

Dog Disturbance and Wildlife



Scope of this policy

1. This policy puts in context the Scottish Wildlife Trust's policy on dogs and wildlife with particular reference to the impact of dogs on wildlife reserves and to the law in Scotland on public access to land.

Context

2. The Scottish Wildlife Trust exists to advance the conservation of Scotland's biodiversity for the benefit of present and future generations. The Trust is required to "safeguard and enhance the range of native habitats and species through the management of wildlife reserves" and to "advocate, encourage, influence, advise and campaign for best conservation practice and land, sea and freshwater management practice in ways that favour biodiversity, ecosystem health and sustainable development¹."
3. Dogs are welcome on SWT reserves where they would not cause harm to wildlife or a hazard to other reserve visitors or themselves. SWT recognizes the well-known health and social benefits of dog ownership and dog walking. In some circumstances, dogs can come to harm on wildlife reserves and in the wider countryside. Dog owners are responsible for their dogs' behaviour and for their safety and welfare.
4. SWT is committed to public engagement and education and believes experience of nature reserves greatly enhances understanding of wildlife and the wider environment. The Trust manages over 120 reserves which range in size from a few square metres to over 1000 hectares. These are special places which should be accessible by all. However the purpose of nature reserves is also to support, protect and conserve wildlife and wild places. We therefore must find the right balance between encouraging access to experience nature reserves and continuing to protect these precious habitats. Dog walking is one area where finding this balance is difficult. Many people experience nature reserves as a result of dog walking, and some gain a wider appreciation of wildlife in the process, but without close control and guidance dogs in the reserves can sometimes cause a significant amount of disturbance and damage.

Dogs and wildlife

5. Dogs allowed to roam freely, especially during the breeding season, can cause ground-nesting and other birds to leave the nest, resulting in loss of clutches and broods. Ground-nesting species are also particularly vulnerable to attack by dogs². Even dogs wandering in and out of verges can cause significant disturbance and loss. Many reserves are important wintering areas for wildfowl and in such cases it is important that dogs should be under close control at all times. Scientific research indicates considerable variability of disturbance between sites and species³.

¹ SWT Memorandum of Association (2007)

² See *Biology Letters* (2007) 3: 611-613

³ See *Dogs, access and nature conservation*. English Nature research report 649 (2005)

6. Grazing by livestock is a conservation technique employed at a number of reserves. Dogs can easily cause distress or loss to stock and the general law allows for the destruction of dogs worrying livestock⁴. Dogs and cattle in particular do not mix: cattle frequently find dogs threatening and may, in turn become aggressive towards dogs and the people walking them. In this instance the Scottish Outdoor Access Code advice is to let the dog off the lead and allow it to run away from danger.
7. Many plants need low nutrient soil in which to flourish. Soils over enriched with dog fouling can encourage the growth of coarser plants such as nettles and thistles, which compete with and outgrow specialist flora such as orchids.

Dogs and people

8. Dogs can impact on visitors and reserve staff and volunteers. Dogs not under control can cause alarm or harm to visitors. Dog fouling is unpleasant and can carry disease and, for wheelchair users, is easily transferred from wheel to hand. Children are particularly at risk from toxocariasis spread through infected dog faeces.

Dog safety

9. Dogs can come to harm on wildlife reserves. Toxic plants are a hazard, as are poisonous animals such as adders. Out-of-control dogs can become snagged on barbed wire or may be harmed by cattle or shot for worrying livestock; some SWT reserves are adjacent to busy roads.

Table 1: Negative dog and dog-walkers' behaviour⁵

Unwanted behaviour from dogs and dog walkers	Potential consequences
Dogs out of control	Risk to dogs (e.g. may be shot by land owners, may get caught in barbed wire); risk to other animals (see below)
Dogs disturbing wildlife	May chase from habitat; may chase into road; may separate mother from their young; may die of shock; may be dangerous for dogs (e.g. may be attacked by wildlife, or may become ill afterwards)
Dogs disturbing livestock	May harm livestock; may be harmed by livestock; may be shot by land manager
Disturbance of ground nesting birds	May not return to nests; eggs won't hatch or chicks will die
Disturbance to other reserve visitors	Loss of amenity; alarm; immediate and negative implications for visitors to reserves seeking to observe wildlife
Flora damaged or destroyed	Plants maybe rare; provide habitat or food for animals
Not picking up dogs' fouling	Nutrient enrichment; other site users (e.g. school parties, wheelchair users) tread in fouling; spread of disease; cost of clearing up by others
Picking up mess but not depositing in bins or removing it from the site	Cost of clearing up; damage to the environment (bags may not biodegrade readily); it looks unpleasant for other visitors to the area; hazard for staff and volunteers.

Legal context

10. The Scottish Outdoor Access Code (the Code)⁶, which came into force on 9th February 2005, describes the right of responsible access provided by the Land Reform (Scotland) Act 2003.
11. The Act enshrines the new access arrangements in Scotland. The access rights, and responsibilities, extend to people with dogs, provided that the dog(s) are under proper control.
12. The Code offers some interpretation of these rights and responsibilities:

⁴ Dogs (Protection of Livestock) Act 1953; Animals (Scotland) Act 1987

⁵ Adapted from http://www.naturalengland.org.uk/Images/dog%20walker%20psychology_tcm6-7785.pdf

⁶ <http://www.outdooraccess-scotland.com/upload/Full%20Access%20Code.pdf>

- never let your dog worry or attack livestock
 - do not take your dog into fields where there are lambs, calves or other young animals
 - do not take your dog into fields of vegetables or fruit unless there is a clear path, such as a core path or a right of way, but keep your dog to the path
 - if you go into a field of farm animals, keep your dog(s) on a short lead or under close control and keep as far as possible from the animals; if cattle react aggressively and move towards you, keep calm, let the dog go and take the shortest, safest route out of the field
 - during the bird breeding season (usually April to July), keep your dog under close control or on a short lead in areas such as moorland, forests, grassland, loch shores and the seashore
 - in recreation areas and other public places avoid causing concern to others by keeping your dog under close control or on a short lead
 - pick up and remove your dog's faeces if it defecates in a public open place.
13. The definition of a 'short lead' within the Code is less than two metres and 'close control' means that a dog responds to commands and is kept close at heel.
14. The Land Reform (Scotland) Act 2003 gives Scottish Natural Heritage, acting on behalf of Scottish Ministers, power to erect signs specifying conditions for responsible access to protect the natural heritage.
15. In addition, the Dog Fouling (Scotland) Act 2003 makes it an offence for the person in charge of a dog not to clear up after it if it defecates in any public open place.
16. Intentionally or recklessly disturbing wildlife can be a criminal offence under the Wildlife and Countryside Act 1981, the Conservation (natural habitats etc) Regulations 1994 and the Nature Conservation (Scotland) Act 2004⁷.

Policy guidance

17. The Scottish Wildlife Trust acknowledges the significance dog ownership plays in encouraging people to visit and enjoy wildlife reserves and the wider countryside.
18. SWT believes that it is dog walkers' responsibility to ensure that their dogs do not disturb wildlife, other reserve visitors or reserve volunteers or staff. SWT notes that the right of access to land in Scotland, including SWT reserves, is not a general right, but a right of *responsible* access as defined in the Scottish Outdoor Access Code. SWT asks all dog walkers to follow the provisions of the Scottish Outdoor Access Code as summarized at paragraph 11 above.
19. Reserve Managers, in consultation with Reserve Conveners, should engage with local access officers and access forums where a problem associated with dogs exists, is perceived to exist, or may in future exist on a reserve, and to seek agreement for local management measures, including signage (see 22).
20. Reserve Managers in consultation with Reserve Conveners and volunteers are in the best position to judge with respect to wildlife conservation, where it is appropriate for dogs to be allowed off the lead and should communicate this to dog owners. Equally, SWT staff and volunteers should ask dog walkers to keep their dogs under close control where they feel that this is appropriate. SWT believes that insisting dogs be kept on a short lead in certain circumstances is not preventing members of the public from exercising their access rights.
21. Scottish Wildlife Trust staff or volunteers may ask any person in charge of a dog or dogs who does not follow the provisions of the Scottish Outdoor Access Code above, or who refuses to follow a reasonable request to exclude their dog from any area considered by the Reserve Manager to be sensitive for wildlife or other visitors to leave the reserve. The Trust reserves the right to take appropriate legal action against any person in charge of a dog or dogs who refuses to comply with

⁷ On Thursday 12 March 2009 a dog walker, Mr Marlon Adams, pleaded guilty at West Cornwall Magistrates' Court, Camborne, to an offence relating to disturbance of fauna within a Site of Special Scientific Interest (SSSI) and was fined £250 and ordered to pay £250 costs for recklessly disturbing birds. Adams released three dogs into a nature reserve and witnesses saw the dogs chasing birds. Natural England brought the prosecution under section 28P (6A) of the Wildlife and Countryside Act 1981.

such a request, or who has intentionally or recklessly allowed their dog or dogs to harm wildlife, foul or cause harm or alarm to reserve visitors, volunteers or staff.

22. Appropriate permanent or seasonal signage should, where resources allow, be installed to explain the reasons for any restrictions on dogs that the Trust may ask to be observed by reserve visitors. Guidance on suitable signs will be prepared by HQ. (See Appendix 1.)
23. Dogs, other than registered assistance dogs or assistance dogs in training, are not allowed in any SWT visitor centres.
24. During special events at visitor centres, it shall be at the discretion of the visitor centre whether dogs, other than assistance dogs as defined in paragraph 20, should be admitted.
25. SWT believes that the current Scottish Outdoor Access Code is weak with respect to dogs and wildlife and urges Scottish Natural Heritage and Scottish Ministers to undertake a review of the Code at an early date to allow conservation bodies such as the Scottish Wildlife Trust to require that dogs should be on a lead (rather than under "close control") in certain areas or at certain times of the year and to allow for the exclusion of dogs from particularly sensitive areas.

Provision for dogs

26. Where Reserve Managers, in consultation with Reserve Conveners or visitor centre managers, consider it appropriate and where resources allow, the Trust will endeavour to have bins provided, preferably by the local authority, for dog excreta. Reserve Managers may also consider provision of safe exercise areas.

Links to other SWT policies

27. Policy on Public Access to SWT Wildlife Reserves (2005).

Approved by Council December 2009

Appendix 1

Guidance on Signage

Signs are an important way in which the negative impacts of dogs on wildlife can be communicated to dog walkers, and are a key means of helping dog walkers understand how to eliminate or minimize those impacts. Reserve managers and Conveners are encouraged to engage with the local access forum on the best approach for each location.

It may be helpful to suggest alternative areas nearby where dogs may be exercised safely off-lead without threat to wildlife.

In designing signs, Reserve Managers and Conveners should consider the form of words most likely to be effective. Potential approaches range from statements of fact:

"Dogs harm ground-nesting birds"

to pleas to dog owners to behave responsibly:

"Help your dog help wildlife..."

or explanations :

"Skylarks nest here – please keep your dog on a lead in this area."