

“E-petitions 125003 and 164851 relating to driven grouse shooting” Steve Double,
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Summary

- Grouse moor management has played a key role in creating and maintaining our upland landscape, preserving and improving heather habitat and peatland, sustaining some of our rarest plants and wildlife, and promoting biodiversity.
- Grouse shooting is already heavily regulated and controlled. There is extensive legislation in place that has an impact on almost every aspect of grouse shooting and grouse moor management, and licensing requirements are in place across many areas such as firearms possession and heather burning in environmentally sensitive areas. Any additional legislation, or licensing requirements, would need to be consistent, evidence-based and principled, recognising that further controls would add to the cost and bureaucracy of grouse moor management, without necessarily improving outcomes.
- The theory and practice of modern gamekeeping is focused on conservation and a respect for biodiversity. Modern gamekeepers are increasingly expected, and often required, to undertake formal apprenticeships or college courses, gain practical qualifications, and attend best-practice courses.
- For many upland communities, grouse shooting plays a pivotal role in the local economy, providing a valuable source of jobs and income for local businesses. It also underpins the social life of these communities and helps to tackle rural isolation.
- Those calling for a ban on driven grouse shooting need to set out a viable, alternative vision for our uplands, considering that heather moorland in the UK is internationally important and it is widely recognised that grouse shooting has helped preserve it. The main alternative land uses to driven grouse shooting such as forestry, sheep farming, abandonment, 'eco-tourism', or 'walked-up' grouse shooting, would all have serious consequences for the future of our uplands as well as the communities in these areas.
- Improvements in grouse moor management continue to be made on the basis of evidence and principle, and stakeholders working together.

Background

Grouse moor management has played a key role in creating and maintaining our upland landscape, preserving and improving heather habitat and peatland, sustaining some of our rarest plants and wildlife, and promoting biodiversity. Home to the red grouse, a sub-species that is only found in those areas that are predominately heather moorland, and one that is unique to the United Kingdom.

Grouse are truly wild and, unlike pheasants and partridges, their population is not maintained or increased by the release of birds which have been hand-reared. Living on the moor all year round, red grouse are territorial and travel very little during their lives, and with the right conditions can breed prolifically. However, as ground nesting birds, they are particularly vulnerable to predators, disease, weather and loss of suitable habitat, which makes the preservation of this unique species both demanding, and of considerable importance.

It is because of their management for grouse shooting that more than 70 percent of England's upland Sites of Special Scientific Interest are managed grouse moors, and over 40 percent are also designated as Special Protection Areas for rare birds and Special Areas of Conservation for rare vegetation under the EU Birds and Habitats Directives.

Section 1 – Moorland Management

Heather Burning

Heather moorland supports many species of plant and wildlife that are only found in the UK. The 1992 Rio Convention on Biodiversity ratified the global importance of UK heather moorland. The UK is responsible for 75 percent of the world's heather moorland and the evidence suggests that the reason the UK has largely retained its heather moorland is due to the presence of management for driven grouse shooting.

Grouse moor management can involve controlled heather burning where appropriate. Burning takes place in patches on a rotational basis, the frequency of which is dependent on the speed at which heather grows in a particular area. This ensures that there is a mixture of older heather for protection and nesting, younger heather for feeding, and a fresh burn where regrowth is just starting. The aim is to create lots of micro habitats so that within one acre of moorland red grouse and other ground nesting birds, such as curlew, lapwing and golden plover, have the full range of habitat they require. Controlled heather burning does not involve burning the peat beneath the vegetation, and great care is taken to avoid this, not least because burning the peat would delay the regrowth of the heather.

[The Heather and Grass etc. Burning \(England\) Regulations 2007](#) apply to the burning of heather, grass, bracken, gorse and vaccinium and this has been transposed into [The Heather and Grass Burning Code](#). Similar regulations are in place in [Wales](#) and [Scotland](#). Burning is only permitted in upland areas from 1 October to 15 April and the Code prohibits various types of burning which may create a high risk of soil exposure and erosion, unless under licence from Natural England.

In addition to the 2007 Regulations, there are 28 other Acts of Parliament that apply to burning. These include Section 28 of the Wildlife and Countryside Act 1981 which makes it an offence to carry out burning on a Site of Special Scientific Interest (SSSI) unless a licence is obtained from Natural England. More than 70 percent of England's upland SSSIs are managed grouse moors so this requirement applies in most areas.

A [Natural England Evidence Review](#) into The Effects of Managed Burning on Upland Peatland Biodiversity, Carbon and Water (Natural England, 2013) concluded that there was strong evidence that controlled heather burning and predator control correlated with higher densities of red grouse, golden plover, curlew, lapwing, redshank and ring ouzel. More recently, [a fifty year study on Scottish moorland](#), published in the Journal of Botany in July 2016, concluded that “to maintain diversity, timely burning is recommended.”

The RSPB also recognise the value of rotational heather burning and there is a controlled burning programme in place on their reserves at Loch Garten and Hobbister in order to “increase the suitability of the reserve[s] for key breeding birds such as hen harriers, short-eared owls, merlins and curlews.”

Evidence linking rotational heather burning to hydrological changes in upland areas is limited to a single study carried out in Yorkshire. The Ember Project, a research project undertaken by the University of Leeds (Brown, Holden and Palmer, 2014), collated evidence relating to the environmental impact of heather burning, and how fire can effect various aspects of the upland ecosystem, with a specific emphasis on burning on peatlands. What the Ember Project did not consider was the impact if burning was stopped, including the increased risk of wildfires. Large stands of rank, woody heather pose a major fire risk due to a significant build-up of fuel loads. Uncontrolled wildfires are particularly damaging as they burn with greater intensity and are likely to burn the peat beneath, causing considerable damage to

the ability of the peatland to store water and carbon. This view is supported by research into [Heather Burning](#) by the Game and Wildlife Conservation Trust (GWCT).

Peatland Restoration

The drainage of peatland with agricultural drains, or 'grips' was once widespread in the uplands, and in the 1960s and 1970s successive governments offered farmers and landowners grants for draining their land; grants that were aimed at increasing agricultural productivity, not the number of grouse.

This practice has since been discredited, and research undertaken by the Game and Wildlife Conservation Trust (GWCT) in the 1980s and 1990s into [Erosion and Moorland Drainage](#) found that drains continued to erode over time, and concluded that blocking these drains was the only way to reverse the deterioration of the moorland. Grouse moor managers, working in conjunction with government and other stakeholders, are actively working on a number of projects which include re-vegetation of bare peat and blocking government-incentivised drains in order to restore damaged peatland and encourage the growth of sphagnum moss which slows the flow of surface water and filters out discolouration.

Peat Restoration Partnerships have proved highly effective and are an example of stakeholders working together to restore peatland. [Recent data produced by Natural England](#) indicates that around 44,500 acres of moorland has been repaired and revegetated across the North of England, all on land managed for grouse shooting. In the North Pennines, the work undertaken to block agricultural drains resulted in the North Pennines Area of Outstanding Natural Beauty Peatland Programme being awarded the Climate Change Award at the Durham Environment Awards 2015. Their [Management Plan](#) for 2014-2019 recognises that "sound grouse moor management can contribute significantly to the conservation and enhancement of natural beauty."

A [Natural England Evidence Review](#) into The Effects of Managed Burning on Upland Peatland Biodiversity, Carbon and Water (Natural England, 2013) concluded "no evidence was identified specifically relating to the effect of burning on watercourse flow or the risk of downstream flood events. If there are any effects, these are likely to be highly site specific." On the basis of this Review, the prominent ecologist Professor Jeremy Purseglove stated in [Countryfile Magazine](#) in January this year that any link between grouse moor management and flooding is "unproven."

What is clear, is that the concerted efforts of grouse moor managers to re-vegetate bare peat, and block agricultural drains to raise water tables across the uplands, contributes to slowing the flow of water through a catchment area. This work should be seen as part of any flood prevention strategy rather than a causal factor.

Written evidence submitted to the Petitions Committee by [The Ramsgill Estate](#) states:

"Restoration Works completed: 43,739m of grips blocked 52,876m of hags and gullies reprofiled and re-turfed where possible 9.72Ha Bare Peat re-vegetated 14.21Ha of vegetated land inoculated with Sphagnum."

Predator Control

As ground-nesting birds, the eggs and chicks of grouse are vulnerable to predation, and along with poor weather during the nesting season, this can often lead to fluctuating population numbers. The lawful control of predators such as foxes, carrion crows, stoats and weasels, is therefore essential, and benefits not just the grouse, but also the many other

species of ground nesting birds which share the moorland habitat. These include red listed species of the highest conservation concern, such as black grouse, lapwing, skylark, curlew, grey partridge, merlin, and the hen harrier.

[Peer reviewed scientific research by the Game and Wildlife Conservation Trust](#) has shown that on moors managed for grouse shooting, ground nesting birds such as curlew and lapwing, which are amongst our species of the highest conservation concern, are 3.5 times more likely to successfully raise chicks.

Black grouse, a species of the highest conservation concern, also benefits from this management. With a population that has declined 50 percent nationally, 96 percent of the surviving male black grouse in the North of England are found adjacent to moorland that is managed for red grouse, thanks to the management of predators.

Birds of Prey

The Wildlife and Countryside Act 1981 protects all wild birds and states that they cannot be killed or taken except in certain circumstances, such as during the open seasons for game species, or under the authority of a General or Individual Licence. The Act makes it an offence to disturb the nest or chicks of any Schedule 1 bird, which includes all species of harriers, peregrine falcons, golden eagles, white-tailed (sea) eagles, ospreys and many other moorland birds. Any person who breaks the law commits an offence and is liable to a level 5 fine on the standard scale and/or six months imprisonment.

Licences for lethal control are heavily conditioned as to how the activities that they permit must be carried out, for example in relation to the inspection of cage traps. Any form of lethal control that is indiscriminate or cruel is prohibited.

The illegal persecution of birds of prey can never be justified, and any incident of illegal persecution is one too many. More can be done to help red-listed species such as the hen harrier but the best results are achieved through stakeholders working together. The Countryside Alliance fully supports Defra's [Joint Hen Harrier Recovery Plan](#) which was published in January this year with the support of the RSPB. In July the RSPB chose to withdraw their support, only six months after this long awaited Plan had been published, and before any brood management schemes had been trialled. The RSPB are the only conservation group to have withdrawn their support for the Plan. The Hawk & Owl Trust will be able to fill any gap in the expertise that might otherwise have resulted from the RSPB's departure.

Any consideration of birds of prey should take account of historical trends in population numbers. 100 years ago there were no hen harriers on mainland UK, today there are around 645 breeding pairs across the country, and internationally they are resident in 87 countries across the northern hemisphere with a population of 1.3 million. In 1963 there were 360 pairs of peregrines in the UK, today there are 1500. Over the past 20 years breeding pairs of red kites have increased from 160 to 1600, and pairs of buzzards from 14,500 to 68,000 ([Avian Populations Estimate Panel](#)).

Natural England's report into [A Future for the Hen Harrier in England](#) identified six causes of hen harrier nest failure: wildfire, predation, lack of food, poor weather, infertility and illegal killing. Figures released by Defra show there were 12 hen harrier nesting attempts in England in 2015. Six were successful, of which four were on or immediately adjacent to moorland managed for grouse shooting.

The interests of grouse moor managers and birds of prey are more interdependent than opponents of grouse shooting would like to admit. A study carried out by the Game and Wildlife Conservation Trust at [Langholm Moor](#) showed that hen harrier numbers went from a high of 20 in 1997, when the moor was managed by gamekeepers, to only four in 2006 after management had ceased, due to increasing fox predation, and dwindling food supply. In contrast, the number of carrion crow, a common predator species culled on most grouse moors, increased four-fold following the end of gamekeeper management. To maintain their population, the ground-nesting hen harrier needed the gamekeeper just as much as the red grouse.

Section 2 – Financing and Economics

Private Investment

Grouse moors are sustainably managed, largely through private investment by their owners, and they offer the most cost effective model of upland management to the taxpayer. This management produces landscapes everyone can enjoy and which are some of the rarest, most important, and most iconic in the world.

It is the sale of grouse shooting that helps fund the work of the gamekeepers which protects the unique upland habitat and the wildlife it supports. Grouse moor owners in England spend approximately £52.5 million every year on moorland management, 90 percent of which is private investment. This is the equivalent of £1 million every week.

Written evidence submitted to the Petitions Committee by the [Heather Trust](#) states:

“It is clear that the best management takes place where there is private funding available and a passion to apply it for the improvement of moorland. This normally means that there is a sporting interest, either grouse or deer. The level of public funding available, or the amount of income generated by upland farming, is not sufficient to cover the cost of moorland management, which requires dedicated, professional staff on the ground with the associated overheads.”

EU Grants and Subsidies

Some grouse moors are eligible to receive funding from the European Union’s Common Agricultural Policy but not in respect of shooting. Rural payments are provided to support the farming activity that often takes place on these moors and additional grants support conservation and habitat management.

At present, farmers and land managers can apply for payments under the [Basic Payment Scheme \(BPS\)](#). Only agricultural land is eligible for BPS payments as determined by Defra’s Rural Payments Agency (RPA) which administers the Scheme in England. The RPA guidelines make it clear that moorland used primarily for shooting purposes is not eligible for BPS payments and there is also an ‘active farmer’ test for claimants along with a range of other criteria to prove that the land is in agricultural use.

The primary land use on many moors managed for grouse shooting is low intensity grazing, often leased to a tenant farmer, and it is the farming side of the business which benefits from BPS payments, not grouse shooting. Farming that takes place on moorland is usually eligible for the lowest category of BPS payment, known as ‘Upland SDA (Severely Disadvantaged Areas) Moorland’.

In addition to BPS payments, some grouse moors also receive grants through [Countryside Stewardship Schemes \(CSS\)](#) which provide funding to farmers and land managers to farm in a way that supports biodiversity, enhances the landscape, and improves the quality of water, air and soil. The very fact that many moorlands used for grouse shooting are eligible for these schemes is recognition that grouse moor management benefits conservation and habitat.

All farmers and land managers who claim funding under the Basic Payment Scheme or Countryside Stewardship Schemes, whether on moorland or any other type of agricultural land, must follow [cross compliance rules](#). These rules include minimising soil erosion, keeping public rights of way accessible, preserving habitats and species and protecting water sources.

Economic Benefit

For many upland areas shooting also plays a central role in the local economy. [A recent report by PACEC](#) estimated that grouse shooting in England creates 42,500 work days a year, and over 1,500 full-time jobs, of which 700 jobs are directly involved with grouse moor management, and a further 820 jobs in related services and industries. Research has also shown that associated spin-offs from grouse shooting in the North of England are worth in excess of £15 million a year, which benefits a wide range of rural businesses. These include game dealers, accommodation providers, equipment suppliers, catering establishments and transport operators, many of whom are based in our most remote rural locations and for whom shooting can be the main economic driver.

Grouse shooting also brings the rural community together in areas that can struggle with social isolation and lack of employment. In addition to the people shooting, a day's grouse shooting involves a large number of participants, bringing together up to 50 members of the local community of all ages and backgrounds. These include beaters, pickers-up, flankers, loaders and catering staff. Beaters are often local students or school leavers looking for additional income, or retirees with decades of experience of the countryside. Pickers-up and dog handlers devote hours of time to the training and care of their working dogs, and they are a vital part of grouse shooting. All gather together to enjoy the community and camaraderie that each day's shooting brings.

Written evidence submitted to the Petitions Committee by [Garry Kennedy](#) states:

"I've been a gamekeeper all my working life, for nearly 30 years now. If driven grouse shooting stopped I'd lose my job and my house. My son would have to move school and my wife would have to move job. My whole life would be turned upside down. I'd struggle to find another job as being a gamekeeper is all I have done."

Section 3 – Human and Environmental Health

Lead Ammunition

Restrictions on the use of lead shot are already in place across the UK to address proven environmental concerns about the impact of lead shot on waterbirds. [The Environmental Protection \(Restriction on Use of Lead Shot\) \(England\) Regulations 1999](#), amended [2002](#) and [2003](#), prohibits the use of lead shot for all wildfowl, with further restrictions below the High Water Mark of Ordinary Spring Tides and over specific SSSIs.

On 12 July 2016, the Secretary of State responded to the report on lead ammunition that had been submitted by the remaining members of the Lead Ammunition Group. Following

receipt of the report, the Food Standards Agency (FSA) was consulted about the human health risk and they concluded that the evidence provided in the report did not affect their [current advice](#) which has been in place since 2012. With regard to the impact of lead ammunition on wildlife, it was found that the report did not provide evidence of causation linking possible impacts of lead ammunition with sizes of bird populations in England. In both instances, human health and wildlife, the report did not show that the impacts of lead ammunition were significant enough to justify changing current policy, and the report's recommendation to ban the use of lead ammunition was therefore not accepted. The Secretary of State's letter is available [here](#).

Medicated Grit

The use of medicated grit to help reduce the impact of the strongyle worm on grouse is only available under a veterinary prescription as set out in the Veterinary Medicines Regulations 2013. Evidence of high strongyle worm presence in the grouse population is required by a veterinarian before the appropriate prescription can be dispensed. Similar medication is used for treating and preventing worm in livestock that graze on the moorland and is usually administered through drenching (an oral injection).

There is a statutory requirement to withdraw all medicated grit 28 days before the start of the grouse shooting season, and keep it withdrawn throughout the season. The Veterinary Medicines Directorate has the responsibility for monitoring this and samples of red grouse will be taken as part of the 2016 programme of testing.

Water Quality

Approximately 70 percent of the UK's drinking water comes from the uplands and all land managers, not just those responsible for grouse moors, need to be aware of the valuable role of the uplands in the hydrological cycle.

Grouse moor managers, working in conjunction with government and other organisations are actively working on a number of projects which include re-vegetation of bare peat and blocking government-incentivised drains in order to restore damaged peatland and encourage the growth of sphagnum moss which slows the flow of surface water and filters out discoloration. Peat Restoration Partnerships have proved highly effective and are an example of stakeholders working together to restore peatland. In 2013 the [Yorkshire Peat Partnership](#), which receives support from grouse moor owners, farmers and the Environment Agency, reached a milestone with the successful restoration of just over 24,700 acres of peatland.

Rotational heather burning carried out by grouse moor managers helps to reduce the risk of damaging wildfires. Large stands of rank, woody heather pose a major fire risk due to a significant build-up of fuel loads. Uncontrolled wildfires are particularly damaging as they burn with greater intensity and are likely to burn the peat beneath, causing considerable damage to the ability of the peatland to store water and carbon. This view is supported by research into [Heather Burning](#) by the Game and Wildlife Conservation Trust (GWCT).

Written evidence submitted to the Petitions Committee by the [Northern Farmers Landowner Group](#) states:

“These people [gamekeepers] are the ones with the local knowledge, specialist skills and equipment on site which can be deployed, in tandem with the NFRS, to tackle wildfires in the most efficient manner. This controlled burning work is vital for the

management of moorland fuel load, plus it has the advantage that recently burnt areas can be used as fire breaks if wildfire should occur...

If driven grouse shooting were to be banned with the associated loss of vegetation management, private sector skills and equipment in our remote uplands, there would be a corresponding increase in the risk of devastating wildfire in the uplands."

The considerable amount of work that is being undertaken by grouse moor managers to preserve and maintain peatland is helping to improve the ability of the uplands to store water and carbon, and should be recognised as playing a valuable role in improving water quality.

Section 4 – Legislation and Controls

Existing Restrictions

Grouse shooting is already heavily regulated and controlled. There is extensive legislation in place that has an impact on almost every aspect of grouse shooting and grouse moor management. This includes the possession and use of firearms, use of lead ammunition, the grouse season, methods of predator control, heather burning, use of medicated grit, and the protection of wild birds. Any additional legislation would need to be consistent, evidence-based and principled, recognising that further controls would add to the cost and bureaucracy of grouse moor management, without necessarily improving outcomes.

Many of the existing laws in these areas involve licensing requirements, such as firearms possession and heather burning in environmentally sensitive areas, which has given the UK Government, devolved administrations, and government agencies considerable control over grouse shooting. In England it is an offence to carry out burning on a SSSI unless a licence is obtained from Natural England. More than 70 percent of England's upland SSSIs are managed grouse moors so this requirement applies in most cases.

The grouse season is relatively short, as there is a closed season under The Game Act 1831 from 11 December to 11 August when it is not lawful to shoot grouse. In addition to the requirements of the 1831 Act, shooting will only take place when grouse numbers are at sustainable levels. Estates self-regulate by cancelling or reducing their shooting programs if grouse numbers are low, in order to maintain a healthy population.

Licensing

The RSPB has proposed licensing of grouse shooting but with little detail about how this would work in practice, and to whom or what the licence would apply. In the oral evidence session on Tuesday 18 October, the RSPB's Head of Nature Conservation, Jeff Knott, said that the RSPB had not conducted any analysis of the potential cost of introducing a licensing system. It is also unclear what measurable outcomes the RSPB are trying to achieve with licensing, and why they feel the existing legislation and controls cannot achieve them. The RSPB are the only major conservation group calling for licensing.

Defra published the Hen Harrier Joint Action Plan in January this year which the RSPB supported. In July the RSPB chose to withdraw their support, only six months after this long awaited Plan had been published, and before any brood management schemes had been trialled. The RSPB claim that a stakeholder led approach to protecting birds of prey cannot work but in reality it has not been given a chance to work. The RSPB are the only conservation group to withdraw their support for the Plan. The Hawk & Owl Trust will be able to fill any gap in the expertise that might otherwise have resulted from the RSPB's departure.

Any additional licensing requirements would add to the cost and bureaucracy of grouse moor management, without necessarily improving outcomes.

A Ban on Shooting

The petition which Dr Mark Avery created only calls for a ban on driven grouse shooting rather than any other form of shooting (i.e. walked-up or over pointers). It is hard to imagine how such a distinction could be legislated for or enforced.

Walked-up grouse shooting requires lower densities of grouse than driven shooting. However, walked-up grouse shooting is not a viable alternative. The walked-up season is short, the employment rate per shoot day low, and similar shooting is available overseas. Therefore it would not be economically viable and could not justify the full time employment of gamekeepers and others who maintain heather cover and control predators which benefit curlew, lapwing and golden plover.

The only scientific study of wildlife populations after a driven grouse moor has ceased to operate, but walked-up shooting continued, is in Wales and it shows dramatic declines of many threatened species. Welsh moors were once the most successful grouse moors in the UK supporting an abundance of other wild birds. Since management for grouse shooting ceased, they went into serious decline. Studies on a former grouse moor in [Berwyn](#) show what can happen in just 20 years with lapwing becoming extinct, golden plover declining by 90 per-cent, and curlew declining by 79 percent. All three species are now listed as being of conservation concern, with both curlew and lapwing red-listed by the British Trust for Ornithology.

The [British Trust for Ornithology](#) recognises the valuable conservation work carried out by grouse moor managers and states:

“In areas currently dominated by grouse-moor, a shift to alternative land uses such as forestry or high-density stocking with sheep or deer, could diminish the value of the land for harriers by decreasing food availability or nesting success. Efforts are still ongoing by scientists and practitioners on both sides of this conflict to find a way to manage for grouse without illegally controlling raptors. If such a solution can be found, it has the potential to benefit both the grouse shooting industry and Hen Harrier conservation more than alternative scenarios in which the existence of one precludes the other.”

Those calling for a ban on driven grouse shooting need to set out a viable, alternative vision for our uplands, considering that heather moorland in the UK is internationally important and it is widely recognised that grouse shooting has helped preserve it. The main alternative land uses to driven grouse shooting such as forestry, sheep farming, abandonment, ‘eco-tourism’, or a move to ‘walked-up’ grouse shooting, would all have serious consequences for the future of our uplands as well as the communities in these areas.