

Date : 4 April 2021
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MANAGING DOG ACCESS-GENERAL GUIDANCE FOR FARMERS AND CROFTERS

1. This guidance is designed to provide information for farmers and crofters managing public access with dogs.

What guidance does Scottish Outdoor Access Code (SOAC) give dog walkers?

- Not entering a field where there are young farm animals, such as lambs and calves
- Choosing route (where possible) that avoids taking dog into fields with livestock.
- Keeping their dog on a short lead or close at heel during the breeding season where there are ground nesting birds
- Ensuring that dogs do not worry or attack livestock.
- Removing any faeces left by the dog in a public open place.

2. The full guidance and further information aimed at dog owners is available here:

<https://www.outdooraccess-scotland.scot/practical-guide-all/dog-walking>

I don't think that dog walkers understand SOAC, how can I help to educate them?

3. Positive engagement is the best course of action, this can be complimented with good clear signage which alerts dog walkers to presence of livestock, ground nesting birds or other farming activities. You can locate signage templates here:

<https://www.outdooraccess-scotland.scot/sign-templates>

4. There is also a useful leaflet aimed at dog owners, which is available on the SOAC website or through your local NatureScot office. You could keep a supply of these in your farm vehicles to hand out to dog walkers. The leaflet is available here: <https://www.outdooraccess-scotland.scot/dog-owners>

I understand about SOAC, but my experience is that dog walkers don't comply with this despite my efforts - what else can I do?

5. You can engage with your local authority access officer and dog warden on specific issues. If you know the individual who is causing a specific issue (such as allowing a dog to worry livestock) you can ask for a Dog Control Notice (DCN) to be placed on the dog.

What are Dog Control Notices (DCN) and how can they be used?

6. DCN's are a form of civil notice which a local authority can use to place conditions on an individual dog. These can include wearing a muzzle, being kept on a lead, being restricted from certain areas, or being neutered. DCN's can be used where there is reason to believe that a dog has been out of control in a public area (including on farmland). DCNs are applied by the local authority dog warden, who will also monitor the DCN and deal with any breach of conditions.

What happens if a DCN is breached?

7. DCN breaches should be reported to the local authority dog warden as soon as possible. A breach can attract a fine of £1,000, disqualify an individual from dog ownership or have a dog destroyed.

What do I do if I encounter a dog worrying my livestock?

8. Livestock worrying is a crime and If you encounter a dog worrying your livestock you should dial 999 immediately.
9. You should try to contain the dog in the first instance. If you are unable to contain the dog and have no other practicable means of ending an attack, as a last resort you may have no choice to shoot the dog. If you do this, you must report this to Police Scotland within 24 hours.
10. If you encounter stock that have been attacked, but the attack has ended, you should contact Police Scotland on 101 to report the issue. You should photograph all evidence and injuries and keep a log of this.

How do I stop dogs from disturbing areas of ground nesting birds on my farm?

11. Dog walkers should keep dogs on a lead in areas where birds are nesting. The best option is to draw attention to the presence of ground nesting birds with good signage. You can also sign alternative routes for dog walkers to take.

Are dog owners allowed to walk in fields of livestock?

12. NFUS understands that dog fouling and uncontrolled dogs can be a serious issue in fields of livestock. SOAC notes that dog walkers should not enter fields where young animals are present, this includes lambing or calving fields. Where a dog walker has no alternative to entering a field of livestock, dogs should be kept under close control or on a short lead of 2m or less. **NFUS is of the view that dogs should be kept on a lead around sheep.**

I have problems with dog owners exercising their dogs on unfenced and/or open hill land, what can I do?

13. The SOAC advises dog owners that they can exercise access rights over open pasture (including common grazings), however they should keep a sensible distance from animals, particularly where there are calves or lambs present, and avoid separating a cow from her calf, or driving the animals over the land. They should make sure that their dog does not chase or worry livestock by keeping it close at heel or on a lead. Again, appropriate signage, informing them that livestock are present, can be useful at strategically placed points where owners are either parking or accessing the hill ground. If the problems become persistent you could also contact your local authority access officer and/or dog warden.

I have issues with dog fouling, what can I do?

14. Depending on your location, you may be able to work with the local authority access officer on provision of bins for dog faeces. Alternatively, you may wish to apply for funding for provision of this.

I have problems with commercial dog walkers, what can I do?

15. Commercial activities are allowed under access legislation, but they must be exercised responsibly. If you have issues with commercial dog walkers, you should contact your local authority access officer with details of the commercial dog walker. This can include company name, vehicle number plates and any patterns for when they are taking access to your farmland.

What can I do about unaccompanied dogs?

16. Unfortunately, some individuals allow their dog to roam free. If you encounter this, you should contact your local authority dog warden for assistance.

Useful links

17. NatureScot have produced more comprehensive guidance to help farmers, crofters, landowners, access managers and others identify and implement effective mechanisms to encourage responsible dog walking and reduce the negative impacts of dog walking on wildlife, game, farming, crofting and others enjoying the outdoors. This guidance and other resources are available here:

<https://www.outdooraccess-scotland.scot/taking-lead-managing-access-dogs-reduce-impacts-land-management>

18. Updated guidance on the Control of Dogs (Scotland) Act 2010 is available here:

<https://www.gov.scot/publications/updated-guidance-control-dogs-scotland-act-2010/pages/11/>

Ends.