Taking the Lead

Managing access with dogs to reduce impacts on land management



Taking the Lead

Linked resources:

- Case studies
- Information sheets
- Advice and useful links

Find them at: outdooraccess-scotland.com

This guidance has been produced 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.

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Developed in partnership with:











1 Introduction

Walking is a very popular and accessible way to enjoy and learn about the outdoors, and brings many health and social benefits. The 2013/14 Scotland's People and Nature Survey revealed that, of the estimated 395.8 million adult visits to the outdoors for leisure and recreation, approximately 48% were accompanied by a dog. As well as providing motivation for daily exercise and a year-round reason to go outdoors, dogs contribute greatly to many people's lives through the enjoyment and companionship they offer.

The majority of dog walking causes no problems, even where there are large numbers of dog walkers. If dog-related access issues arise, this is often because dog walkers are confused or unclear about what is expected of them in a particular set of circumstances, or because they don't understand the problems that irresponsible behaviour can cause. Understanding the needs, rights and responsibilities of dog walkers and land managers is key to helping decide how to effectively address local problems.

The guidance which follows relates to dogs accompanied by people on foot or cycle. Stray dogs are a different issue, best dealt with by the local authority dog warden.



Dog walkers' rights

The Land Reform (Scotland) Act 2003 provides public rights of access to most land and inland water, both day and night, for recreational, educational and some related commercial purposes. Vehicular access is excluded from these access rights, apart from for people with a disability using a vehicle adapted for their use.

Access rights under the Land Reform Act are conditional on responsible behaviour (see page 5). Access rights include individual and commercial dog walkers, but do not apply to anyone with a dog which is not under proper control. Public access with or without dogs may differ on rights of way.

With particular relevance to people accompanied by dogs, the information in the table below, taken from the Land Reform Act, provides a summary of where access rights do / do not apply. Responsible use of access rights is guided by the Scottish Outdoor Access Code.

Rights of access apply to:	Rights of access do not apply to:
Paths and tracks	A privacy zone around people's dwellings (such as a garden or farmyard), and land linked to non-residential buildings (such as a yard or compound).
Enclosed fields, hill, rough and common grazing in which sheep, cattle or other farm animals are grazing	
Open countryside - hills , mountains, moorland, grassland, woods and forests.	
Stubble fields and land in which cereal, fruit or vegetable crops have not been sown	Land in which cereal, fruit or vegetable crops have been sown or are growing, including grass grown for hay or silage at late stages of growth likely to be damaged by anyone exercising their access rights.
Margins of fields where crops are growing or have been sown	
Riverbanks, loch shores, beaches and the coast Most parks and open spaces	
Grass sports or playing fields whilst not in use. Crossing golf courses, providing access does not interfere with play and is not taken across greens.	Grass golf and bowling greens, cricket squares and lawn tennis courts; sports or playing fields with a synthetic grass, acrylic, resin or rubber granule surface, whether or not in use.





Dog walkers' responsibilities

The Scottish Outdoor Access Code (the Access Code) offers guidance on what is considered to be responsible behaviour under the Land Reform Act. For dog walkers, this includes:

- Not entering a field where there are young farm animals, such as lambs and calves.
- Where possible, choosing a route that avoids taking their dog into fields with livestock, such
 as going into a neighbouring field or onto adjacent land.
- If going through fields of grazing livestock, keeping as far as possible from any animals and keeping their dog on a short lead (2 metres) or close at heel. If cows react aggressively, dog walkers are recommended to keep calm, let the dog go and take the shortest, safest route out of the field.
- Keeping their dog on a short lead or close at heel during the breeding season (usually April
 to July) in areas where there are ground nesting birds breeding and rearing their young such
 as moorland, forests, grassland, loch shores and the seashore.
- Ensuring that their dog does not worry or attack livestock.
- Removing any faeces left by their dog in a public open place, as legally required under the Dog Fouling (Scotland) Act 2003. There is no legal requirement to do so on agricultural land, although, partly in response to increasing evidence of livestock disease linked with dog faeces, the Access Code recommends dog walkers always clean up after their dogs.

Under the Dogs (Protection of Livestock) Act 1953, if a dog worries livestock on agricultural land, then the owner and the person in charge of the dog (if not the owner) are guilty of an offence. Worrying means attacking livestock, chasing livestock in a way that can reasonably be expected to cause injury or suffering to either the livestock or their unborn young, or not being closely controlled in a field or enclosure in which there are sheep.



Land managers' responsibilities

Under the Land Reform Act, land managers are required to:

- Respect access rights in managing land and water.
- Act reasonably, lawfully and with care at all times for people's safety.
- Avoid causing unreasonable interference with the rights of anyone exercising or seeking to exercise their access rights.

The Access Code provides guidance on land managers' responsibilities and states that land managers should not allow guard dogs or working dogs to alarm people, especially close to paths and tracks. Find out more on the dog walking pages at http://www.outdooraccess-scotland.com/Practical-guide/land-manager/dog-walking



2 Developing local approaches to encourage responsible dog walking

People accompanied by dogs that are under proper control can exercise their access rights, as long as they behave responsibly. Behaving responsibly means taking responsibility for their own actions (and those of their dog), taking care of the environment, and respecting the interests of others, including land managers.

If local issues arise relating to access with dogs, the Land Reform Act and the Access Code provide the framework in which to resolve them. Access authorities (local and national park authorities) have a statutory duty to uphold access rights and a key role in advising on responsible use and management of outdoor access.

In planning a local approach, it's important to recognise what most dog walkers are looking for, which is off-lead access, close to home and away from traffic. Understanding these needs, as well as how access interacts with local land management activity, is key in helping to decide how to address pressure points.



Guiding principles

- Managing access with dogs should be an integral part of positive management of public access. Identify which particular issues present the greatest problem and concentrate on these.
- People respond best to land managers who show that they welcome responsible public access.
- Clearly communicate the behaviour that is requested, why, where and when.
- Focus on encouraging and promoting access in less sensitive areas rather than trying to stop people elsewhere.
- Identifying and clearly signing areas suitable for letting dogs off-lead as well as areas
 where it is advised that dogs are kept on-lead shows dog walkers that their needs are
 being actively considered, which helps encourage a positive response.
- Raise awareness of issues through appropriate signs and direct communication with dog walkers, and if necessary by other routes such as local media.
- Enlist the help and support of responsible dog walkers to lead by example and apply peer pressure to those failing to behave responsibly.

A step by step approach

1 Identify the issue

- What precisely is the issue?
- Who is causing the problem local dog walkers or visitors? Individual or commercial dog walkers?
- Are certain times or certain areas more sensitive than others?

2 Assess the relative scale of the issue

- How much of an issue is there? Establishing hard facts and figures about the extent of any problem is essential to monitoring the effectiveness of any action taken.
- Is access with dogs causing unacceptable problems for land managers or others? If there's
 not too much of an issue, it may be better to just monitor the situation and review the need
 for action if things change.
- Are dogs the biggest problem, or are there other more significant access issues which resources should be concentrated on?

3 Understand the site

- Consider how people get to/from the site, and how it is currently used. Where are the access and egress points? Are there any problem areas or pinch points?
- Identify areas particularly sensitive to fouling or disturbance by dogs where efforts to encourage responsible behaviour need to be focused.
- Identify areas which are less sensitive to disturbance, where dogs can be given more freedom to run around, paddle or swim, and promote access in these areas by signage or creation of suitable paths.

4 Engage with others

- Speak with local dog walkers to help develop an understanding of their needs and enlist their help in identifying solutions.
- Consult with the local access authority and local dog warden, who will usually be able to
 offer advice and support.
- To help address more serious or persistent issues, it may be helpful to consult the local community council, local access forum or dog training club, and perhaps national bodies such as the Scottish Canine Consultative Council (SCCC), police, Scottish Society for the Prevention of Cruelty to Animals (SSPCA), the Kennel Club, Scottish Kennel Club, Keep Scotland Beautiful and other local groups such as "Friends of...".
- Demonstrating engagement with others is often essential to securing funding, if this is needed to implement any proposals.







5 Consider the options

The table in Section 3: "Deciding what to do where" will help identify locally appropriate solutions and which approach is most likely to work, depending on the nature of the problem and the location.

Options include:

Site planning & design

- Explore site planning and land-use options as a way to avoid conflict between land management and public access with dogs.
- Review scope to make physical changes to the site which would address current issues.
- Identify any liability issues and avoid directing people to areas which might be hazardous for either dogs or walkers.

Promoting responsible behaviour

- Consider how best to communicate with dog walkers (see below).
- Ensure that behavioural messages are realistic, fair and proportionate.

In considering the options, the possible displacement effects of any action also need to be assessed

- Will the problem simply be shifted elsewhere?
- Is the impact on other sites acceptable?

6 Agree who will take the lead

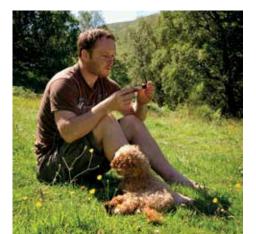
 Identify which person, organisation or group will lead on the favoured approach. This might be a farmer, landowner, community group, the local authority, local access forum or another relevant group or person.

7 Apply for funding (if required)

- Contact the local access officer for advice on potential funding options.
- Projects or action linked to health benefits for dog walkers are far more likely to attract funding than proposals solely focusing on dog-related access issues.

8 Implement, monitor, review and adapt

- Monitor the effects of the chosen approach on the site in question, and if necessary, any
 potential displacement effect on other sites in conjunction with other interests. If what's
 been tried isn't working, review why that might be, re-evaluate the options and try something
 else.
- If attempts to tackle site specific issues don't work, consider scope for a broader approach
 to access management over a wider area: are there other routes that can be promoted for
 dog walkers which avoid sensitive areas? Where problems are particularly acute and prove
 resistant to positive management, access authorities may consider more formal regulatory
 measures such as byelaws.



Communicating with dog walkers

Raising awareness of dog walkers' responsibilities and positively managing access is usually more effective than confrontation or trying to keep dogs off specific areas of land, but sometimes a more direct approach is needed. When it comes to communicating with dog walkers, there is no substitute to talking informally with them when out and about. Land managers, rangers, access staff, dog wardens, local community representatives and others can all use the opportunity to share interests and concerns with dog walkers.

Other ways of communicating with dog walkers include:

- joint initiatives with the local community, dog training club, school or other appropriate groups.
- direct communication with commercial dog walking companies.
- articles in community newsletters or the local paper.
- media coverage.
- putting up a doggy notice board.
- signs and posters in vets surgeries or at venues used by local dog training groups.

As with all communication, information about responsible dog walking is most likely to be effective if appropriately targeted. On-site signs are usually most effective for first-time or occasional visitors with dogs. For local dog walkers who visit regularly, other methods of communication may work better. If it's only one or two individuals causing a problem, speaking with them or involving the dog warden or police may be the answer. If the issue is more widespread, then signs, media coverage or joint efforts with others may be required. Where commercial dog walking presents issues, the local dog warden or access officer may be able to help in other ways. In some parts of Scotland, for example, training sessions for commercial dog walkers or the promotion of accreditation schemes have helped to address issues of this type. Bear in mind that dog walkers are strongly influenced by what other dog walkers do and say.

Positive reinforcement is generally far more effective than confrontation or reprimands. This can be achieved by:

- emphasising that responsible dog walkers are welcome.
- explaining land management concerns.
- identifying less sensitive places and times for off-lead access.
- asking for help from dog walkers and others to identify and implement positive solutions.
 Dog walkers often speak informally with each other when they pass or meet others with dogs. This can be used to encourage responsible dog walkers to help lead by example, self-police areas of land and positively influence others.

Checklist for communicating with dog walkers

Is it clear to dog walkers:

- where, why and when dogs should be kept on-lead or close at heel, and where and when it's appropriate to let them off-lead?
- whether they are expected to pick up after their dogs and if so what bin(s) they should use?
- what other routes they might use to avoid cattle/sheep/game/wildlife or other sensitive areas?

In popular areas, consider the scope to provide information before people visit (via websites, local media, leaflets, map boards, information packs in holiday lets etc.) as well as on-site.

Incorporating key messages into local communications

People generally respond best to messages that speak directly to them, that reflect the local situation and that use positive rather than negative language. Clarifying exactly what is expected or required of dog walkers, where and when – particularly in relation to fouling and on- and off-lead areas – is essential to making sure the Access Code works well for everyone. The table below provides key messages to guide responsible behaviour by dog walkers that can be incorporated into a range of information to suit local circumstances. All information presented locally must comply with the spirit of the Access Code.

Land type/use	Key message
Everywhere	Wherever you are, your dog should always be under proper control.
	Remove any dog fouling from paths and tracks. Bag it and bin it - any public litter bin will do.
Access through fields with young animals (e.g. lambs, calves, foals)	Do not enter with dogs. Find an alternative route.
Access to fields or open ground where sheep, cattle, horses or any other livestock are grazing	Wherever possible, use an alternative route to avoid going through any field with livestock.
	Always keep well away from any livestock, and prevent your dog from approaching livestock. In fields, keep your dog on a short lead or close at heel, and on open ground, keep it close at heel.
	If cattle act aggressively, keep calm and let the dog go – you'll both be safer.
	Always clean up after your dog in enclosed fields. Bag it and bin it - any public litter bin will do.
Cropped fields	Do not take your dog into fields where vegetables or fruit are growing unless you are on a clear path such as a core path or right of way.
	Don't let your dog stray from the field margin or unsown path through cropped fields.
	Never let your dog foul in a crop. If your dog fouls on a field margin or unsown path through a crop, bag it and bin it - any public litter bin will do.
Woodland, field margins, open hill ground and moorland where wildlife or game are sensitive to disturbance	During the breeding season (usually April to July) keep your dog on a short lead or close at heel to avoid disturbing ground-nesting birds, young game birds or wildlife. Be aware that lambing can also take place on open hill ground during this time.
	At other times of year, ensure your dog does not cause disturbance by keeping it in sight and under control.
Riverbanks, lochshores and beaches	Don't let your dog paddle or swim in places where people are fishing.
	Always clean up after your dog on beaches and alongside rivers, burns and lochs. Bag it and bin it - any public litter bin will do.

The following notional examples illustrate good and bad application of the key messages:

Welcome to xx Estate. (This sets a positive and welcoming tone which puts people at ease. It makes them more likely to read on and comply with the request.)

This stretch of River X is regularly fished. (Simple lay-person's explanation of the activity.)

To avoid disturbance, we would be grateful if you could keep your dog from entering the water for the next half mile when fishing is taking place. (Polite request, with brief explanation why it is being made. The request is also area specific (half mile) and time limited (while fishing is taking place) and so complies with the guidance given in the Code.)

We appreciate your co-operation.

YY Fishings + contact details. (Providing a name and contact details creates a favourably open and transparent impression.)

Compare this with the following poor example:

You are entering fishing beats. (The negative tone is likely to make the reader feel ill at ease about their presence in the area, and will affect how they interpret the rest of the message. They may not understand what a fishing beat is.)

The River A is fished year-round by both salmon anglers and coarse fishermen. All dogs to be kept out of the river at all times. (More of a command than a request, the message isn't limited to when fishing is taking place, nor is it area specific – it suggests the whole of the river is affected all of the time, which is unreasonable and not Code compliant.)

Your adherence to this request would be appreciated. (Abrupt language and no indication of who has made the request or how they might be contacted, which further undermines likelihood of compliance.)

On-lead or off-lead?

As noted in Section 1 under "Dog walkers' responsibilities", the Access Code recommends that dogs should be kept either on a short lead or close at heel in certain situations. Most dog walkers have a strong desire to let their dog run freely off the lead, and management approaches which accommodate this, where possible, will have a greater chance of success. There are some key points to bear in mind in deciding what, if any, action is required:

- General promotion of the guidance provided in the Access Code, leaving dog walkers to
 make their own judgements about where dogs are best kept on-lead or allowed off-lead,
 avoids littering the countryside with signs and may well be sufficient in many areas.
- Communicating where dogs are welcome off-lead can help encourage dogs to be kept onlead where it matters most, and promoting off-lead areas is a positive way to encourage use away from more sensitive places.
- Where specific local issues or the level of access with dogs justifies further intervention, requests to keep dogs on-lead should be restricted to the minimum necessary space and time in order to be effective. See the Checklist for communicating with dog walkers on page 9 and the Taking the Lead Information sheet 2 "Dealing with dog-related access issues using signs".



3 Deciding what to do where: a range of management options for three key issues

Dog fouling			
Management approach	Suitable sites	Key considerations	Case study example(s)
Promoting a "Bag it and bin it" approach	High pressure sites where dog fouling is a very significant issue and/or where there are specific issues associated with fouling e.g. animal health concerns Sites with ready access to bins and ease of regular emptying	 Strategically located, regularly emptied bins are essential to the success of this approach. Bags left lying around can present even more of a problem than allowing natural rotting. Bin location needs to take account of the fact that most dogs "empty" within several hundred metres of arrival, but it's unrealistic to expect dog walkers to return to the start to deposit bags, or to carry filled bags for any distance. Make it clear that any public litter bin will do. Local authorities will usually only provide bins immediately adjacent to public roads where they are readily accessible for emptying as part of standard refuse collection rounds. Use signs to explain why fouling is a problem e.g. the associated health risks for livestock or health risks associated with crops. Provision of free bags can help reinforce this approach. Reinforce with a "poo marking" flagging or spraying day (see below). 	Atholl Estates Wilsontown Ironworks Stirling Council
Promoting a "Flick it with a stick" approach	Popular rural sites with clearly defined paths/ tracks and wide verge or undergrowth e.g. woodland, moorland and/or where bins are impractical	 Confusion can easily arise between different approaches on adjacent sites. Make sure it is clear what is expected of dog walkers and where. 	Invercauld Estate
Marking each dog poo with a coloured flag or luminous spray paint	High pressure sites with significant dog fouling problems	 Some people may take offence but shock tactics demonstrating the extent of the problem can help highlight the effect that irresponsible dog walking is having on an area and make a significant difference to persuading dog walkers to pick up after their dogs. Similar exercises around the UK have reduced dog fouling by 75%. See Taking the Lead Information sheet 1 "Highlighting dog fouling problems" for practical tips on following this approach. Before embarking on this approach, it is essential to review bin provision and clarity of information, to ensure dog walkers are clear what is expected and where. 	Wilsontown Ironworks

Management approach	Suitable sites	Key considerations	Case study example(s)
Alternative access provision	Sites where fouling conflicts with land use/ management and there is scope to provide alternative access adjacent or nearby	 Most people will be happy to use alternative access provided it doesn't involve significant diversion or additional length. Alternative access where dogs can be off-lead is likely to be used preferentially to existing access through cropped or grazed fields where dog walkers are expected to keep dogs on lead or clear up after their dogs. 	Meigle Farm
Fencing to keep people and dogs to path	Cropped or grazed areas where health risks are a primary concern	 Providing the fenced path coincides with where people want to go, most people will be happy to use it, although access rights continue to apply on both sides of the fence. Fenced paths need to be wide enough to allow all types of legitimate access, and to allow dog walkers and others to safely pass each other. Concentration of fouling along the path may require combination with a bag it and bin it approach. 	Laggan Farm
Creation of dog exercise/dog toilet area	Larger estates, forestry/ woodlands or other areas with high levels of use and sufficient space to create dedicated area	 Fencing enables facility to double as an off-lead exercise area which is more likely to persuade dog walkers to keep dogs on-lead or close at heel elsewhere. Location at entry points limits fouling elsewhere as most dogs "empty" within several hundred metres of arrival. Use by dog walkers depends on easy accessibility and awareness of the facility, which relies on clear signs. Use will also be influenced by how safe dog walkers feel the facility to be. Dog walkers need to be clear whether they are required to pick up after their dogs within the area. 	Rothiemurchus
Let or lease field or other area to commercial dog walkers	Any farm/estate/croft with a suitable patch of land, in an area used by commercial dog walkers	 Potential income generation for redundant pieces of land. Helps reduce pressure from commercial dog walkers on other land. Make sure that any land let on this basis does not unreasonably restrict access by other members of the public. 	Denny commercial dog walkers
Media articles	Sites with particularly significant and persistent problems	 Requires specific angle to attract media attention. Make use of local community newsletters as well as local papers. 	Rothiemurchus





Sheep worrying/disturbance and conflict with cattle			
Management approach	Suitable sites	Key considerations	Case study example(s)
Signs	Fields, common grazing, hill or other ground grazed by sheep or cattle	 Clearly presented facts about number of past incidents of sheep worrying on a site can help endorse the message. Signs need to make it crystal clear what is expected, using messages from the Access Code (see pages 9-10). Wide-ranging requests to keep dogs on leads over large areas of hill ground are unlikely to be complied with. In these situations it will be more effective (and Access Code compliant) to limit such requests to when livestock are "around". Take down signs when the risk no longer applies. 	Stirling Council
Fencing to keep people and dogs to path	Enclosed fields, particularly those used for lambing or grazed with cattle which are close to housing or subject to high visitor pressure	 Fencing a path around the edge of a field is often the most practical option. Providing the fenced path coincides with where people want to go, most people will be happy to use it, although access rights continue to apply on both sides of the fence. Fenced paths need to be wide enough to allow all types of legitimate access, and to allow dog walkers and others to safely pass each other. Segregation of grazing may necessitate mowing /strimming to keep the path useable. Where the main risk is interaction of cattle and dogs, erection of line wires which still allow sheep to graze the path line avoids need for mowing. 	Laggan Farm
Alternative access provision	Sites where there is scope to provide alternative access adjacent or nearby	 Most people will be happy to use alternative access provided it doesn't involve significant diversion or additional length. Alternative access where dogs can be off-lead is likely to be used preferentially to existing access through cropped or grazed fields where dog walkers are expected to keep dogs on-lead or clear up after their dogs. 	Meigle Farm
Leaflet to promote areas that are less sensitive to disturbance by dogs	Sites with a visitor centre or information boards with leaflet distribution facilities	 Targeted approaches e.g. giving a leaflet to every dog owner visitor to a camp site can work well but leaflets work less well for regular local dog walkers. People will generally only pick up a leaflet if they are interested so use positive messages and images relevant to dog walkers. 	Atholl Estates
Adapt management	Sites with relatively heavy access pressure with dogs	 Livestock typically congregate at feeding sites so distancing these from paths, tracks and other areas popular with dog walkers is common sense. 	
Alternative land use e.g. cropping rather than grazing	Fields with paths or tracks regularly used by dog walkers	 On most farms land use will be determined by economic and practical factors but it may be worth considering cropping instead of grazing where sheep worrying or disturbance is a major issue, where space allows. 	Brahan Estate

Disturbance to wildlife, game and crops			
Management approach	Suitable sites	Key considerations	Case study example(s)
Seasonal signs	Any site experiencing significant pressure	 Explain why dogs are to be kept on a lead or close at heel. Clearly indicate where and when any requests start and finish. Locally specific signs work best. Consider innovative techniques e.g. wooden cut-out of key species to remind dog walkers why dogs need to be on lead. Take signs down when no longer required e.g. at the end of breeding season or when crops have been harvested. Where possible offer and clearly sign alternative "dog friendly" routes. 	Atholl Estates Boat of Garten Wood
Leaflet to promote areas less sensitive to disturbance by dogs	Sites with a visitor centre or information boards with leaflet distribution facilities	 Targeted approaches (e.g. giving a leaflet to every dog- owner visitor to a camp site) can work well, but leaflets generally work less well for regular local dog walkers. People will generally only pick up a leaflet if they are interested so risk of preaching to the converted. 	Atholl Estates
Alternative access provision	Sites where there is scope to provide alternative access adjacent or nearby	 Plan, manage and promote paths or areas where there is no conflict with dog access. Develop and promote access around field margins, if necessary fenced. Most people will be happy to use alternative access provided it doesn't involve significant diversion or additional length. Alternative access where dogs can be off-lead is likely to be used preferentially to existing access through cropped or grazed fields where dog walkers are expected to keep dogs on lead or clear up after their dogs. 	Meigle Farm
Adapt management e.g. re-site pheasant feeders	Sensitive ground e.g. where game birds are being reared	 Game birds will inevitably congregate around feeders, so distancing these from paths, tracks and areas popular with dog walkers is common sense. 	
Guided walks or events to encourage use of less sensitive areas	Dog-friendly sites available as alternative to sensitive sites	 Creates positive opportunity to pass on key messages, often very popular with local dog walkers. Demonstrating positive approach to access with dogs helps encourage respect for more sensitive areas. Encourages local dog walkers to help lead by example and self-police a site. Publicise events through local media, outdoor access diary and community groups. Enlist the help of local community groups, access officers, ranger services or dog walking clubs. 	Boat of Garten Wood

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