16.2.3 National Parks

29 Scotland’s two National Parks were established because of the special environmental qualities of the areas they cover. The legislation to enable national parks in Scotland, the National Parks (Scotland) Act 2000, was amongst the first Acts of the Scottish Parliament. The Loch Lomond and the Trossachs National Park (LLTNP) was then established in 2002 and the Cairngorms National Park (CNP) in 2003. Each Park has a Park Authority (the LLTNPA and CNPA respectively) managed by a Park Board.

30 The LLTNP covers 1,865 square kilometres, while the CNP is more than twice that size at 4,528 square kilometres and covers around 6% of Scotland’s land area. Both Parks include designated nature conservation sites, particularly the CNP which has extensive designated areas covering a range of different types of interests. There is a clear expectation that standards of land management should be higher in National Parks than in the wider countryside because of their special status.23

31 Both Park Authorities recognise that adequate deer control is integral to achieving the outcomes in their current National Park Partnership Plans.24 In the Park areas, SNH continues to be the public body responsible for deer management and the Park Authorities have no direct responsibilities or role in deer management. However, the Authorities aim to improve deer management by providing extra support to the voluntary Deer Management Groups (DMGs) of land owners and occupiers within the National Parks.25

32 The Park Authorities’ support to DMGs is part of the wider support services to land managers provided by the Authorities and which, under European state aid regulations, can include education, training and consultancy to provide technical support to land managers to deliver the statutory aims of the National Parks.26 The Authorities’ support for deer management may include, for example, advice on habitat impact assessments and the production of Deer Management Plans.

23 DWG meeting with CNPA 6 June 2019.

24 LLTNP Partnership Plan 2018-23; CNP Partnership Plan 2017-22.

25 DMGs are considered in Section 26.

26 European Commission Regulation 702/2014.

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33 In 2018, the CNPA published a Forest Strategy for the CNP to cover the next two decades, while the LLTNPA has recently consulted on a Trees and Woodland Strategy for the LLTNP.27 Both documents set out the need to improve the environmental condition of existing woodlands and expand the extent of woodland in the Parks.28 Both documents also highlight the need for reduced deer densities to achieve the Park’s woodland aims and, as part of that, a reduction in the need for deer fencing because of its environmental and financial costs.

34 The Cairngorms area covered by the CNP has long been a prominent part of the history of native woodlands and deer in Scotland. The Cairngorms were, for example, the core surviving area for both native woodlands and red and roe deer by the beginning of the 1700s. The area was subsequently influential during the 1800s in the development of ‘deer forests’ by Highland sporting estates with, for example, Prince Albert’s purchase of Balmoral Estate for Queen Victoria in 1852 and the painting at that time of Sir Edwin Landseer’s Monarch of the Glen with its association with Glen Feshie.

35 By the 1970s, the lack of natural regeneration since the 19th century in many of the surviving Caledonia Pinewoods in the Cairngorms due to high numbers of red deer, had become a prominent nature conservation issue.29 The lack of progress in reducing deer numbers and regenerating the pinewoods was reflected in the purchase of estates by environmental charities, with the RSPB buying Abernethy Estate in 1988 and the National Trust for Scotland buying Mar Lodge Estate in 1995.

36 By the 1990s, the scale and significance of the wider extent of the native woodlands on Deeside and in Strathspey over and above the Caledonian Pinewoods, had been recognised.30 The extensive, predominantly native forests in those areas were then an important factor in the work of the Government appointed Cairngorms Working Group and Cairngorms Partnership that preceded the establishment of the CNP and CNPA. This included the Cairngorms Forest and Woodland Framework published by the Cairngorms Partnership in 1999 and a precursor of the CNPA’s current Forest Strategy.

37 The CNP area currently has 16.4% woodland cover, compared to 18% for Scotland as a whole.31 However, the area has the highest proportion of native woodlands of any equivalent sized area in Scotland, with over 75% of the tree cover consisting of Scots pine and birch.32 The percentages of woodland cover and proportions of native species are also both significantly higher in the main Deeside and Strathspey forest areas.33

38 The CNP area also includes a major demonstration of the native woodland regeneration that can be achieved by reducing the densities of red and roe deer to five or less deer per square kilometre. This approach is being followed by a cluster of properties in Strathspey, involving a mix of private, public and charitable ownership and covering 90,000 hectares or one fifth of the CNP area.34 Four of the land owners, Forestry and Land Scotland, SNH, RSPB and Wildland Ltd, have also formed a Cairngorms Connect project, the aims

27 Cairngorms National Park Forest Strategy, 2018; LLTNP Trees and Woodland Strategy consultation 2019.

28 The CNPA aims for 5,000 ha of new woodland by 2023, while the LLTNPA aims for 2,000 ha of new woodland by 2023.

29 Bunce and Jeffers (1997) *Op cit.*

30 For example, Callander, R. and MacKenzie, N. (1994), The Native Woodlands of Highland Deeside, SNH; and Dunlop, B. (1994), The Native Woodlands of Strathspey, SNH.

31 Cairngorms National Park Forest Strategy, 2018.

32 Cairngorms National Park Forest Strategy, 2018.

33 Bunce and Jeffers (1997) *Op cit.*

34 Hetherington, D. (2018). Conservation of Mountain Woodland in the Cairngorms National Park. *British Wildlife,* 29 (6), pp. 393-400.

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of which include establishing a native woodland connection with the National Trust for Scotland’s native woodland regeneration on its 29,000 hectare Mar Lodge Estate on Deeside.35

39 However, elsewhere in the CNP, there are still the highest densities of open hill red deer in Scotland.36 In large parts of the Park, there are densities of 15-20 or more red deer per square kilometre.37 The CNPA states in its Park Plan that “*Where habitat enhancement is restricted by management objectives which seek to maintain higher red deer densities above 10 per km2, our aim is for the density to be reduced*”.38

40 These densities tend to be calculated over large areas, such as a DMG area or SNH open hill counting block, which cover thousands and often tens of thousands of hectares. The deer are not spread evenly over these areas and tend to be concentrated in different parts of their range in summer and winter. Within those parts, the deer are then further concentrated in the more favourable areas, for example, for feeding and shelter. The impact of the deer on the vegetation therefore depends on the numbers of deer occupying a particular place and the amount of time they spend on that ground.

41 The current high densities of open hill red deer over large parts of the Park result in damaging impacts on the vegetation in many places, including designated sites and elsewhere.39 The Group considers that the CNPA identifying a 10 red deer per square kilometre threshold is a welcome step. The threshold is qualified by “*where habitat enhancement is restricted*”. However, as the CNPA guidance paper that was part of deciding that threshold illustrates, most types of habitats will be restricted by densities of 10 deer per square kilometre or above.40

42 The Group considers that the CNPA should be setting the 10 red deer per square kilometre threshold across all the open hill red deer range in the National Park, when measured at the scale of DMG areas. The Group considers that the CNPA should also have SNH’s support in this aim, recognising the special environmental status of the Park.

43 Given that threshold, the Group considers the CNPA should then be prioritising the areas where the deer densities should be lower to improve habitats and their biodiversity. For example, ensuring that “*deer densities are compatible with the need to allow woodland regeneration is a conservation priority*” in the current CNP Forest Strategy.41 That is generally recognised to require densities of five or less deer per square kilometre.42

44 Woodland regeneration requires attention to the densities of roe deer, as well as red. Roe deer numbers generally have increased markedly over recent decades and the CNPA acknowledges in its Park Plan that more attention needs to be paid to their management.43 This is expressed in terms of more cooperation, for example, using dung counting techniques to calculate densities across estate boundaries. However, roe deer can have

35 Hetherington (2018) *Op cit.*

36 DWG correspondence with SNH 29 May 2019.

37 See, for example: CNP Partnership Plan 2017-22, Issue 2 ‘Guidance on Deer Densities’; Albon, S.D. *et al*. (2017), Estimating national trends and regional differences in red deer density on open-hill ground in Scotland, SNH Commissioned Report No. 981; and Hetherington (2018) *Op cit.*

38 CNP Partnership Plan 2017-22, p.31.

39 A prominent example is the Caenlochan SAC – see Section 24.

40 CNP Partnership Plan Issue 2 Guidance on Deer Densities, 2016.

41 CNP Forest Strategy 2018, p.25.

42 For example: SNH (1994) *Op cit*; CNP Partnership Plan 2017-22, Issue 2 ‘Guidance on Deer Densities’.

43 CNP Partnership Plan 2017-22, p.31.

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a particular impact on limiting the natural regeneration of native broadleaved trees. The Group considers that many properties could be taking higher roe deer culls in woodlands to limit both high densities and dispersal to other properties.

45 In the Park Plan, after mentioning roe deer, the CNPA states that “*all deer species including red, roe, fallow, sika and reindeer continue to be monitored*”. While the reindeer in the Cairngorms are not wild deer, the mention of fallow and sika deer populations is surprising. The CNP is very unusual in Scotland for an area of its size in still having no established populations of either of these two non-native deer species.44

46 The Group considers the fact that the wild deer in the CNP are all native red and roe deer to be an important aspect of the area’s natural heritage. The Group notes that the CNPA’s documents do not contain a policy against the establishment of non-native deer populations in the CNP area, although the Group’s understanding from the CNPA is that that is the Authority’s policy.45 The Group considers that the CNPA should make this policy explicit in relevant documents, communicate this policy to land managers in the CNP and secure SNH’s support in implementing the policy if the need arises.

47 The Working Group recommends that the Cairngorms National Park Authority and Scottish Natural Heritage should adopt and enforce a clear policy against the establishment of any populations of Scotland’s two non-native deer species, fallow and sika deer, in the Cairngorms National Park.

48 While the CNPA documents neglect non-native deer species, they do set out the public interest benefits that flow from the restoration of native woodlands and other habitats, when the densities of red and roe deer are reduced to appropriate densities. To that extent, the Group endorses the CNPA’s aim “*to continue the current direction of travel in which deer numbers and consequent impacts are reduced, where deer welfare is improved and sport stalking in a high quality environment continues to make a valuable economic contribution to the National Park*”.46

49 However, the Group is not convinced that the CNPA has been having much effect on improving deer management in the National Park. The cluster of properties on Strathspey and other examples that are reducing deer densities are doing so because of the owners’ objectives, while elsewhere red deer densities continue at high levels and there is a lack of attention to roe deer densities. This is despite the fact that, as the CNPA states, “*There has been a longstanding policy ambition in the Cairngorms to manage deer at levels that protect and enhance habitats, from the Cairngorms Working Group (1992) through to current National Park policy*”.47

50 The Group acknowledges that the CNPA’s land use advisers are engaged with the DMGs in the Park and that the CNPA has also taken a number of initiatives in relation to deer management, including the former Cairngorms Deer Advisory Group and the Deer Framework for the CNP that it produced.48 The Group also recognises that the CNPA has

44 DWG meeting with CNPA, 6 June 2019. In addition, a study of red deer in part of the Park that could be affected by sika deer, has also shown no genetic introgression by sika – Smith, S., Senn, H., Pérez-Espona, S., Wyman, M., Heap, E. and Pemberton, J. (2018). Introgression of exotic *Cervus* (*nippon* and *canadensis*) into red deer (*Cervus elaphus*) populations in Scotland and the English Lake District. Ecology and Evolution, 8(4), pp.2122-2134.

45 DWG meeting with CNPA, 6 June 2019.

46 CNP Partnership Plan 2017-22, p.30.

47 CNP Partnership Plan 2017-22, p.30.

48 CNPA/Cairngorms Deer Advisory Group (2011). Deer Framework for the Cairngorms National Park.

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no powers in relation to deer management, has limited resources and needs to maintain a pragmatic relationship with land owners in the Park area.

51 However, the Group considers that the CNPA has been giving relatively little attention to deer management, given the key importance of reducing deer densities to many of the CNPA’s environmental aims for the Park. The Group considers that the CNPA should have a clearer focus and deliver clearer messages on the topic. The Group also considers that the current climate change context, as discussed later in this Section, adds a further imperative for the CNPA to adopt a more direct approach over deer management and to increase its woodland and montane scrub expansion targets.

52 The Working Group recommends that the Cairngorms National Park Authority and Scottish Natural Heritage should have a much greater focus on the need to improve the management of wild deer in the Cairngorms National Park, to reduce deer densities in many parts of the Park to protect and enhance the Park’s biodiversity.