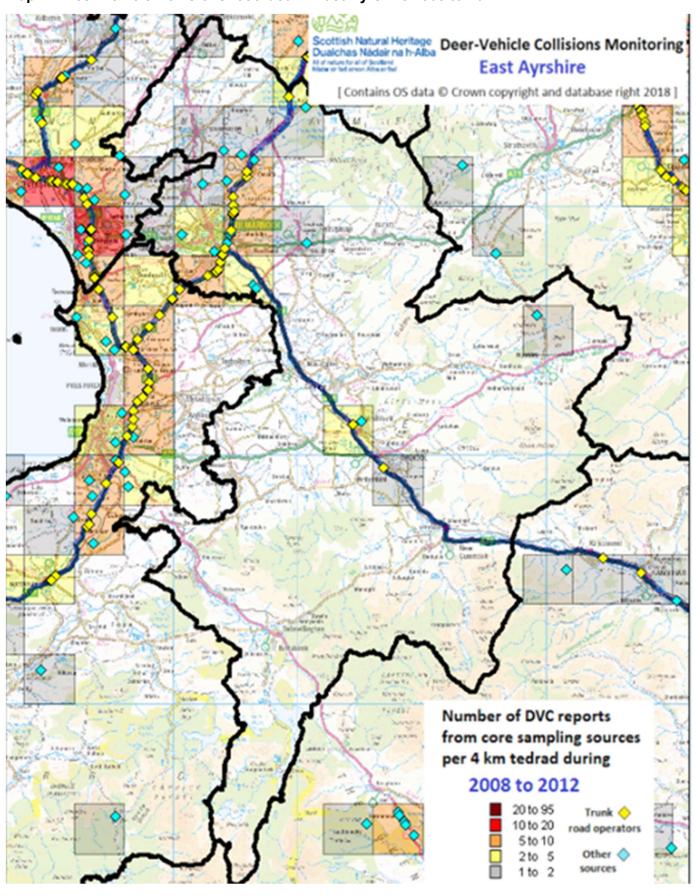
Transport Scotland – Information on deer management and deer impacts on the trunk road network in East Ayrshire. No response was received.

Wigtownshire and Ayrshire Deer Group – contacted to ask for information about the work of the Group. No information was received other than to confirm that the Group covered all of East Ayrshire as part of its area of operation.

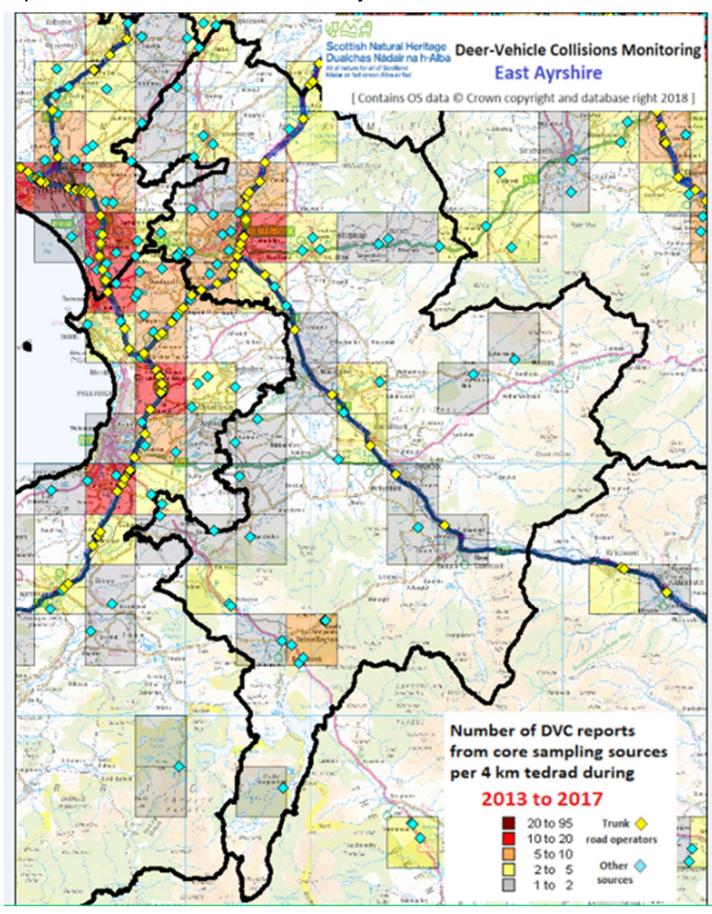
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Map 2 - Deer Vehicle Collisions recorded in East Ayrshire 2008 to 2012



Map 3 – Deer Vehicle Collisions recorded in East Ayrshire 2013 to 2017



#### 7.3 Appendix 3 – SNH's approach to deer management

