



## Cairngorms Local Outdoor Access Forum

**Title: Responsible behaviour messaging – dogs and ground nesting birds**

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### 1. Introduction

One of the most common topics that we are asked to give guidance on and confirm appropriate messaging for is regarding wildlife disturbance and responsible behaviour with dogs, specifically in the context of ground nesting birds.

This topic has previously been touched on by the LOAF, specifically in the context of capercaillie. Regarding capercaillie a clear stance was taken that in capercaillie breeding areas signage could state that dogs should be walked on a lead between 1 April – 31 August.

Currently this is the only situation where we use the more restrictive 'dogs on leads' message, as opposed to 'dogs on leads or under close control' which is the general advice for dog walkers given in the Scottish Outdoor Access Code (SOAC).

A number of other (non-capercaillie) projects around dogs and birds are being developed and additionally disturbance situations involving other ground nesting birds occurring and we are seeking the LOAF's guidance in developing clear guidance as what messages are appropriate to apply in which scenarios.

**The LOAF is asked to discuss this topic and confirm the appropriate responsible dog behaviour messages to use when bird breeding disturbance is occurring to:**

- **protected bird species**
- **other bird species**

NB While this paper deals with the topic of messaging for dog walking on signs, this is one specific element to ensure responsible behaviour by dog walkers in specific circumstances. A wider Park Authority project is ongoing with partners and the dog walking community utilising and developing many other more engaging, innovative and positive strategies to communicate with dog walkers and encourage responsible dog walking.



## 2. Background and SOAC messaging

### 2.1 SOAC and dogs

Access rights extend to taking responsible access with a dog. SOAC offers the following advice on what is considered to be responsible behaviour for dog walkers:

- 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.

The NatureScot (Scottish Natural Heritage) publication "[Taking the Lead, managing access with dogs to reduce impacts on land management](#)" (2015) provides further guidance for effective mechanisms to encourage responsible dog walking and reduce negative impacts.

This document includes a paragraph "on-lead or off-lead" (p11) which refers to the "SOAC recommendation" that dogs should be kept either on a short lead or close at heel in certain situations. It goes on to state:

- "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".

### 2.2 SOAC and wildlife

Regarding the disturbance of wildlife, SOAC also offers the following advice:

- Do not intentionally or recklessly disturb or destroy plants, eggs, birds and other animals
- Following any agreed information<sup>1</sup> aimed at preventing significant disturbance to protected plants, birds or other animals  
Taking extra care to avoid disturbing more sensitive birds and animals, particularly during their breeding season

<sup>1</sup> Agreed between land managers, recreation bodies and conservation bodies



### **Protected species**

Some irresponsible behaviours towards wild birds, animals and plants are an offence under the Wildlife and Countryside Act (1981) and the Habitats Regulations 1994. With regard to these “protected” species SOAC advises:

- You must not intentionally disturb specially protected birds while nesting, or their young
- In a small number of areas and for very specific reasons, such as to protect a rare plant or bird, you might be asked to follow a specific route or to exercise your access rights in a specific way.

### **3. Messaging for protected species**

“Protected” bird species (aka “schedule 1 species”) are those that are listed in conservation legislation and as such have legal protection from intentional or reckless disturbance during the breeding season or disturbance of dependent young. Protected species are selected due to their importance and vulnerability during the breeding season.

Relevant birds on the protected species list<sup>2</sup> include; Capercaillie, Dotterel, Red-throated diver, Goldeneye, Slavonian grebe and Greenshank.

There is guidance in SOAC (see 2.2 above) that, particularly in the breeding season, wildlife should not be disturbed, and in the case of protected species that signage may direct you to exercise your access rights in a specific way.

On this basis the LOAF has previously agreed that for the messaging around Capercaillie (a protected species) the message “dogs on leads” (dropping the “or under close control” element) could be used.

See Annex 1 for note of previous LOAF discussions

**The LOAF is asked to confirm that when referring to protected ground nesting bird species and where recreational disturbance with dogs is a known issue, messaging can direct people to exercise their access rights by:**

<sup>2</sup> Full protected species list - [Protected species list - WCA schedules 1, 1A, A1, 2, 3 and 4 | NatureScot](#)



- **Keeping dogs on leads**
- **Keeping to paths**

As per SOAC guidance this messaging would only be applied to the minimum area and for the minimum time (ie the appropriate bird breeding season) necessary.

Examples where we expect these messages may be applied include:

- Dotterel nesting areas on Cairngorm Mountain
- Around lochs where goldeneye or other protected water birds are nesting.

#### 4. Messaging for other breeding birds

The scenario also exists where other ground nesting birds may also be prone to disturbance (particularly by dogs) but these birds are not classed as “protected species”. One example of this is the group known as wading birds or “waders”, which includes curlew, lapwing, oystercatcher, snipe and redshank.

#### **Birds of Conservation Concern (the Red list)**

Commonly referred to as the UK Red List for birds, the Birds of Conservation Concern list assesses bird populations in the UK and assigns each to the Red, Amber or Green lists of conservation concern. This assessment of conservation status is objective and based on the most up-to-date scientific evidence. The Red list is those species most at risk and of highest conservation concern.

Many of the wader species, while not classed as protected species, do appear on the UK Red and Amber lists, signifying they are of conservation concern (see annex 2 for red list species).

#### **4.1 Proposal for discussion**

##### **a) Standard message**

Based on the SOAC guidance for responsible behaviour with dogs during the bird breeding season the standard messages for all other breeding ground nesting birds would remain as ‘dogs on short leads or under close control / at heel’.

A new sign is being developed for waders on this basis (see annex 3).



## b) Specific scenarios

- Where disturbance by dogs is an ongoing issue and the standard message isn't proving effective and the species affected is a **Red list species**, then the messaging that is used for protected species ie dogs on leads and stay on paths can be applied.

The application of this messaging would be assessed on a case-by-case basis by the access authority and the specific area that it applies to agreed and presented on a map sign which would be displayed on the site. The timescale for the restrictions would typically be the breeding season as appropriate to the species.

- Examples where we expect these messages may be applied include:
- Wader breeding areas at busy recreational sites suffering ongoing disturbance eg adjacent to the car park at Loch Muick.

## 5. Summary of proposed messaging

In relation to ground nesting birds and responsible dog messaging:

| Scenario                 | Message  |
|--------------------------|--|
| Protected birds          | Dogs on leads<br>Stay on paths   |
| All other breeding birds | Dogs on leads or under close control   |
| Red list species         | 1. Dogs on leads or under close control<br>2. Case by case assessment to apply:<br>Dogs on leads / stay on paths |

The LOAF is asked to discuss the above proposal and the elements of:

- when is it appropriate to use “dogs on leads” rather than “dogs on leads or under close control”.
- If (and if so, when) it is appropriate to state “stay on paths”



## **Annex 1**

### **Previous LOAF discussions related to protected (schedule 1 species) and dogs on leads**

- 2010 - The LOAF group agreed that for protected species the bird breeding season message "keep dogs on leads" could be used, as opposed to the SOAC suggested wording of "on a lead or under close control". It was agreed that a stronger line should be taken, which needed a clear and consistent message.
- 2021 - The LOAF group in the context of dog walker signage for sensitive capercaillie sites in Carrbridge, confirmed the position that requesting dogs be on leads is consistent with SOAC.
- 2023 – The LOAF group confirmed the extension of the length of time the 'dogs on leads' message is used for Capercaillie signs until 31 Aug (previously 15 Aug), in line with the recognised breeding season and local evidence.

Also noted was that: with regard to other ground nesting birds, signage will refer to the breeding season as April to end of July. The use of "dogs on leads" will also apply to schedule one species of ground nesting bird that are susceptible to disturbance during the breeding season.



## Annex 2

### Birds of Conservation Concern (the Red list)

Relevant species to discussion:

|                           | <b>Waders</b>   | <b>Mountain top / woodland birds</b>                        |
|---------------------------|---|---|
| <b>Red list species</b>   | Lapwing<br>Curlew<br>Dunlin<br>Ringed plover  | Capercaillie (P)<br>Dotterel (P)<br>Ptarmigan<br>Ring ouzel |
| <b>Amber list species</b> | Greenshank (P)<br>Green sandpiper (P)<br>Oystercatcher<br>Snipe<br>Common sandpiper<br>Redshank |   |

(P) indicates Protected species



## Annex 3

### Wader signs

# Waders nest on the ground in this area





To help protect them from disturbance and trampling during the breeding season,  
**please walk your dog on a lead (or at heel)**

1 April to 31 July.

SCOTTISH OUTDOOR  
ACCESS CODE  
[outdooraccess-scotland.scot](https://outdooraccess-scotland.scot)





Cairngorms  
National Park  
Pàirc Nàiseanta a'  
Mhonaidh Ruaidh