



Red deer on the Ardvar Estate.

PHOTO: Victor Clements

# SNH must heed the lessons of Assynt

by Ray Mackay and Victor Clements

ON JUNE 29 last year, the board of Scottish Natural Heritage (SNH) agreed to use their regulatory powers to force the Assynt Crofters Trust and other landowners on the Assynt Peninsula to cull large numbers of deer. By August, SNH officials had reversed that decision. Recently, the Assynt Peninsula Deer Management Sub-Group (APSG) agreed with SNH a plan of operations for bringing the woodlands at Ardvar back into favourable condition. The plan involves a combination of deer control across Assynt, some fenced enclosures to strengthen the habitat network and diversify tree species, and an agreed monitoring programme. Agreed deer culls have been delivered for 2017-18, fencing work is well underway and habitat monitoring will take place shortly to inform on-going management.

So, after years of wrangling over the nature of the woods at Ardvar — whether they were regenerating or being devastated by the impact of deer and how many deer there actually were on the Assynt Peninsula, the issue of deer in the Ardvar woodlands has been settled. This draws a line under a seemingly intractable argument that has dominated land-use debate in Scotland for a number of years, and which has cost the public purse almost £1 million.

Now that the argument has been won and common sense has prevailed, we feel we are in a position to explain our own side of the story, aided by a knowledge of SNH decision-making gained through Freedom of Information (FOI). We have not been able to get SNH to explain their recent change in policy, far

less apologise for the years of disruption they have caused in Assynt, and so we are publishing this account of what went wrong so that lessons can be learned and situations like this cannot arise again in future.

It is important for us to do so because, in addition to the huge public cost, the ability of the Assynt Crofters Trust to manage their own land has been publicly questioned; relationships within Assynt have been put under strain, and the time and effort required to deal with all these issues has been immense. While salaried SNH staff have been, for years, getting well paid to provide often misleading and inaccurate information to their board and to Holyrood, we have had to fight our case in our own time and at our own expense against a full array of public agencies and politicians. All of this has been damaging and unnecessary.

## BACKGROUND

The woods at Ardvar on the Assynt Peninsula are designated both as a Site of Scientific Interest (SSSI) and a Special Area of Conservation (SAC). Since 2004, SNH officials have been monitoring the area, and had concluded that the woods were not regenerating and were in an unfavourable condition. The woods were described as “moribund” and “senescent” and the ground veg-

etation described as “impoverished”. The site developed a symbolic significance in that it supposedly embodied many of the problems associated with the impact of deer on the natural heritage more widely in Scotland. Environmental NGOs were campaigning to introduce statutory deer management planning, and Ardvar became an important part of that campaign. Politicians became involved, and their interest gave the area a profile well above its actual importance.

Senior SNH staff presented Ardvar to their board as a “case study” in how

voluntary deer control was not working. The issue became very complex and heated, and it frequently spilled over

into the press. Government ministers had to be briefed, and questions were asked in the Scottish Parliament. Everyone wanted to know what was happening at Ardvar, and the impatience to see an example made of the people in Assynt was obvious.

Campaigners tried to steer the narrative towards a very simplistic view of “big landowners putting deer before trees and the natural environment”, all the while failing to grasp that the biggest landowners on the Assynt Peninsula were actually the local crofters themselves. Throughout all this, and for many decades beforehand, trees had

been regenerating and growing in Ardvar, and the woodland area had been gradually expanding and filling in. All the available evidence points in this direction. Anyone driving through Ardvar can see the regeneration. How then was it possible for such a fundamental misrepresentation of the site to occur, and why did SNH ultimately have to step back from taking statutory intervention, despite the huge pressure on them to do so from environmental campaigners and the Scottish Government itself?

## THE DEVELOPING PROBLEM

With the benefit of hindsight, distance and FOI material, this is how and why we think the situation at Ardvar developed as it did:

1) The designated area at Ardvar is not a single woodland but a collection of ten to twelve separate woods spread over several miles. They are diverse and different, and the monitoring protocols used between 2004 and 2016 were not capable of picking up on this diversity. The narrative that there was no regeneration at Ardvar arose through inappropriate survey methodology, and it was only recently (in 2016) that more reliable information was available.

2) The site became politicised. Members of the Scottish Parliament came to accept the view that the Ardvar situation was symptomatic of the wider problem of deer impacting on the natural environment. But they did this without any critical analysis or real understanding of the site or the wider issues.

3) Because of the supposed remoteness of the site or the wider issues.

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# SNH in Assynt

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ness of Assynt, few people chose to come and check up on information for themselves. They simply repeated the arguments of others.

4) The high profile of the site meant that many SNH personnel were engaged with the issue. These should have been people with the necessary knowledge who could have commanded the respect of the local players by listening, before coming to a decision. Instead, most of the officials we dealt with had neither a background in deer management nor an in-depth knowledge of woodland management. What they attempted to do was to manage the problem rather than solve it. And this wish to “manage” rather than analyse and decide on a course of action led to local knowledge being disregarded.

5) A narrative based on poor information was therefore developed, and once accepted, it proved very difficult for SNH to move from this position. The management structure and lines of communication within SNH now seemed very much more complex, and it became almost impossible for any staff member to deviate from the established, but flawed, line of thinking. The pertinent image is that of a huge ship heading for the rocks, unable to change direction despite various warnings from different sources.

6) SNH’s focus on managing the argument rather than analysing the situation led to an unhelpful focus on personalities rather than issues — “Ardvar” came to represent differing vested interests (the John Muir Trust, the Ardvar Estate and the Assynt Crofters Trust) and SNH officials spent a lot of time and effort in trying to “play off” one group against another. This approach threatened to tear the deer management group apart. Ultimately, however, it was a strategy that back-fired badly on SNH as the group cohered in opposition to SNH’s intransigence.

7) SNH’s managerialism came to a head when our deer management plan was heavily criticised for not adopting an “adaptive management” approach. When asked for an explanation of this term, SNH responded as follows: “Adaptive management is an iterative process for continually improving management by learning from how current management affects the system. AM is therefore based on monitoring and evaluating past management and devising alternative actions that can be tested against desired objectives.” To show how facile and empty this jargon is, ask yourselves whether you’ve ever come across a non-adaptive approach to management. (As in, “My success as a manager stems from the fact that I never, ever adapt. I insist on not learning from how current management affects the system”.) But this jargon became a managerial weapon which SNH officials tried to use against us. And the greater irony, of course, is that it was SNH itself that seemed incapable of “devising alternative actions” — theirs really did seem an organisation incapable of adapting to a changing situation.

8) When the APSG began developing a deer management plan in 2016/17, SNH would not allow for any proper analysis or discussion of the habitat monitoring procedures or deer count information available. Fundamental issues were ignored, tree regeneration was only

grudgingly acknowledged and downplayed, and community input was disregarded. SNH had previously used the media to question the ability of group members to manage their own land, and their overbearing and patronizing approach now angered people further.

9) The SNH board decision to intervene in Assynt was therefore based on deeply flawed information. When that decision was challenged, the case quickly fell apart and SNH withdrew from their position. While this may well have been

which involves empathy, an ability to deal with conflict and a working knowledge of both sides of the deer-natural environment debate.

2) Where necessary, SNH should use their powers to convene Deer Panels if they need external expertise to look at a particular site and devise solutions. In the case of Assynt, Forestry Commission expertise proved to be very useful.

3) In June 2017, the chairman and board of SNH were put in a very exposed situation. Rather than having been pre-

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in part due to the political difficulties in taking on a group like the Assynt Crofters Trust, with their profile and history, the fundamental issue was that, despite assurances to their board, SNH staff had not prepared their case properly, and they were simply not ready for a challenge of the kind mounted.

10) When SNH finally agreed to simplify communications by providing a single point of contact and concentrate on the actual evidence, the situation very quickly resolved itself, and we now have a situation that all APSG members, SNH and the Forestry Commission are happy to sign up to.

## RECOMMENDATIONS

It is important that the above criticisms are not made without recommendations for how things should be done differently in future.

sent with considered information and analyses on which to form a judgment, they were, at best, ill-informed and, arguably, mis-informed by their officials. Withdrawing from that position and endorsing a very different approach makes them appear weak, easily led, lacking initiative and “rubber-stamp fodder”. This is not sustainable. The SNH board needs to be protected from the consequences of misleading analyses and ill-judged recommendations. The warning lights were clearly visible at Ardvar, but these were not heeded by officials, and the result has been considerable damage to SNH’s reputation.

4) There is an institutional problem within SNH whereby conformity to established thinking is encouraged and rewarded. SNH needs to open up its recruitment practices to other agencies

5) Closely connected to the point above is the fact that SNH officials often seemed to lack any understanding of how to work with ordinary people, consistently showing a lack of empathy or any real understanding of the situation in Assynt. From the moment when the Ardvar woods were adjudged to be worthy of designation as a Special Area of Conservation, the prevailing attitude within SNH has been one of condescension — the natives are not to be relied upon. They know nothing. Look at the damage they are allowing to happen in these very important woods. At the time of the publication of the report into the Hillsborough disaster, a phrase was used to describe the attitude of the authorities to those affected by the tragedy — “the patronising disposition of unaccountable power”. To us, that is exactly how SNH behaved in Assynt. This mindset has to change.

6) The SAC designation at Ardvar has been inappropriately applied, and this is likely to be the case with some other sites in Scotland. We want to see this designation removed and believe there are very strong grounds for doing so. There is a tendency for SNH to hide behind EU regulations to defend their actions when, in reality, they themselves define the status of these sites and can decide on appropriate timescales for their restoration. Many sites in Scotland will take decades or indeed centuries to fully restore, and consideration needs to be given to this when discussions are taking place with land managers. Politicians in particular need to understand this.

7) The cost of SNH’s involvement in Assynt runs close to £1 million in total. This is the price of inappropriate analysis and indecisive leadership stretching back years. Politicians contributed to the situation by becoming involved in the detail of an argument without fully understanding it. Their job is to provide overall strategic and political direction to land management in Scotland, but it is not appropriate for them to get involved in individual sites such as happened here without, at the very least, gaining first-hand experience. To our knowledge, only one politician has visited and that was to look around the very small area owned by the John Muir Trust. It is significant that no member of the Scottish Parliament has yet seen fit to accept our invitation to visit the Ardvar woods. To that extent, the people of Assynt have been let down by their elected representatives.

## CONCLUSION

We have articulated our view of what has happened here, because others appear unwilling or unable to do so. The local deer management group has been very sorely tested, but it has survived and has grown stronger, and we will ultimately be the better for that. In the future, we hope that SNH as an organisation can change along the lines we have suggested above. If it can, then land managers will find it easier to arrive at working solutions, local communities will have more faith in what SNH is trying to achieve and Scotland’s natural heritage will ultimately benefit. That should be what we are all striving for.

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Trees below Quinag.

1) Issues with deer management in Scotland are not going to go away any time soon. SNH needs to be re-structured to provide for a small problem-solving unit, concentrating mostly on deer-related issues, but potentially taking on other difficult issues as well. It must have a short chain of command, and have an ethos of looking properly at evidence and finding solutions. Removing the Deer Commission and then the Wildlife Operations Unit from within SNH has been a mistake, and such a unit needs to be re-instated. Deer-related work requires a particular skill set

and the private sector to ensure that fresh thinking and skill sets can come forward on a more regular basis. There is an obvious career path which involves SNH and environmental NGOs, with senior people moving from one to the other. While the reasons for this are obvious, it does tend to result in a kind of tunnel vision which places environmental issues above the needs and welfare of the local people who live in those environments and disparages the contribution that local people can make to the environmental debate, even where that contribution is well-informed.