

Revised draft guidance on stalking communication

Purpose

1. This paper presents a modified draft version of the Forum's guidance on stalking signage which has been expanded to include online communication about stalking.

Action

2. **Members are invited to discuss the proposed amendments to the guidance (as attached) and highlight any changes that may be required.**

Background

3. In 2009, a small sub-group of NAF members developed guidance for land managers on the use of signs to communicate with the public about stalking. This was subsequently approved by the Forum and is currently available on the Code website at <http://www.outdooraccess-scotland.com/Access-management-guidance/signs>.
4. Forum members will be aware that the *Heading for the Scottish Hills* (HFTSH) web service is currently being redeveloped, with the aim of creating a more efficient system which will allow greater geographical coverage, meeting an aspiration expressed by both hillwalkers and land managers. This process has been guided by discussion with a small group of Forum member bodies which closely mirrors the composition of the original sub-group noted above, comprising the Association of Deer Management Groups, British Association for Shooting & Conservation, Mountaineering Council of Scotland and Scottish Land & Estates, with additional input from Ramblers Scotland.
5. The new, simplified HFTSH service will no longer provide daily updates and will instead refer hillwalkers onward to other, local sources for detailed information of this type. The above discussion noted that estates' own websites could play a key role, and it would therefore make sense to expand the NAF guidance to include online communication about stalking. We have therefore suggested some amendments to the guidance, which are indicated on the attached draft using Track Changes.

Changes in the attached version of the guidance

6. The tracked changes in the attached draft are primarily intended to broaden the scope of the guidance to include online communication, using both the new HFTSH service and estates' own websites. We have also taken the opportunity to suggest a few other changes to:
 - refer to the positive option of indicating routes that are "always OK", which emerged during the pilot phase of HFTSH but is equally applicable in the context of longer term signs;
 - qualify references to the provision of stalkers' phone numbers, to ensure a consistent approach throughout the guidance and reflect the caveats about this approach that are noted in the original version, and;
 - alter the references to Hillphones to refer to HFTSH, and other minor updating or simplification of the text.
7. The subheading structure has been slightly altered to accommodate the new content. In the interest of clarity, and to help focus attention on substantive changes to the text, changes to subheadings are *not* tracked in the attached version.

Next steps

8. Subject to any comments from Forum members, we would propose to finalise the attached guidance and make it available through the revised HFTSH pages on the new Code website at <http://www.outdooraccess-scotland.com/hftsh>.

Mark Wrightham
People & Places Unit,
SNH

NATIONAL ACCESS FORUM - GUIDANCE PAPER



Stalking and public access: ~~signs~~ guidance for land managers

Contents:

Introduction	1
Key principles	2
Providing information using signs	3
<i>Design</i>	
<i>Location</i>	
<i>Content</i>	
<i>Other tips for effective signs</i>	
Providing information online	5
<i>Heading for the Scottish Hills</i>	
<i>Estate websites</i>	
Further guidance	6
Annex: sign templates	7

Introduction

Hillwalking and stalking are long established in the Scottish uplands and are both of considerable social and economic importance. These interests have much in common, including a shared commitment to Scotland's upland environment, and usually co-exist with few problems. Local conflicts may sometimes arise, however, if the two activities occur at the same time and place, and the key to minimising any such difficulties lies in effective communication.

It is not always necessary to tell hillwalkers about stalking activity, and this will depend on the intensity of both activities, the overlap between them and the scale of any problems that result. Where communication is needed, this can be achieved in various ways, each with different strengths and weaknesses. ~~The best option will often be to provide information through Hillphone messages, or to publicise stalkers' contact details to encourage individual~~

~~phone enquiries. These approaches have the considerable advantage of allowing walkers to plan in advance, which will often take place on the previous evening.~~

Signs can provide an efficient way of communicating with hillwalkers when they set out onto the hills and can be placed relatively quickly and easily, on some estates, if the decision to stalk is taken at short notice. Conversely, however, signs do not allow hillwalkers to plan in advance, for example on the previous evening. Careful siting is required in order to maximise the chance of signs being read and to facilitate the desired response. Signs are also impersonal and can easily seem officious, however hard you try to avoid it, and very careful wording is needed to encourage walkers to comply with your request. This need is usually heightened by the absence of any other visible evidence that stalking is underway.

~~A number of alternative or complementary methods can be used to provide information to hillwalkers before their visit. Such approaches have the considerable advantage of allowing walkers to plan in advance, which will often take place on the previous evening. Some estates, for example, provide recorded phone messages for this purpose, or publicise stalkers' contact details for individual phone enquiries. Many estates have their own websites and these could also be used to provide daily stalking information.~~

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~~The *Heading for the Scottish Hills* web service provides general information about stalking for estates throughout Scotland and can provide onward links to other information sources (as above) for daily updates. This is consequently a key reference point for hillwalkers and an important resource for stalkers.~~

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Whatever approach is taken, the likelihood of success will be greatest if ~~the request is to~~ hillwalkers are sympathetic to ~~hillwalkers' their~~ aspirations, for example by enabling them to reach the desired summit by another route. Most visitors have no wish to interfere with land management and are likely to respond positively to reasonable requests. It is also important, however, to have realistic expectations. It will rarely be possible to convey your message to all potential visitors, and a minority of those who do receive it may choose, for various reasons, not to co-operate. Even the most exemplary communication will probably not eliminate the risk of disturbance, and the aim is to keep the potential for such difficulties within manageable levels.

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This guidance is intended to help you to inform hillwalkers about stalking ~~using signs~~, and is accompanied by sign templates which could be used in some common situations. ~~There is room for considerable flexibility, and the most appropriate use of signs approach, either alone or in conjunction with other communication methods or combination of approaches, will depend on the circumstances of each estate, and different approaches will be appropriate in different places. There is consequently room for considerable flexibility and this guidance also notes other approaches that can help to get the message across.~~

Key principles

The overall context for access to the Scottish hills is established by the Land Reform (Scotland) Act 2003. This legislation confers rights of access to most land and inland water for recreation, education and related commercial activities. These rights depend on responsible behaviour, including respect for the privacy, safety and livelihoods of others, and land managers have corresponding responsibilities to respect access rights when managing land or water. The Scottish Outdoor Access Code provides detailed guidance on these responsibilities and can be found at www.outdooraccess-scotland.com.

Section 5 of the Code provides the following guidance relating specifically to deer stalking on the open hill:

Responsible behaviour by the public	<i>Responsible behaviour by land managers</i>
Deer management can take place during many months of the year but the most sensitive time is the stag stalking season (usually from 1 July to 20 October, but with most stalking taking place from August onwards). During this season, you can help to minimise disturbance by taking reasonable steps to find out where stalking is taking place (such as by using the Hillphones Heading for the Scottish Hills service where one is available) and by taking account of advice on alternative routes. Avoid crossing land where stalking is taking place. Stalking does not normally take place on Sundays.	Be aware of where recreational use is likely, such as along paths, popular routes and ridge lines. Tell people about where stalking is taking place by using a Hillphones the Heading for the Scottish Hills service or by using signs and information boards (in accordance with this Code) to give on-the-day information on stalking and alternative routes.

Relevant general guidance is also provided by paragraphs 3.22 to 3.28 (users) and 4.11 to 4.17 (land managers).

Key principles to note are that:

- **there is a responsibility on users to respect any reasonable requests to avoid particular areas. This is most likely to happen if the request is clear and is sympathetic to walkers’ aspirations;**
- **there is a responsibility on land managers to provide such information where needed – although this will not always be required;**
- **any requests should relate to specific days and apply to the minimum necessary area – this is more likely to encourage a positive response than a longer-term and more general message, and;**
- **requests should include suggested alternative routes of a similar nature which will not interfere with stalking. These should normally start from the same location or, failing that, nearby.**

All communication with users about stalking ~~activity~~ should adhere to these principles. ~~If communication takes place through signs, this should also be consistent with accepted good practice on signage (links to further information can be found at the end of this note). Good communication is more likely to have the desired effect and reflects well on both the estate concerned and on stalking interests in general, while poor communication may well do the opposite. This guidance focuses primarily on notes a range of possible communication methods but is not exhaustive using signs and websites, but many of the key considerations will also be relevant in other situations – for example when providing information to hillwalkers by phone or face to face, and there is much scope for flexibility and creativity, within these basic principles, to suit the circumstances of different estates.~~

Providing information using signs

Design

Signs can take many forms and do not need to be expensively produced to a high specification. Relatively inexpensive signs may be easier to use quickly and flexibly to reflect daily plans, and a sign that is obviously impermanent and clearly relates to a given day or days could more readily encourage compliance. In some cases all that is required may be a printout or handwritten note in a plastic sleeve fixed to a gate, a post or an estate vehicle.

Higher quality re-usable signs could also be employed if the design allows key pieces of information, such as the location and date, to be changed from day to day. Similar situations will often recur on a regular basis and it may be possible to prepare a sign which makes a fixed request, putting it in place only for the days when it is needed. Even in this situation, however, some provision will be needed to indicate the dates of the relevant days, so that it is clear that the sign has not been left in place after an earlier day's stalking.

A sign with fixed text may be left in place throughout the year, or for the duration of the stag stalking season, but the wording of such signs will have to be very general in nature (see below) and they will be of correspondingly limited effectiveness.

Location

All Scottish hills can be approached from several directions. In practice, however, most hillwalkers set off from a limited number of departure points and follow a limited number of routes - often only one - to reach particular hills. These routes are usually well known to estate staff and often correspond to those indicated in the Scottish Mountaineering Club (SMC) guides to the Munros and Corbetts. A sign can often be placed relatively easily at the key departure point to indicate stalking activity on a given day, particularly if the stalking party passes this point when heading onto the hill, and this will often be enough to keep disturbance to manageable levels.

Signs should be positioned so that hillwalkers receive the message as early as possible and certainly before they have become committed to a particular route - and the car park will often be the most appropriate place. In some situations it may be easier to provide daily updates on an existing information board, if this is prominent and clearly marked. Some hillwalkers may set off very early and it will therefore be helpful to place the sign as early as possible on the day or, where circumstances permit, on the previous evening.

In some mountain areas, particularly where these are more extensive and complex, hillwalkers may approach places in which stalking is underway from a number of directions. Signage may still be useful in such situations, for example if the access points are relatively few in number and/or close together and arrangements can be made to place signs relating to specific days. This will often be easier if it is possible to predict the exact time and place of stalking one or more days beforehand, allowing more time to put the signs in place. The nature of these mountain areas often means that many walkers will be engaged in multi-day hillwalking trips, and many such parties will still set off, on the first day, from a single popular access point. If it is possible to predict the location of stalking one or more days in advance, a single sign placed at this point could help to reduce the risk of disturbance on a subsequent day, when these walkers might approach the stalking area from a different direction.

Although such signs will be most effective when they relate to a specified day, this will sometimes be difficult to achieve in practice. Under such circumstances, it may be appropriate to specify a two or, at the very most, three day period over which stalking will be taking place.

If this cannot be achieved, an alternative strategy is to place relatively permanent signs, which relate to a longer period, at all possible access points. Because these are not updated from day to day, they will only be able to convey very general messages (see below) and are likely to be ~~much~~ less helpful and effective. Other communication methods which allow for daily updates could have a ~~key~~ role in such situations, particularly if a phone land line or mobile network is available, and these might include the use of recorded phone messages or

~~estate websites. You may wish to consider joining the Hillphones scheme, or providing contact phone numbers through websites, guidebooks and local accommodation providers. If taking this approach, it will be important to provide phone numbers for those who will be best placed to advise on daily stalking activities – often a stalker rather than a factor.~~

Comment [MW1]: Changes intended to remove reference to Hillphones and reduce emphasis on the use of stalkers' phone numbers, in line with the caveats about this approach expressed elsewhere in this guidance. Reference to 'stalker rather than factor' moved to 'other tips' section below.

Content

Requests to avoid particular areas should relate to specific days as indicated in the Access Code. This approach offers significant practical and presentational benefits. Day to day information is of more value to users, as it is clear that the request is currently valid even when there is little visible evidence of stalking activity. From the user's point of view, the good faith of such requests is also much more obvious by comparison with requests (however well-intended) that apply for longer periods. **Requests that relate to specific days are therefore much more likely to encourage a positive response from hillwalkers.**

Requests should apply to the minimum necessary area. This will normally be the corrie or corries in which stalking is taking place, with the presumption that access can continue along adjacent ridges. If at all possible, the specified area should not include popular paths through glens or to major summits, such as the routes identified in the SMC guides to the Munros and Corbetts. These are usually well known to estate staff, and requests which maintain access by such routes are much more likely to result in a favourable response. Conversely, signs which effectively prevent access to major summits (ie. Munros or Corbetts), or make general requests to avoid high ground, are not appropriate and are unlikely to be effective. Some longer paths through glens ~~have are rights~~ of way ~~status~~ and walkers cannot be asked to avoid these routes - these will generally also be well known to estate staff.

The area concerned should be clearly identified, preferably by reference to features that are marked on the OS 1:50,000 map. Do not use local names for hills or refer to beats, as these will not be widely understood. It may be helpful to include a map on the sign to illustrate the area more clearly (even if this is only a simple sketch map), but this will not necessarily be required.

Requests should include suggested alternative routes of a similar nature which will not interfere with stalking. This will often involve a simple confirmation that access to a particular hill by the most popular route is unaffected. If, however, stalking does affect such routes, it will be very important to suggest practical alternatives that allow hillwalkers to reach these summits. These suggestions will be most effective if they start from the same location as the route that hillwalkers are being asked to avoid - and are therefore easy to comply with. Failing this, alternative routes should start from locations that are as close to this as possible.

If the various strategies suggested above do not reduce disturbance to manageable levels and signs are genuinely needed at several widely separated locations (which cannot be regularly updated), then signs with more permanent text could be considered. It may be possible to use such 'fixed text' to provide day to day information in an indirect way. Such signs might, for example, encourage visitors to use other cues, such as the presence of estate vehicles at a particular place, to indicate when stalking is underway – and suggest a suitable alternative route under these circumstances.

If this cannot be achieved, such signs should simply provide general guidance encouraging hillwalkers to make informed decisions, and should not make fixed requests to avoid specified areas which remain in place when no stalking is underway. It is important to

recognise the limitations of this approach, as signs of this type will be less helpful to users and land managers and are correspondingly less likely to elicit the desired response.

Signs of this type could, for example, indicate to hillwalkers that “when stalking is taking place, you can help by:

- using paths;
- following ridges, and;
- following the main watercourse if you have to go through a corrie.”

Bear in mind that hillwalkers will not always be able to comply with such requests and that unplanned detours may be enforced, for example, by tiredness, deteriorating weather or impending darkness.

An alternative approach, where possible, is to highlight routes to the summits which are never affected by stalking, using a wording of the general form: “The route to Ben X from Y is always OK”. In the absence of specific daily information, a long-term message of this type provides helpful guidance which many hillwalkers may choose to respond to, without directly asking them to keep to this route and excluding other options. If possible, it is usually best to refer to the most popular routes, as most hillwalkers will tend to use these routes anyway and stalkers may already be accustomed to working around this pattern of access.

Comment [MW2]: Text added in to reflect the “routes that are always OK” approach which has evolved during the pilot phase of HFTSH – which is equally applicable to signs.

Such All longer-term signs should provide as much detail as possible about when they apply, including the date when stalking will begin (if known) and the end of the stag stalking season, and noting ~~that any days of the week on which~~ stalking does not take place ~~on Sundays.~~

All signs relating to stalking should request co-operation using polite, friendly and reasonable language, and a directive or officious tone will almost certainly be counterproductive. Signs should not discourage access by implying a hazard to hillwalkers, as responsibility for the safe use of firearms rests with the stalker.

Other tips for effective signs

A number of other presentational points will help to encourage a positive response. The inclusion of estate contact details, and perhaps a phone number, can help to make signs appear more welcoming, more accountable and less impersonal. However, this information will rarely be particularly useful for encouraging discussion of stalking plans on the day, in part because ~~not all visitors carry a mobile phone and because mobile phone~~ networks are not available in some glens. Hillwalkers may be reluctant to phone in the early morning to avoid disturbing the stalker, particularly if they perceive the likelihood of stalking to be relatively low. They may also be concerned about receiving an unreasonable response at this stage, when they might still be able to change their precise route but are relatively committed to a particular hill.

Comment [MW3]: Probably now out of date!

If a contact phone number is provided with the explicit aim of encouraging discussion, it is therefore particularly important to use welcoming language and indicate the likely scope of any requests to avoid particular areas. It will clearly be important to provide phone numbers for those who will be best placed to advise on daily stalking activities – often a stalker rather than a factor. It may also be helpful to specify a time window within which phone calls will be convenient for the stalker and useful to both parties. An alternative-better approach may be to leave a recorded message – and indicate on the sign that the number will take callers to an answering machine.

Finally, more concise signs are more likely to be read, so keep the text as short as possible! The attached annex provides suggested wording for signs which relate to specific days or apply for longer periods.

Providing information online

Comment [MW4]: The main section of new text.

Information about stalking can also be provided online. This has the key advantage of allowing hillwalkers to plan before their visit, often on the previous evening, making it easier for them to accommodate your plans. Information can be provided using either the *Heading for the Scottish Hills* service or the estate's own website, and these two approaches are broadly complementary.

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Heading for the Scottish Hills

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The *Heading for the Scottish Hills* (HFTSH) web service provides a key reference point for hillwalkers and an important resource for stalkers, and is hosted on SNH's Scottish Outdoor Access Code website at www.outdooraccess-scotland.com/hftsh. The service can provide concise general information about stalking on any estate which contains Munros, Corbetts or other popular hills, including the approximate duration of stag stalking, days of the week when stalking does not take place and routes to the summits which are "always OK" (as noted above).

Hillwalkers can also be referred onward to other sources, including local signs, recorded phone messages or stalkers' phone numbers, for more specific daily updates. Providing a stalker's phone number on HFTSH may be a relatively simple option, but this approach shares some of the shortcomings of personal phone numbers provided on signs, as noted above, and this is a relatively poor substitute for more proactive ways of providing daily stalking information.

The HFTSH service can also provide onward links to estates' own websites for more detailed or specific information about stalking, and this approach is considered in more detail below.

Estate websites

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An increasing number of estates now have their own dedicated websites, which could provide an effective way to communicate with hillwalkers about stalking - and a particularly easy way to provide more detailed day to day information in line with the Code. The key weakness of this approach is that hillwalkers will rarely know the name of the relevant estate and may therefore have difficulty finding this information using online searches. The HFTSH service could help to surmount this problem and it would therefore be advisable to ensure that your estate is included in HFTSH - with an onward link to your own site.

If taking this approach, the link from HFTSH should lead directly to the relevant web page, so that users can quickly find the information they are looking for and do not fall by the wayside. It would also make sense to provide easy navigation from the estate's home page, although (as noted above) fewer hillwalkers are likely to arrive by this route.

The key principles noted above in relation to signs apply equally to messages provided online. Following a similar approach will ensure that you comply with the Code and be much more likely to encourage a positive response from hillwalkers. As with signs, it is preferable to provide information which relates to specific days, but if this is not possible, a pragmatic alternative would be to use a longer term message as suggested above. The sign templates

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in the attached annex provide suitable wording which could be used for messages of either type.

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Further guidance

General guidance on access-related signs for land management and other purposes can be found at www.outdooraccess-scotland.com (under '~~Advice for Land Managers~~'Access management guidance) and ~~www.pathsforall.org.uk~~. ~~Further information about the Hillphones scheme can be found at www.hillphones.info~~

Field Code Changed

The *Heading for the Scottish Hills* service is at www.outdooraccess-scotland.com/hftsh. Concise guidance on providing estate information through the HFTSH service can be found at [LINK]. If you would like information about your estate to be included, please e-mail hftsh@snh.gov.uk.

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If you are uncertain about the best approach or have a persistent problem, it may be helpful to discuss this with your local authority or National Park Authority access officer and, if necessary, with your local access forum. Contact details can be found at www.outdooraccess-scotland.com.

Prepared by the Scottish National Access Forum

First edition 2009; revised 2015

Annex: sign templates

Circumstances vary considerably between estates and no one form of words will necessarily suit all situations. Some examples of appropriate wording are as follows:

Signs relating to specific days

Welcome to XXX Estate.

Deer stalking will be taking place on *[box to insert date]* in the following area: *[box to insert area]*

OR

When today's date is indicated in this box *[box to insert date]* deer stalking will be taking place in the following corrie(s): *[box to insert area]*.

Taking the following route will help to minimise disturbance *[box to insert suggested route]*.

OR

Taking the following route(s) to Beinn X, Y and Z will help to minimise disturbance *[box to insert suggested route(s)]*.

Thank you for your co-operation.

[Add contact details]

Longer term signs

Welcome to XXX.

Deer stalking takes place on this estate to keep deer numbers in balance with the upland environment and for economic benefits.

Stalking will be taking place on some days between *[insert start date]* and *[insert end date]* in *[indicate general area(s)]*.

When stalking is taking place, you can help by:

- using paths;
- following ridges, and;
- following the main watercourse if you have to go through a corrie.

There is no stalking on Sundays.

Thank you for your co-operation.

[Add contact details]