

Aggressive Livestock Any aggressive animal needs to be removed from any land containing public access immediately.

Bypasses Landowners who own livestock on their land and have ensured all PROW are in good order and available for use at all times, can apply to CBC to have a Temporary Bypass (up to 3 months). The bypass does not replace the definitive route, but offers users a bypass if they wish to avoid walking or riding with livestock.

In order to have a Temporary Bypass the landowner must ensure;

- Any fencing/signage is removed when not required
- All electric fencing is signed
- The bypass route is safe and wide enough for 2 people to pass
- Appropriate insurance is in place which covers public access away from the PROW
- They have received written permission from CBC

CBC will provide landowners wishing to have a Temporary Bypass on their land with appropriate signage; the landowner must not erect any other signs on their land which may discourage use.

Cattle and their Young Cattle are very protective of their young and this can cause unpredictable behaviour, especially in those first few weeks after birth. Therefore CBC asks all landowners/tenants, if possible, not to put cattle and their young in fields with public access. This is done both to protect members of the public as well as the animals who can feel threatened by unfamiliar people and dogs.

A Good Behaviour Guide - for the General Public accessing the countryside When walking or riding in the countryside there are a number of things users should do to reduce any potential conflict with livestock;

- Do not intentionally disturb livestock
- Always keep your dog on a lead and under close control around livestock - you should let go of your dog's lead if you feel threatened by cattle or horses
- Always pick up after your dog. Dog fouling is not acceptable in the countryside, it spreads disease e.g. Neosporosis in cattle (abortion) and furthermore you can be fined (Dog Control Orders now operate across CBC)
- Avoid walking through large herds and instead take an alternative, direct, clear route and re-join the path as soon as possible.
- Always ensure you leave gates as you find them.

Reporting an Incident CBC encourages the reporting of all incidents, including near misses where no injury has incurred to CBC on 0300 300 8000 (please request to speak to the Rights of Way Officer for the area the incident occurred in) as soon as possible. It is also recommended that the police are informed so they are able to log the incident.

- It is the landowner's responsibility to report any serious accidents involving an injury to the HSE.
- If anyone feels threatened when walking or riding through livestock then they can report their concerns to the HSE.

A livestock Incident Report has been created to help record all useful information regarding the incident, this can be found at Appendix A and can be filled in by landowners, members of the public or the area Rights of Way Officer.

Working Together

It is important walkers, riders, tenants and landowners have the correct information when it comes to livestock. CBC wants everyone to enjoy the countryside, and by working together and following this guidance, we can make sure that we are doing everything possible to reduce the conflict between users and livestock, making Central Bedfordshire's countryside a safe and enjoyable place to be.

[Link to other strategies and policies](#) This guidance needs to be read in conjunction with it;

Health and Safety Executive (HSE) Agricultural Information Sheet No.17EW (rev1), which can be found at;

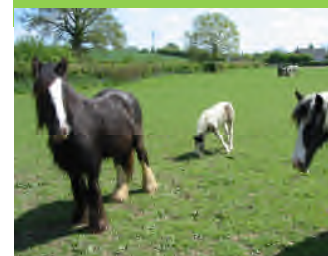
<http://www.hse.gov.uk/pubns/ais17ew.pdf>

Natural England's guidance on Managing Public Access [March 2005] which can be found at;

<http://publications.naturalengland.org.uk/publication/51001>



Central Bedfordshire Council Livestock & Public Access Good Working Practice Guide



Central Bedfordshire Council (CBC) is responsible for maintaining all Public Rights of Way (PROW) within the unitary authority of Central Bedfordshire. We work closely with both landowners and the general public to ensure PROW are open and safe to use at all times.

This Good Working Practice Guide has been put together to provide landowners and members of the public with all the information they need, in order to reduce any potential conflict with users accessing the countryside in livestock areas.

For the purposes of this guidance, the term livestock refers to cattle, horses, sheep, goats, llamas, pigs and chickens and any other animal which is present on or adjacent to an area of designated public access.



This guidance only applies to livestock areas where there is PROW or designated public access such as a country park, nature reserve, open access land, common land or any other CBC countryside site. It does not apply to livestock kept on private land where there is no public access.

This guidance fully supports the three main themes of the Outdoor Access Improvement Plan (OAIP) for Central Bedfordshire 2013-31, which are;

- Providing access to quality countryside and green spaces through a well maintained PROW network.
- Raising public confidence and understanding of countryside access.
- Increasing use and enjoyment of the countryside for fresh air, relaxation, recreation, health and exercise.

In particular this guidance meets AIM 5 of the OAIP which states;

“Countryside sites will be managed to a good state of repair, with visitors understanding their sites, their management and the intrinsic qualities of the landscape” and AIM 10 which states; “more people have access to good quality information and are aware of countryside access close to them.”

**This guidance was written by Central Bedfordshire Council's Rights of Way and Countryside Teams in November 2015. The policy follows the main guidelines as set out by the HSE and has the full support of the local NFU. Central Bedfordshire Council therefore expects all landowners keeping livestock in areas with public access to already be aware of these key principles. If you do have any comments or wish to speak to an officer about this guidance please contact David Leverington the Rights of Way Team Leader on 0300 300 6107.*

Central Bedfordshire

Existing Legislation

This early legislation places a duty of care on the landowner for anyone entering onto their land by permission or for people who are permitted to be there.

The Occupiers Liability Act 1957

Recognised dairy bulls are banned in fields crossed by a PROW; bulls of other breeds can be kept in fields with public access if accompanied by cows or heifers. No bull more than 10 months old should be in a field on its own. Recognised dairy breeds are Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry.

Wildlife & Countryside Act 1981 s59

This legislation makes the keeper of an animal liable for any damage it has caused. This applies to both landowners and to members of the public who access the countryside with their horse or dog.

Animals Act 1971

This law requires an employer to take steps to reduce/avoid risks to employees and visitors on their land. The onus is placed on the business operator to report any serious incident to the Health and Safety Executive.

A breach in the management of health and safety is a breach of health and safety regulations and is a criminal offence. In the event of an accident this could result in a civil claim being made. It is important to remember that both the landowner and tenant have a responsibility to the public and both are therefore potentially liable in the event of an accident.

The Health and Safety at Work Act 1974

Dogs have to be on a lead, no more than 2 metres long, on open access land between 1st March-31st July to protect ground nesting birds. Dogs must be on a lead all through the year if livestock is present.

CROW Act 2000 Open Access Land

Part III of the Environmental Protection Act 1990 contains provisions dealing with what the Act terms "statutory nuisances" and for the purpose of the Act these include any animal kept in such a place or manner as to be prejudicial to health or a nuisance.

Environmental Protection Act 1990 - S79 (1)

It should be noted that dogs are considered a usual accompaniment of a foot passenger on a Public Right of Way, so therefore the presence of a dog should always be expected on all PROW. This specific legislation has been devised to protect livestock from dogs. The Act outlines punishment of dog owners whose dogs worry livestock on agricultural land. Protected livestock is defined as cattle, sheep, goats, swine, horses and domestic poultry. Game birds are specifically excluded. It is important to note that landowners' have the right to shoot a dog which is worrying their sheep.

The Dogs (Protection of Livestock) Act of 1953

New Legislation

CBC is promoting responsible dog ownership; on 19th October 2014 four Dog Control Orders came into effect across Central Bedfordshire which replaces any previous dog fouling legislation.

- It is an offence for any person in charge of a dog to fail to remove any dog foul. This order applies across the whole of Central Bedfordshire on land where the public have access.
- It is an offence for any person in charge of a dog to fail to ensure their dog is on a lead on land affected by this order. This order applies to select pieces of land in Central Bedfordshire such as burial grounds, cemeteries, and some car parks. Notices are clearly displayed informing users of areas where this order is in force.
- It is an offence for a person in charge of a dog to fail to put a dog on a lead and keep it on a lead, by direction of an authorised officer. This order applies across the whole of Central Bedfordshire on land where the public have access.

- It is an offence for a person in charge of a dog to allow their dog to enter or remain in an exclusion area. This order applies to all children's play areas and some other areas such as Rushmere Country Park. Notices are clearly displayed informing users of areas where this order is in force.

Other Legislation

The above legislation is not an exhaustive list but covers the main Acts which affect the keeping of livestock.

Livestock and public access has become a big issue in recent years with accidents with cattle and associated court cases being widely reported in the press. Councils, users, landowners and tenants should co-operate together to try and reduce any potential conflict caused by public access and livestock in the countryside.

Improved Signage

Many users are not aware that they are entering a field with livestock; sometimes cattle or sheep can congregate in herds out of sight and as such PROW users and livestock can be suddenly startled by one another.

Clear appropriate signage should be installed on every entry point to the field to ensure the user is fully aware that livestock are present in the field. The signage should always be updated to reflect whether there is livestock present or not. Any inaccurate signs or misleading signs e.g. indicating a bull is present when there isn't one, must be removed immediately. Out of date and misleading signs lead to confusion and ultimately increase the risk of conflict between livestock where present and users in the countryside.

The countryside attracts a wide range of users from different backgrounds; regular dog walkers, long distance walkers who are unfamiliar with the area and users who are not familiar with walking or riding through livestock. Therefore along with informing users whether livestock are present it would also be helpful to remind users of some handy tips of how to act around livestock.

AIM : CBC will offer all livestock farmers a notice for every entry point, which clearly indicates to the public whether livestock is present or not and some helpful advice for the public on how to act around livestock.

It will be the responsibility of the landowner/tenant to ensure the correct notice is displayed, and to remove or cover up notices when livestock are no longer present.

Land Management

Better Land Management There are little things that landowners/tenants can do to make public access through livestock areas enjoyable at all times.

Feeding Keeping food and water troughs away from public access, and in particular, entry and exit points such as via gates and stiles, reduces the likelihood of livestock gathering in herds in these areas.

Monitoring It is always a good idea to regularly check livestock. The HSE advice is to perform daily checks on all livestock you are responsible for, looking out for illnesses, any unusual behaviour and in particular aggression. It is also a good idea to regularly walk the perimeter of the field ensuring all fences and structures such as gates and stiles are in good order.

Recording the time and date of such inspections might be helpful.

New livestock must never be introduced to a field which contains public access without being observed at regular intervals for at least 48 hours beforehand by the landowner/tenant of the land. Care should be taken when first introducing animals to a field with public access, as often animals can be excited by their new space and this behaviour can be alarming for users. The farmer/tenant must always check the field is clear from users before releasing stock into the field.