

**Livestock and Access Meeting
15 January 2010, 10.30-1pm at
Natural England, Ashdown House, 123 Victoria Street, London**

Full report of meeting

Attendees

Pippa Langford	Natural England (Chair)
Ellie Stevenson	Natural England
Andrew Chester	Natural England
Abi Townsend	Natural England
Jo Ronald	Countryside Council for Wales
Jonathan Tweney	Defra
Ruth Sanders	Defra
Tony Mitchell	Health and Safety Executive
Duncan Graham	England Access Forum
Richard Cuthbert	IPROW/County Surveyors Society Countryside Working Group
Marilyn Meeks	IPROW
Andrea Beddows	National Trust
Andrea Graham	National Farmers Union
Nina Winter	National Farmers Union
Justin Cooke	Ramblers
Mark Weston	British Horse Society
Emily Jeffrey	Kennel Club
Stephen Jenkinson	Kennel Club
Bill Renshaw	British Mountaineering Council/Campaign to Protect Rural England

Apologies received from Sarah Slade, Country Land and Business Association

Evidence

1. Tony Mitchell (H&SE) presented statistics which show no increase in serious incidents involving members of the public over the last ten years. Figures attached and in summary :
 - i. up to 2 fatalities and 5 serious injury per annum
 - ii. all have been on enclosed land, no incidents on open access land
 - iii. no discernible pattern between breeds
 - iv. occasional incidents involving other livestock - stallions, ram, deer, llama/alpaca
2. About half the reports come from farmers and half from members of the public. Most farmers respond readily to management advice. There appears no discernible pattern between differing breeds (most are cross-breed beef cattle), with behaviour more influenced by management and husbandry within herds.
3. Other stakeholders agreed, but the perception anecdotally is of increasing numbers of less serious encounters and near misses.

4. Duncan Graham (EAF) reported that views from among 85 Local Access Forum were that numbers of incidents are increasing and there is an issue about raising awareness among those who are not generally well informed about visiting the countryside.
5. Andrea Graham (NFU) reported increased calls from farmers worried about their liability, but not reporting increases of actual incidents. A handful of enquiries from members of the public ask how to tell the difference between cattle showing aggression or just curiosity (there is no easy way), but suggests again the need for increased information.
6. Richard Cuthbert (CSS) reported that CSS south west are compiling statistics of reports of incidents from local authorities. These again are not showing an overall increase, although it is early days. A previous initiative in the West Midlands to record figures gave up as no discernible increases were being recorded.
7. Marilyn Meeks (IPROW) raised the issue of the complexity of differing guidance and suggested that most members of the public simply don't report incidents.
8. Bill Renshaw (BMC/CCPR) also suggested increasing numbers of reports of cattle incidents reflects the fact that cattle are replacing sheep in upland areas and therefore contact with the public is now more frequent. There is a problem where guidance may not reflect the legal position, particularly in relation of what to do with dogs.
9. Justin Cooke(R) again reported that there is no statistical evidence that the problem is increasing and enquiries peak with media interest. Existing legislation is fit for purpose.
10. Andrea Beddows (NT) agreed with the sentiment that compared to the millions of visitor days spent in the countryside, incidents were minimal. Thirty incidents had been recorded on NT properties since 1992, 12 of these on the coast or countryside, the remaining in managed areas. Most were bruises or grazes and none had resulted in hospitalisation.
11. Jo Ronald (CCW) reported that it is a much debated issue in Wales, but with little consistency of data. They are in the process of agreeing a basic set of data gathering questions to improve their evidence base. The problem appears to be perceived rather than proven.
12. Stephen Jenkinson (KC) suggested that, almost regardless of the quality of the evidence, perceptions were the critical factor. There is a real opportunity to get positive messages across to people, and dog owners in particular, in clear and consistent language that is appropriate and appeals to their interests. Dog owners predominantly listen to their peers and their vets.
13. Abi Townsend (NE) reported that as most dog related issues are referred to her within NE, she had not experienced increased numbers. She relayed her experience of the more urban situation where the Cambridge commons are heavily used by dog walkers and are grazed by cattle, but she could not recall any incidents.
14. Jonathan Tweney (Defra) will seek further information from David Blunket's office concerning the mail he received following his much publicised incident last summer.
15. Ruth Sanders (Defra) receives calls from the public, many in summer, when people have been frightened by cattle but are worried about leaving the right of way in order to avoid

them, for fear of being shouted at by the farmer. Some farmers in urban areas have stopped using certain areas of grazing which are heavily used by dog walkers.

16. The point was also made that the positioning of feeding and watering points should be located away from walkers access points wherever possible.
17. Mark Weston (BHS) had observed an increase in the number of incidents reported but still minimal in relation to the numbers of active horse-riders. More significant is the effect of conservation grazing regimes on previously unfenced commons causing problems with fencing and self-closing gate injuries. **Action - details of areas (list of sites with maps if possible) where this was a problem to be sent to Pippa Langford (NE).**
18. Pippa Langford (NE) summed up that there was strong consensus that despite the lack of systematic conclusive evidence, there is a widespread perception that incidents are increasing. This could be due to the increasing size of the beef herd, with cattle replacing sheep in many upland areas which increases the chance of public encounters with cattle.

Guidance and signage

19. Stephen Jenkinson (KC) suggested that guidance should use clear consistent language, avoiding legal phrases, which can be applied to encourage good behaviour everywhere, regardless of the particular legal circumstances.
20. Andrea Graham (NFU) agreed that 4-5 bullet points are needed which are clear and generic.
21. Duncan Graham (EAF) read from a guidance leaflet which has been produced and widely circulated in Cumbria, 'Walking with care in the countryside'. This has been well received locally by providing clear and simple messages which are easily understood. (Check - *Duncan to provide*).
22. Emily Jeffrey (KC) echoed the importance of a wide distribution of material. The KC database has thousands of individuals and training clubs who could distribute information. Stephen Jenkinson (KC) added the need to include local authorities, particularly dog wardens.
23. Mark Weston (BHS) suggested that the guidance should encompass all livestock, and as Nina Winter (NFU) pointed out, there was a need to differentiate between cattle and sheep in the advice given to letting dogs loose near livestock.
24. Andrea Beddows (NT) outlined the advice the National Trust would shortly be providing for property managers use for their own circumstances. Informing visitors about what was going on with livestock was very important.
25. Abi Townsend (NE) recalled research that indicates that being able to let dogs-off lead is a major factor in many visitors deciding where to go in the countryside.
26. Andrea Graham (NFU) suggested that there was a greater role for more mass audience public information to encourage long term cultural behavioural change. Tony Mitchell (HSE) recalled the Joe & Petunia Countryside Code campaign which raised awareness among previous generations.

27. Other suggestions for raising awareness included the use of high profile events such as Crufts, Burleigh Horse Trials, and the greater promotion of the Best of Both Worlds approach.
28. Ellie Stevenson (NE) outlined that the use of focus groups to review the impact of the Countryside Code messages would help inform any future revisions and promotion.
29. Tony Mitchell (HSE) drew attention to the international symbols for signage which includes the use of the yellow triangle to indicate hazards. Andrea Beddows acknowledged that the National Trust had incorporated this into their recent designs (attached), but Justin Cooke (R) and Bill Renshaw (BMC/CPRE) advised caution on the implications of labelling hazards in the countryside – a potential ‘Pandora’s box’. More important was a long term exercise of education to ensure a knowledgeable public.
30. Justin Cooke (R) referred to the joint signage agreed with the NFU and reminded the meeting that signage templates already exist for restrictions use on open access land.
31. Jo Ronald (CCW) made a plea for the resources of land managers to be considered when developing signage to ensure it was appropriate and adaptable to reduce the maintenance effort.
32. In response to comments about the need for guidance to be applied consistently across all Natural England programme areas, Pippa Langford (NE) advised that she is already discussing signage and communication issues with Environmental Stewardship.
33. The overall perception issue suggests a clear need to improve the guidance and promotion of messages on what to expect and how to behave around livestock, particularly for dog owners and for visitors to the countryside who may not have accessed existing sources of information. Careful signage can play a part in this, but there was wide support for a long term approach to improving public understanding with clear and consistent messages from all parties. **Action – all stakeholders to send examples of current guidance, including signage text to Ellie Stevenson (NE).**

Legislation

34. Jonathan Tweney (Defra) reported that the only area of legislation likely to be amended would be modification to the strict liability clause of the Animals Act 1971. A consultation on this had finished and Ministers have agreed that a Legislative Reform Order should go ahead. The exact wording and timetabling needs agreement but there appears to be cross-party support for the need for a modification.
35. Nina Winter (NFU) explained the difference between strict and fault based liability. Strict liability takes no account of circumstances, whereas fault based liability allows consideration of other factors and is more likely to encourage livestock keepers in proactive management measures.
36. Although concerns were expressed that generic guidance about letting dogs loose if threatened by livestock may not fully reflect a strict interpretation of the law, the consensus of stakeholders at the meeting felt strongly that the guidance should reflect a pragmatic approach agreed jointly between users and landowner interests.

Further action

37. It was not felt necessary to convene further meetings of this stakeholder group.
38. The discussion on guidance should continue through emails or by web or audio conference, closely aligned with the developing work on the coastal access messages.
39. The review of the Countryside Code involving focus group discussions would include landowning groups and depending on the scale of changes will determine the scope of further formal consultations. The timescale for developing coastal access messages is longer term, but this does not preclude bringing forward clear messages on dogs and livestock much sooner.
40. Pippa Langford (NE) thanked everyone for attending and for their valuable contributions to the meeting.