

# **Report of the consultation on the proposal to merge the functions of the Deer Commission for Scotland (DCS) into Scottish Natural Heritage (SNH)**

**March 2008**

## Table of Contents

Glossary	2
Background	3
Proposal	3
Structure of the consultation	3
Bilateral meetings with key stakeholders	4
Reactions to the proposal	4
Threats and opportunities	4
Details of a merger	5
Board structures/representation	5
Delivery structures	6
Legislation	6
Timescale	6
DCS work areas which fall outside SNH's core remit	6
Future mechanisms for stakeholder engagement	7
Analysis of e-mail responses	7
Summary	8
Annexes	9
Annex A – List of stakeholder meetings	9
Annex B – Structure of bilateral meetings	10
Annex C – Analysis of e-mail responses	11

## *Glossary*

ADMG	Association of Deer Management Groups
BASC	British Association for Shooting & Conservation
BDS	British Deer Society
DCS	Deer Commission for Scotland
FCS	Forestry Commission Scotland
FES	Forest Enterprise Scotland
GIS	Geographical Information Systems
Lantra	Sector Skills Council for the environmental and land-based sector
RSPB	Royal Society for the Protection of Birds
SEARS	Scottish Environmental & Rural Services
SGA	Scottish Gamekeepers Association
SNH	Scottish Natural Heritage
SRDP	Scotland Rural Development Programme
SRPBA	Scottish Rural Property & Business Association
SSPCA	Scottish Society for the Protection of Animals
SWT	Scottish Wildlife Trust
NTS	National Trust for Scotland
VD	Veterinary Division

## **Background**

### ***Proposal***

On 30 January 2008 the First Minister announced a series of decisions, and proposals, aimed at simplifying the delivery landscape in Scotland. This included a firm proposal, subject to consultation, to merge the functions of the Deer Commission for Scotland (DCS) into Scottish Natural Heritage (SNH) within the lifetime of the current Parliament.

### ***Structure of the consultation***

The consultation consisted of two major components: a website and e-mail address for written responses from all comers and; a series of bilateral meetings with key stakeholders who had been identified by DCS – see Annex A.

The e-mail address was open for responses from 30 January to 14 March 2008. A total of 50 responses were received – these are analysed below.

Immediately following the First Minister’s announcement officials contacted the key stakeholders offering a bilateral meeting. In each case they were asked if they were agreeable to a representative of SNH attending in order to hear the dialogue first hand. This occurred in all cases.

Four of the key stakeholders (as identified by DCS) failed to respond to the offer of a meeting.

All bilateral meetings were based around the structure given at Annex B. A note was taken of the meeting and echoed back to participants for corrections and additions. These notes form the basis of the analysis below.

Three stakeholders (Forest Enterprise Scotland, Forestry Commission for Scotland and Veterinary Division) could be viewed as “internal” with the rest comprising voluntary sector, representative groups.

A meeting with Scottish Environment LINK included three of their members (RSPB Scotland, John Muir Trust, Ramblers Association Scotland) but not the others (Scottish Wildlife Trust, National Trust for Scotland & Scottish Native Woods). LINK secretariat was represented.

## Bilateral meetings with key stakeholders

### *Reactions to the proposal*

All the stakeholders who took part praised the enthusiasm, expertise and commitment of DCS staff and Board. Many pointed out the progress made in joint working in recent years.

Overall reaction to the proposal can best be described as a continuum. These responses have been grouped into four broad categories:

Support and opportunities	see	Support but have concerns	Significant concerns	Opposed
RSPB FCS FES	←	Env LINK BDS VD Deer Initiative SRPBA ADMG BASC SSPCA LANTRA	→	SGA

### *Threats and opportunities*

There was a high degree of consensus amongst stakeholders regarding both the threats and opportunities.

Key threats (or risks) can be summarised as:

- **Loss of expertise** – DCS staff leaving the public sector or being dispersed or demotivated by a merger; loss of the spread of expertise (and experience) found on the DCS Board;
- **Perceptions of SNH** – concerns that SNH are viewed less favourably than DCS by some landowners and stalkers/keepers and that they can be seen as less balanced in their approach to management;
- **Loss of profile** – that deer management becomes just one workstream in a larger organisation and loses impact and momentum.

The most commonly cited opportunities were:

- **Policy integration** – bringing deer management “into the fold” and extending the direction of travel already inherent in SRDP, SEARS and joint agency working; championing of deer management across a broader sector of interests;
- **Culture change/Synergy** – that a merged organisation can disseminate best practice from both partners for example SNH’s use of GIS technology and DCS’s empathetic approach to working with landowners;
- **Efficiency savings** – releasing money and staff resource from corporate activities for delivery;
- **Improved stakeholder engagement** – DCS & SNH frequently meet with the same groups regarding the same issues although some stakeholders (e.g. SGA) feel marginal to SNH’s concerns and would look for improved contact with a merged organisation.

Other issues raised by some organisations included the possibility of more resources for deer management (from SNH’s larger budget and/or efficiency savings), the potential for SNH to use its grant giving powers to incentivise management and support partnership approaches.

### *Details of a merger*

The phrase “the Devil’s in the detail” occurred frequently during exchanges regarding the approach to any merger. There were widespread concerns about a rushed and/or directive approach to a merger and a general appetite to be engaged in future discussions regarding the details. The concept of some form of stakeholder contact group to help inform a merger project was widely supported.

### **Board structures/representation**

There is virtual unanimity that the current SNH Board lacks the deer expertise necessary to take on the role of DCS. There are serious concerns from the sectoral groups (SGA, SRPBA, ADMG) about their future level of representation – they view the broad base of the DCS Board as fundamental to its credibility and its ability to successfully operate the deer legislation.

Generally two possible scenarios were discussed for improving deer expertise on the SNH Board: a dispersed model where deer experts were recruited onto each of the current Board structures (main board, Scientific Advisory Committee, Local Advisers Forum etc) or the creation of a Deer Committee, chaired by a main board member. These are obviously not mutually exclusive and some sort of staged arrangement is also possible.

There did not appear to be any firm convictions regarding the best model but there was a general response that this topic merited further thought and discussion.

## **Delivery structures**

The means by which DCS staff are integrated into SNH is seen as critical to the success of a merger. Stakeholders were frequently torn between a desire to see the DCS staff kept together, to preserve critical mass and morale and the wish to disperse them to positively influence SNH working practices. Some consultees recognised the benefits that arise from SNH's dispersed structure and its closeness to customers.

Again there was general agreement that this needs a careful and considered approach with the full involvement of both staff groups.

## **Legislation**

There was a broad consensus that the deer legislation is archaic and would benefit from updating to match the changed context. However there were a variety of views as to whether to do this before, during or after any merger. A narrow majority favoured legislative revision post merger in order to avoid placing undue stress on key staff, to give SNH time to gain experience of operating the current legislation and to allow adequate dialogue.

## **Timescale**

The balance of responses favoured a rapid merger in order to minimise uncertainty for staff and clients. However some felt that the early production of a project plan and a staged approach to merger would be enough to allay concerns and would be less disruptive to delivery.

## **DCS work areas which fall outside SNH's core remit**

Dialogue here relates to four areas of work which are currently novel (or small-scale) for SNH, namely:

- Skills/competency – promotion of best practice and assessments of competency;
- Industry promotion – stalking, venison, country sports tourism;
- Animal welfare – best practice, seasons
- Public safety – firearms, road traffic accidents, animal disease

These discussions often became detailed explorations of the components that were of particular relevance to a stakeholder. However there was broad support for SNH taking on those components which are central to the operation of the deer legislation (animal welfare, competency) whilst extending or developing partnership arrangements in all these areas.

ADMG and BDS are keen to take on more responsibility in establishing best practice and promoting the industry.

### **Future mechanisms for stakeholder engagement**

This is seen as a key strength of DCS so there is a high degree of interest in determining future arrangements. The best practice demonstration events and the annual Drumossie event received widespread plaudits.

There is majority support for developing the current Deer Management Round Table into a more formal grouping of key stakeholders; perhaps as a Deer Forum along the lines of the Moorland Forum or the Access Forum.

Both SGA and BDS would seek improved bilateral contact with SNH. All other groups had a firm relationship with SNH on which they could build as a merger progressed.

### **Analysis of e-mail responses**

There were 50 e-mail responses. This included a duplicate response. A graphical analysis is given in Annex C. Some organisations who participated in bilateral meetings (e.g. RSPB, BDS, SGA) also provided a written submission; these have not been included in this analysis since they are reflected in the summary of stakeholder meetings above.

Responses came from a mixture of individuals, businesses and organisations. A majority of these responses objected to the merger proposal. The reasons for disagreeing (where given) were predominantly related to concerns over SNH's approach and to the potential loss of DCS staff and board members. Some expressed scepticism about the cost savings or suggested alternative ways of generating efficiencies.

Opportunities cited included efficiency savings (both staff time and money) and the potential for changing attitudes in SNH.

Suggestions relating to the optimum approach to a merger included:

- Extend the proposal to develop a single rural development agency;
- Merge DCS with the Rural Payments and Inspection Division (RPID) instead;
- Ensure that SNH advisory boards reflect a balance of social, economic and environmental interests;
- Change the aims of SNH to reflect economic development;
- Conduct a review of how deer and their impacts are managed elsewhere in Europe first;
- Create a Land Management Agency with a deer task group;
- New legislation to enable SNH to effectively manage deer;
- An advisory council made up of individuals representing the variety of deer sector interests;
- Making the plan for delivery of a merger available early in the process.

Where respondents have indicated their agreement to making their responses public then these will be made available through the Scottish Government library (in Saughton House, Edinburgh) and in Great Glen House, Inverness.

## Summary

Overall the majority of key stakeholders accept the rationale behind *Simplifying the Landscape* and the proposal to merge the functions of DCS into SNH and many support the principle of de-cluttering. There has been little, if any, direct challenge to the case supporting the proposal. The (often deeply held) concerns relate either to DCS as a special case or to the detail of any merger. Some doubt that the benefits outweigh the negative aspects of a merger.

There is a strong appetite for making the best of a merger should it go ahead and a widespread acknowledgement that it presents significant opportunities for deer management, the industry and SNH.

It appears that those organisations and individuals who are most opposed to the merger feel least engaged by SNH.

The areas seen as requiring most attention during a merger process are those relating to staffing structures and the representation of deer expertise, and the deer sector, within SNH's board structures.

## **Annexes**

### ***Annex A – List of stakeholder meetings***

Meetings were conducted with:

Association of Deer Management Groups  
British Association for Shooting & Conservation  
British Deer Society  
Deer Commission for Scotland staff representatives  
Forestry Commission Scotland  
Forest Enterprise Scotland  
John Muir Trust  
Lantra  
Ramblers Association Scotland  
Royal Society for the Protection of Birds (Scotland)  
Scottish Environment LINK  
Scottish Gamekeepers Association  
Scottish Government Veterinary Division  
Scottish Rural Property & Business Association  
Scottish Society for the Protection of Animals  
The Deer Initiative

The following groups did not take up the offer of a meeting:

Institute of Chartered Foresters  
National Trust for Scotland  
Scottish Game Dealers and Processors Association (provided an e-mail response)  
Veterinary Deer Society

***Annex B – Structure of bilateral meetings***

1.	Introductions and welcome
2.	Format for the session, recording and reporting
3.	Background to the proposal
4.	Rationale for the proposal
5.	<p>Key Questions</p> <ul style="list-style-type: none"> <li>a) Do you support the proposal?</li> <li>b) Reasons for your position?</li> <li>c) Do you anticipate any particular difficulties for SNH in adopting the role?</li> <li>d) What opportunities for improvement does the merger present?</li> <li>e) Suggestions for optimum approach to merger: <ul style="list-style-type: none"> <li>➤ Board structures/representation</li> <li>➤ Delivery structures</li> <li>➤ Legislation</li> <li>➤ Timescale</li> <li>➤ DCS work areas which fall outside SNH’s core remit</li> <li>➤ Stakeholder engagement in process</li> <li>➤ Future mechanisms for stakeholder engagement</li> </ul> </li> </ul>
6.	Anything we haven’t covered?
7.	What happens next

***Annex C – Analysis of e-mail responses***

50 responses with one duplicate, hence n=49





