

# The battle for Assynt

Crofters bought a sporting estate to manage but SNH was determined to cull the deer on it. Matt Cross looks at how the drama unfolded

**T**here's heavy rain coming," observed Anna MacKay, looking out of the kitchen window. In the distance, sea and sky were merging and the hills of Harris were fading. From the MacKays' croft on Assynt in Sutherland you can see the weather coming a long way off.

Anna and Ray's log cabin home, with its mild-mannered sheepdog, wellies at the door and scent of sweet peas, is more than a lookout. For the past few months it has been the headquarters in a battle that will shape the future of Scotland's deer and sporting estates. On one side are a group of crofters and their friends in the neighbouring Ardvar estate, on the other Scottish Natural Heritage (SNH), the quango that claims it "looks after all of Scotland's nature and landscapes".

On Assynt SNH was promising to "look after" Scotland's nature and landscapes by imposing "a Section

8 order", which would have allowed it to come on to land against the owner's will, shoot the deer and bill the landowners for the cost.

On the first weekend of August I went to Ray and Anna's home near Achmelvich. It is a remote spot, nearly six hours from Glasgow. Like many similar townships, Achmelvich was

A few weeks ago he addressed the board of SNH, who were considering the "Assynt deer situation". When I met him he was waiting for another meeting, where he would be told SNH's decision.

Ever since the North Assynt estate was split from the Duke of Sutherland's landholdings, it has been

**"They are not turning into oak woodlands, because there is no source of acorns"**

created during the Clearances when crofters were evicted to make way for sheep and resettled on the coast.

Ray is vice-chairman of the Assynt Crofters' Trust. He is tall and strongly built with the hands of a man whose dinner comes from his creels and garden rather than the supermarket. He also has a doctorate, an MBE and an articulate belligerence that has put SNH on the back foot.

bought and sold with little regard for the crofters. In 1992, when the 21,000-acre estate was to be sold again, the crofters organised a buyout package. The land the crofters bought was part of the Ardvar woods, a complex of woodland designated by SNH as a special area of conservation due to it being a "western acidic oak woodland" – despite containing almost no oak. It is the condition of these woodlands that is the key issue.

M. CROSS / V. CLEMENTS / ALAMY



Since 2008 SNH has claimed that high numbers of deer were preventing the Ardvvar woods from regenerating. Moreover, it said that the crofters have been so negligent in their deer management and so unwilling to co-operate that SNH had to use its powers under Section 8 of the Deer (Scotland) Act to send its own people to Assynt to cull the deer.

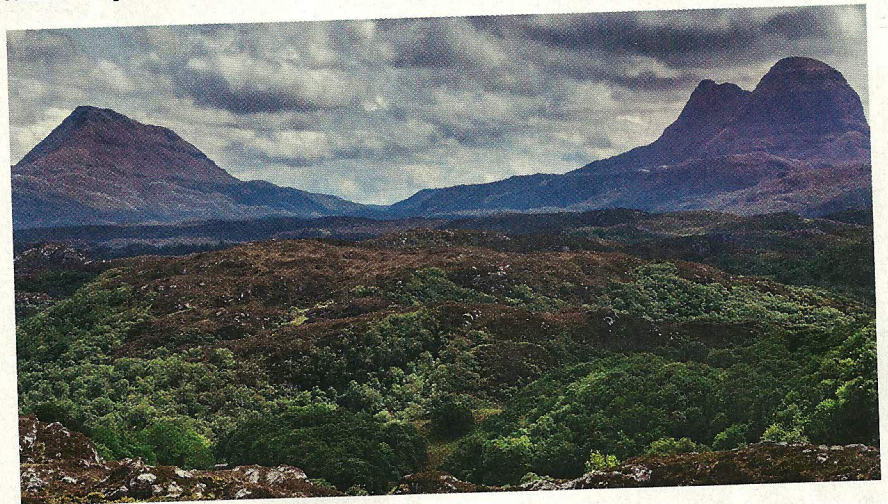
### Population explosion

Late into Friday night, Ray and I pored over SNH's case and the crofters' response. In all the paperwork, one set of numbers stood out; a set of helicopter deer counts. Late in the winters of 2011 and 2013, SNH flew over Assynt and counted the deer; on both occasions around 1,400 deer were counted. When SNH counted again in autumn 2014 there were 881 deer. SNH called this "an anomaly" and refused to accept it. In March 2016 the deer were counted again and there were 1,806. It seemed that the population had exploded. The chatter of concern from SNH became a volley of instructions; the crofters and Ardvvar estate were told to fence woodland and increase their culls. This is what they began to do.

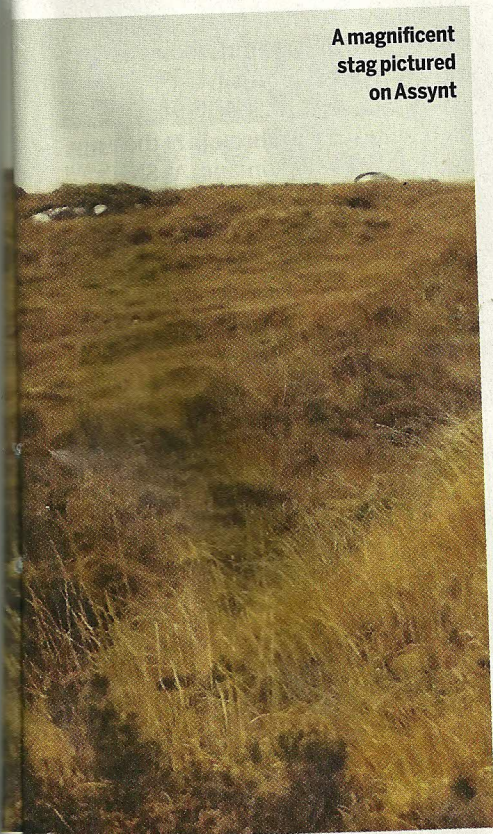
It was Victor Clements, the crofters' woodlands adviser, who made sense of the counts. The low



Anna and Ray MacKay's croft is in the heart of the Assynt Crofters' Trust land (below) in Sutherland



A magnificent stag pictured on Assynt



count in 2014, which took place in autumn, was the number of deer that lived on Assynt. The higher counts were late in the winter and were caused by deer moving from exposed ground into the shelter of Assynt.

The reason for the exceptional numbers counted in March 2016 was simple – a period of extreme weather in the weeks before the count had driven deer to seek shelter. Locals had watched the bedraggled bands of hinds cross the A894 pass under the bulk of Quinag and head for the shelter of the woods. SNH was told this, but its stance did not change.

This had serious implications. Ardvvar estate and the crofters had been culling deer as if there were 1,800 of them. But there was only half that number. By the time they realised, the 2016 stag cull was done, but the hind cull was ongoing. The crofters stopped their hind cull. SNH insisted that the crofters should complete the cull as agreed. The crofters were defiant; they would not cull the number of hinds that SNH

wanted because if they did it would devastate the Assynt deer population. But more than that, when they bought their land, for the first time in their history the crofters were taking control of their lives. They were not going to lose it again to some quango.

### “Voluntary” agreement

It was at this point that SNH officers began to threaten in earnest that they would impose a Section 8 cull. Their offer was simple; the crofters could sign a voluntary agreement under Section 7 of the Deer Act, or SNH would impose a cull. “It’s voluntary like a man coming up to you at a cash point with a big stick and saying ‘voluntarily give me your money’,” said Ray. The crofters believe that the law has been used to persecute them; they were drawing a line.

I understood the crofters' case. But a problem remained. A paper senior officers wrote for the SNH board made it clear that deer had wrecked the Ardvvar woods; photos were even provided to prove the point. ➔

## Investigation

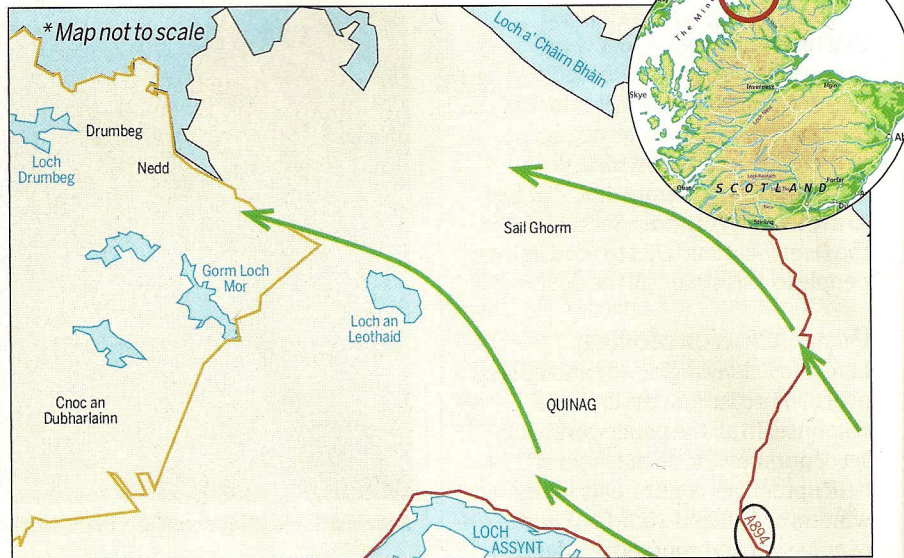
On Saturday morning, I went to look for myself. Michael Ross, the Ardvar estate stalker, had agreed to guide me. Michael is a neat, trim man, with sandy hair and blue eyes. For 25 years he has managed deer singlehandedly on a vast area of mountain and bog. For nearly 10 years he has fought SNH for his deer – before the crofters weighed in he fought alone. That might have soured some men, but not Michael. Walking along a narrow path I pointed to a tiny plant. “That’s a carnivorous plant, isn’t it?” I asked. “It is,” he replied, then added with a slight smile: “Don’t worry, I won’t let it get you.”

Michael insisted he would take me anywhere I wanted to go. For three hours we walked all over the woods. Everywhere trees were regenerating. There were seedlings, trees of a year old, five years old, 10 years old. No reasonable person could say this wood was dying. The Ardvar woodlands are abundant in young trees and plant life. We visited site after site that bore no resemblance

### “For people who understand deer through pie charts, the evidence meant nothing”

to what SNH claimed. However many deer were in Assynt, they were not wrecking the Ardvar woodlands. Indeed, the Forestry Commission has now paid out a grant that required evidence of the woods regenerating.

They are not turning into oak woodlands as SNH wants, simply because there is no source of acorns. Victor is blunt, alleging: “SNH officers have misrepresented the status of the Ardvar woodlands to get permission to impose a Section 8 order.”



Orange line shows estate boundary; green arrows show deer movement in response to bad weather

Of all the people involved in this, Michael has the most at stake. If SNH had its way, deer culls would be so heavy that Michael would lose his job and his family’s home. For half his life Michael has watched deer numbers dwindle and trees spread. He has

to crack. A statement said SNH would try to “come up with collaborative solutions that avoid the need for SNH to use its intervention powers”. Finally, on Thursday word was out; SNH had given up on its attempts to get the crofters to sign a Section 7 agreement and the threat of a cull was off the table.

It is hard to say why SNH backed down – perhaps it was being confronted with the evidence or that, with the growing media interest, hard questions were being asked. It is certainly true that the Assynt crofters, heroes of the land reform movement and descendants of the survivors of the Clearances, were the worst possible target.

The rain Anna was watching hammered its way through in the night, then blew on inland. As SNH’s attention leaves Assynt the question is where it will fall next.

⇒ Shooting Times contacted SNH but it was unable to comment at time of press.

seen it and told anyone who would listen. But for people who understand deer through pie charts, Michael’s evidence meant nothing. Michael puts it differently: “There must be big windows at the SNH headquarters, because they can see what is happening here better than I can.”

Throughout my visit, I had the sense that the crofters knew something that they weren’t saying. The harassed tone of SNH’s press officers added to that impression. On Tuesday SNH started



Above left: the Ardvar woods are designated a “western acidic oak woodland” – despite containing almost no oak. Above right: evidence of regeneration