



## The Mountaineering Council of Scotland

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Victor Clements  
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10 June 2016

Dear Mr Clements

### **Breadlbane Deer Management Group – Draft Deer Management Plan 2016-2021**

Further to our conversation on 7 June, when you confirmed that the comments of the Mountaineering Council of Scotland would be considered for inclusion prior to the finalisation of the Breadlbane DMG DMP, we are grateful for the opportunity to contribute comments to the draft plan at this late stage.

In doing so, we wish to raise concerns regarding the accuracy of the comments included in the February 2016 Draft in the **Background Information and Policies** paper concerning access matters relating to the North Chesthill Estate.

Our concerns relate to pages 58-9 in the section **Contribute to Public Health and Wellbeing**. This states that 'During 2014, both Perth and Kinross Council and SNH agreed that North Chesthill could trial a new approach to managing access within the area, **restricting access** for the busy September / October period and making potential walkers aware of other options within the wider area'.

We have contacted the Council, SNH, and the Convenor of the Perth & Kinross Local Access Forum. All confirm that their understanding is that there is no such "agreement" with the estate which has the aim of formally restricting access.

The statement as written in the draft plan is therefore inaccurate. For the avoidance of doubt, the Council's Greenspace Coordinator, who is responsible for access matters, states that there is no agreement as such, rather that the Council, the estate the Local Access Forum have reached 'a greater degree of consensus' regarding the management of access.

Indeed, the Convenor of the Perth and Kinross Local Access Forum has advised us that this 'consensus' cannot be interpreted as an agreement to restrict access.

The Policy and Advice Manager – People and Places, at SNH advises us that their understanding was that this 'consensus' was a locally agreed arrangement, which was 'focused on days when stalking is actually taking place rather than representing the "blanket" restriction that the Draft DMP text suggests'.

There may well be a difference in interpretation between the intention of the consensus to permit access when stalking is not taking place, and the intentions of the estate, as evidenced by the fact that between 21<sup>st</sup> September and 20<sup>th</sup> October 2015 North Chesthill stated on their website that the estate was closed every day with the exception of 4<sup>th</sup> and 11<sup>th</sup> October.

In our opinion, the estate's behaviour is not conducive to supporting or maintaining a consensus on management and it demonstrates a clear and unambiguous intent to close the estate to walkers for the whole of the period when stags are being stalked.

The Draft DMP claims that "this approach has been considered a success and is likely to be repeated in subsequent years". If this is the case, then (as we are advised by the Convenor of the Local Access Forum) the estate should apply for exemptions to access under the terms of the Land Reform (Scotland) Act 2003.

In this context, we suggest that it is in the interests of the DMG to provide appropriate advice to the estate concerning compliance with prevailing legislation.

We recognise that DMGs and shooting estates now have an obligation to demonstrate community benefit and contribute to public health and wellbeing under land reform legislation. We therefore welcome Action Point PIA 10.7 which states 'Group members and DMG to all promote a positive and welcoming message to all those visiting the area **throughout the year**, and to contribute fully to the Heading to the Scottish Hills website'.

We trust that the DMG will assist and support the efforts of the organisations copied into this response to provide advice to the estate consistent with PIA 10.7.

In closing, I ask for your reassurance that the DMP, when finalised, will accurately reflect the situation at North Chesthill.

I look forward to hearing from you.

Yours sincerely

David Gibson  
CEO

cc. Dave Stubbs, Greenspace Coordinator, Perth & Kinross Council  
Mark Wraitham, Policy & Advice Manager – People & Places, SNH  
Nick Cole, Convenor, Perth & Kinross Local Access Forum