

Written submission from Game & Wildlife Conservation Trust (GWCT)

ECCLR COMMITTEE MEETING – 23 May 2017

Submission on proposed actions re Petition PE1615

About Us:

The Game & Wildlife Conservation Trust (GWCT) is a charity that conducts research into Britain's game and wildlife. We use the 1,122 scientific papers we have published in peer-reviewed journals to provide advice to statutory bodies. We turn our science, conducted in collaboration with other institutions including; the James Hutton Institute, SRUC, the Centre for Ecology and Hydrology and the RSPB, into practical guides that help farmers and landowners improve the biodiversity on their land. To help disseminate this knowledge we are a partner on the Langholm Moor Demonstration Project, we manage a 480ha demonstration farm in Aberdeenshire and sit on over 100 external committees including; the PAW Executive, CAP Stakeholder Group, Scotland's Moorland Forum and the UK Birds of Conservation Concern Panel.

Why we are submitting evidence:

After 75 years of research into what makes and drives effective wildlife and habitat conservation we note:

1. Land management decisions across the UK decide what lives in the environment.
2. Gamebird shooting is an important and useful incentive, and has motivated the successful conservation management of woodlands, farmland and moorland for over a hundred years.
3. Regulation of gamebird shooting and its management in Scotland is currently extensive.
4. Current legislation contains powers that are not being used, but which should be, to further enhance conservation management.

The ECCLR are being asked to consider 3 options for further action. We believe decisions should be taken in light of the following evidence. We particularly draw the committee member's attention to the options outlined under '**Current Legislation**' on page 2 of this note.

- **Land management** shapes virtually all the Scottish and UK land surface, and the type of management decides what lives there.¹ Such management decisions include farmers, foresters, reserve managers and game shoot managers.
 - a) Nature reserves may choose to 're-wild' which can lead to fewer deer and fewer open landscape species in favour of more trees and woodland species.

b) Dense commercial conifer woodland and open spring cereal cropping on farmland will respectively deter various species of birds of prey because of inadequate nest and prey availability.

c) The distribution of wildlife, is affected by many factors. In this case, raptors' food supply (which changes seasonally and annually), habitat quality, weather in both the immediate area and landscape are all known to affect hen harrier², golden eagle³ and other species⁴. Ascribing a single cause to a perceived absence of occupancy is likely challenging.

- **Gamebird shooting** is an important and useful incentive, and has motivated the successful conservation management of woodlands, farmland and moorland for over a hundred years, allowing wildlife and habitats to thrive in a landscape that would otherwise be largely focussed on producing food, fuel and fibre.^{2,3,4}

- **Regulation** of gamebird shooting and its management in Scotland is extensive including:

- restrictions on when species may be shot (Wildlife & Countryside Act 1981 as amended),
- which species may be shot (EU Birds and Habitats (sic) Directives transposed to the Wildlife & Countryside Act 1981 as amended);
- when and where species may be disturbed (Wildlife & Countryside Act 1981 as amended especially Schedule 1A and A1);
- how and where related habitats may be managed (Wildlife & Natural Environment Act Scotland (2011), Scottish Muirburn Code, Good Agricultural and Environmental Condition codes);
- how predatory species can be controlled (Wildlife & Natural Environment Act Scotland (2011), General Licences (2016), Spring Trap Approval Order Scotland (2011);
- how species such as mountain hare may be managed (Nature Conservation Act 2004 and Nature Conservation Regulations 2007);
- Veterinary medicines regulation and prescription (use of medicines for disease control);
- site specific regulation through SNH of SSSIs, Special Protection Areas and Special; Areas of Conservation, many of which are on managed land.

Failure to abide by these regulations can mean civil and criminal proceedings, including through the Vicarious Liability route.

- **Current legislation** (notably Section 16 of the Wildlife & Countryside Act 1981) contains powers that are not being used, but which should be, to enable trials of adaptive management that could further enhance the conservation of many species.

a) Birds of prey are already fully protected, yet illegal killing still takes place because the drivers of the conflict remain unaddressed.⁵

b) Attempting to address this conflict in the absence of licensed management methods has been shown to result in loss of conservation status of birds of prey, loss of increasingly rare moorland wading birds, loss of local economic activity and degradation of protected habitat.^{6,7,8}

c) Current legislation is enabling a DEFRA hen harrier management plan and brood management scheme that does address the conflict and such adaptive approaches should be given a chance to work in Scotland.

• **Conclusion.** Those considering the introduction of regulation of these management decisions may wish assess:

d) Are the net losses of Scottish 'natural capital' resulting from gamebird shooting so great that further regulation is required?

e) Will more regulation bring the benefits that are sought, when the powers of current legislation to examine potential solutions are not fully being used?

f) Will regulation and the burden of regulation deter investment in game shooting activity, the management for which currently brings measurable benefits to Scotland?

g) If game shooting were dis-incentivised what would replace it; what for instance would be the impact on upland birds if grouse shooting were to be replaced by forestry?

References

1. UK NEA. The UK National Ecosystem Assessment Technical Report (2011).
2. A Conservation Framework for Hen Harriers. JNCC, Peterborough (2011).
3. Whitfield, D P, Fielding, A H, McLeod, D R A and Haworth, P F (2008). A conservation framework for golden eagles: implications for their conservation and management in Scotland. Scottish Natural Heritage Commissioned Report No.193
4. Newton, I. Population ecology of Raptors. T& AD Poyser (1979)
5. Tapper, S (ed) A Question of Balance. Game Conservancy Trust, Hampshire (1999).
6. Leake, A. (ed) Fields for the Future. Allerton Project, Leicestershire (2001).

7. Warren, P. & Baines, D. Changes in the abundance and distribution of upland breeding birds in the Berwyn Special Protection Area, North Wales 1983-2002. *Birds in Wales* 11, 32–42 (2004).
8. Thirgood, S. & Redpath, S. Hen harriers and red grouse: Science, politics and human-wildlife conflict. *Journal of Applied Ecology* 45, 1550–1554 (2008).
9. Baines, D. & Richardson, M. Hen harriers on a Scottish grouse moor: Multiple factors predict breeding density and productivity. *J. Appl. Ecol.* 50, 1397–1405 (2013).
10. Potts, G. Global dispersion of nesting hen harriers *Circus cyaneus*; implications for grouse moors in the UK. *Ibis* 76-88 (1998).
11. Langholm Moor Demonstration Project, Langholm. The Langholm Moor Demonstration Project: seven year review (2014).