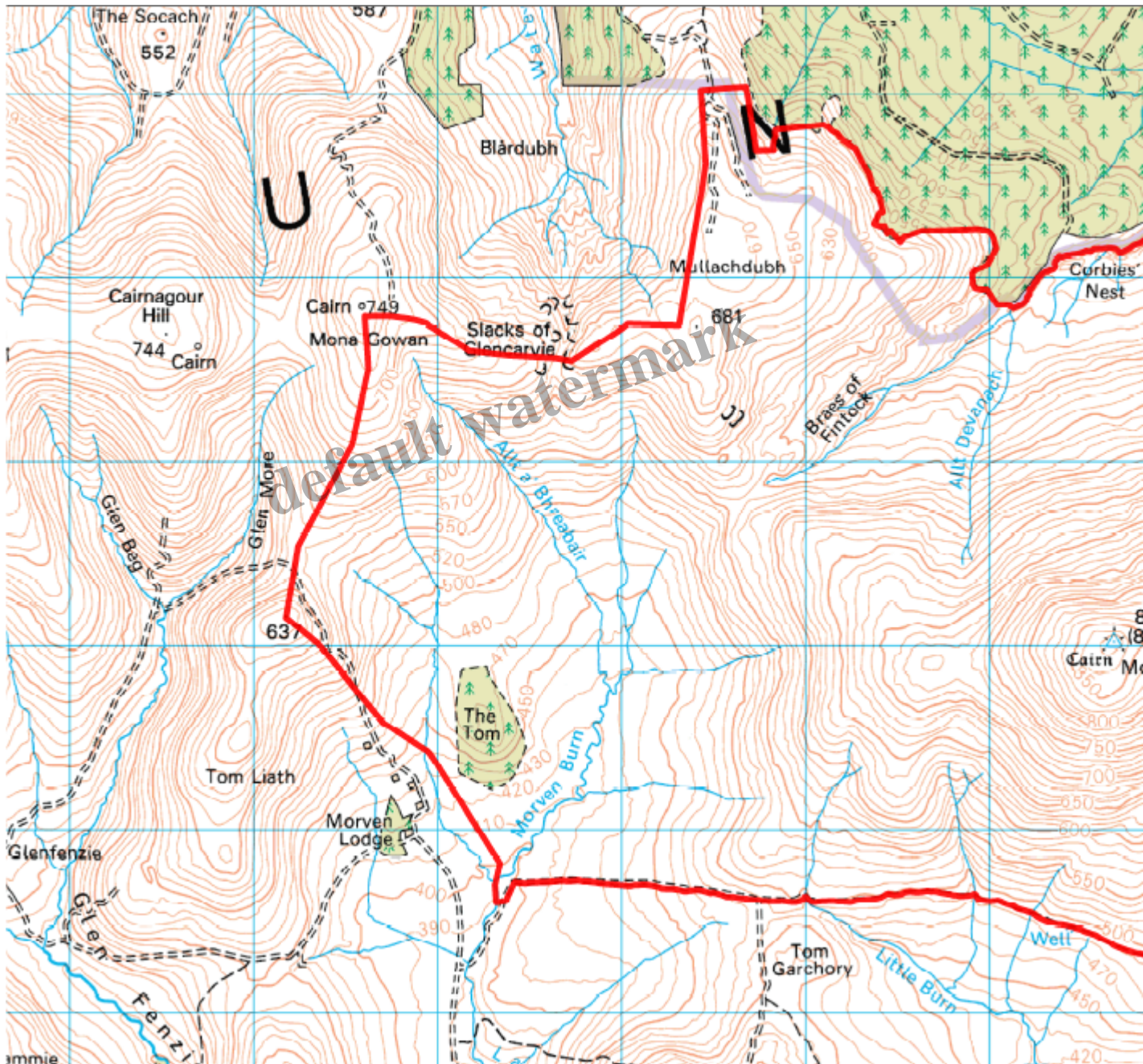


## Landscape scale conservation – the case of the Dinnet Estate

### Description



The Morven Site of Special Scientific Interest as shown on SNH sitelink. I walked with my partner Lo (on its south ridge not shown on map) along ridge to Morven and then down to Morven Lodge.

Following my post on “How to protect wildlife in our national parks” I have been thinking about how the



Cairngorms National Park could achieve its stated objective of landscape scale conservation on the Dinnet Estate where I walked in September. I have since used it to illustrate the connection between grouse moors and rural depopulation ([see here](#)) and the persecution of wildlife ([see here](#)).

I had not checked what areas on Dinnet were protected by nature conservation designations before our walk but there is in fact a connection between what is protected and what you see. Unlike many SSSIs in the National Park all the features are currently classified as being in favourable condition, with only one of these – the assemblage of upland birds, surprise surprise – classified as declining ([see here](#)). However, and this is a major problem as we will see, the site is not regularly monitored and the last survey of the Alpine Heath was back in 2000.



On grouse moors there are high culls of red deer, because they are believed to impact on grouse numbers, with the consequence that trees can regenerate as here by the A839 in Glen Fenzie





One of the reasons Morven is designated a SSSI is because of its juniper. The reduced grazing pressure is also helping juniper regenerate outwith the SSSI





The regeneration however does not last for long because of muirburn, which has here destroyed what was a large patch of juniper (the bare branches across the middle of the photo). Juniper is not fire tolerant, unlike heather.





The fence, running to the summit of Mona Gowan, marks the boundary of the SSSI. Within SSSIs landowners have to ask permission from SNH for operations requiring consent and for Morven this includes creation of all hill tracks. The bulldozing of this new track just outside the SSSI boundary is coincidence.





The creation of the tracks has not however stopped the estate taking vehicles into the SSSI and damaging the moorland. “Use of vehicles or craft likely to damage or disturb features of interest except four-wheel drive or similar agricultural vehicles on existing estate roads and tracks” is one of the Operations Requiring Consent on the Morven SSSI. Its not possible to tell from Sitelink if SNH consented to this or not as the details of the consents are not publicly available.

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“Construction, removal or destruction of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks, or the laying, maintenance or removal of pipelines and cables, above or below ground” is another Operation Requiring Consent. Its not clear if the estate got consent either to dig the hole to create this mound for putting out medicated grit for grouse. While administration of pesticides herbicides and fertilisers are all ORCs, strangely feeding medicated grit to grouse is not.





Another earthwork created to feed medicated grit to grouse within the SSSI. Morven beyond.





As we got further into the SSSI, the evidence of land management operations reduced and the wildlife increased.



Having not seen any mountain hare on Mona Gowan, on the edge of the SSSI, on Morven there were many. "The killing or removal of any wild mammal or bird, including pest control, except bird species covered by the General Licence (Scottish Government Rural Directorate); other species under a specific licence issued by SGRD." is listed as an ORC. SSSIs could thus be used to protect mountain hares.





There was also lots of fantastic heath, another feature for which Morven is designated a SSSI





The Cairngorms National Park Authority is currently dealing with tracks created without planning permission on the Dinnet Estate. This track and large borrow pit, on Roar Hill, is within the SSSI and track and pit were Operations Requiring Consent. Its unclear if SNH gave consent to these tracks but quite clear they have had a large impact on the vegetation and should not be allowed on nature conservation grounds. Note also the muirburn. "Burning (and) changes in the pattern or frequency of burning" are also ORC.





More damage by all terrain vehicles within the SSSI



Below that however is the success story, the large expanse of juniper which is now classified as being in a favourable condition. Walking through it was a wonderful experience.





While there was some sheep grazing, except for tussock fields of purple moor grass, I cannot think of a time in Scotland when I have walked through grasses as tall as this. Again, a great experience.





As soon as you leave the SSSI there are traps everywhere. Even if small mammals like stoats are not persecuted within the SSSI, as soon as they move out they are. The SSSI is too small to support species that require large territories like eagles. It is thus failing to fulfil its potential.





As soon as you leave the Morven SSSI, you are back into intensively managed grouse moors where muirburn stops all regeneration of the land.

## **Nature protection and landscape scale conservation**

I have been thinking about how Alison Johnstone MSP's suggestion that Nature Conservation Orders could be used to protect the mountain hare in the National Park could be applied to the Dinnet Estate and what other mechanisms are available to protect species and enable habitat restoration.

- The purpose of Nature Conservation Orders is to protect natural features from damage. They are stronger than the Operations Requiring Consent because they make certain activities that damage natural features illegal. They can also be applied to land contiguous with an SSSI or European protected site or any land which Scottish Ministers believe to be of special interest for its natural features. They could thus, in theory be used to ban certain activities from the entire National Park.

- The provisions relating to Operations Requiring Consent should be sufficient to prevent much of the persecution of wildlife that goes on on grouse moors that are designated as SSSIs as the Morven SSSI shows. The problem is the lack of monitoring (SNH does not have the resources to monitor sites properly) and the will to use existing powers to take enforcement action. There are plenty of powers to force landowners to restore damage, the problem is they are not used. I think a first step to improvement would be if SNH published in full those Operations Requiring Consent it had approved for each SSSI and together with this a mechanism for the public to report land-managers who had breached these conditions. The public would then be clearer if damage such as that documented above (the earthworks, track creation and damage by ATVs) had been agreed with SNH or not.
- In the case of species protection outside SSSIs, species like mountain hare are already protected. The problem is that SNH has consented to culls because of claims that mountain hares carry ticks and damage trees. Again, this is a matter of the will of our public authorities to take on the landowners.
- What is lacking at present however is any effective means to extend areas which are doing well in conservation terms. A basic flaw of our conservation system is it was designed to protect what is already there, than what might be there. To protect land SNH has to undertake a lengthy and bureaucratic process to show that certain habitats or species are present in a particular area. If they get lost, that area can lose its protected status. When I was on the Board of SNH there were proposals from the RSPB to create Special Protected Areas to save hen harrier. To designate an area SNH had to show sufficient hen harrier were present – all that did was incentivise the landowners to kill off their hen harrier as quickly as possible to avoid their land being designated. So, in my view we do need an effective means to enable natural processes and species to be restored to areas which do not meet the criteria for SSSIs or European Protected Areas.
- National Parks are one way that this could be done as they have the power to create byelaws for nature conservation purposes that cover all land, not just SSSIs. Hence my proposal that the Cairngorms National Park should regulate hunting through byelaws. The CNPA however could, if it had the will, introduce byelaws to control/stop damaging activities such as muirburn.
- Another mechanism however could be Nature Conservation Orders. Their advantage over byelaws is that they could be applied to particular areas of land. They are a stick which the Cairngorms National Park Authority, if it worked with SNH and the Scottish Government, could use to encourage landowners to work in partnership. The CNPA keeps talking about the need to work in partnership but I very much doubt that Dinnet Estate, whose failure to co-operate with the National Park on hill tracks I intend to blog about soon, would agree at present to any reduction in the damaging activities it conducts on its land outwith the SSSI. If the CNPA however was able to say it had decided that the area of juniper should be expanded beyond the SSSI boundaries to achieve landscape scale conservation, would be happy to agree with the estate where to do this but if they failed to co-operate, would ask SNH to issue a Nature Conservation Order.....well, I think that might just provide an incentive for partnership to work.



The destruction, displacement, removal or cutting of any plant or plant remains, including shrub, herb, dead or decaying wood, moss, lichen, fungus and turf.

In respect of borrow pits within Muir of Dinnet and Morven and Mullachdubh SSSIs whilst the method statement refers to borrow pits there is no information to state whether these are subject of the planning application and therefore to be used. Works to borrow pits within the SSSIs may require consent from SNH.

33. In respect of the Muir of Dinnet SSSI and its geomorphologic interest, SNH note that the original track cuts across a number of sub glacial ridge and channel features, with the recent upgrading of the track causing additional damage which cannot be restored and has increased visual intrusion. The proposed mitigation should benefit the geomorphologic interest by visually reducing the interruption to the landforms

### **Category**

1. Cairngorms

### **Tags**

1. CNPA
2. conservation
3. grouse moors
4. hill tracks
5. landed estates
6. scottish natural heritage
7. wildlife persecution

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### **Author**

nickkempe