

Dogs on Distillery Land Policy

1. PURPOSE AND COMPOSITION

At its meeting on 11 November 2019 the Board of GlenWyvis decided that it required to have a policy relating to dogs being brought onto distillery leased or owned land. No unauthorised dogs are permitted on Distillery land.

2. LEGISLATION

Scotland's legislation for public access to the outdoors has seen a transformation under the Scottish Parliament, with the Land Reform (Scotland) Act 2003 establishing a statutory framework of public access rights to most land and inland water. These legal rights are based on the principle of responsible access, with obligations both on the access users and on the managers of the land. Guidance on these responsibilities is set out in the Scottish Outdoor Access Code. Scotland's local authorities and national park authorities are the access authorities in their areas, with several specific duties and powers under the Act. These include developing a Core Paths Plan, keeping routes free of obstruction, and establishing a local access forum. A 10-year review of the legislation by a government advisory group concluded that 'the new statutory framework should be judged a considerable achievement that has delivered significant public benefits', and it 'has delivered a progressive statutory framework for improved public access over land in Scotland'.

3. INFORMATION COLLECTION AND USE

Access rights do not apply in the following places:

- Land on which there is a house, caravan, tent or other place affording a person privacy or shelter, and sufficient adjacent land to enable those living there to have reasonable measures of privacy and to ensure that their enjoyment of the house or place is not unreasonably disturbed. The extent of this land may depend on the location and characteristics of the house. This includes the house to the west of the distillery site
- Land on which there is a building or other structure or works, plant or fixed machinery, and land which forms the curtilage of a building or which forms a compound or other enclosure containing any structure, works, plant or fixed machinery. Examples of non-residential buildings and structures include: farm buildings and yards; animal and bird rearing pens. This would include the farm buildings adjacent to the distillery
- Land in which crops have been sown or are growing. Crops are taken to include cereals (such as wheat and barley), vegetables (such as potatoes, turnips and cabbages), fruits. However, you can exercise statutory access rights on the margins of fields, along paths and tracks.
- Grass being grown for hay or silage and which is at such a late stage of growth that it is likely to be damaged by you exercising access rights is a crop.

4. DOGS

Access rights apply to people walking dogs provided that their dog(s) is kept under proper control. Your main responsibilities are:

- never let your dog worry or attack livestock;
- to 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;

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- if cattle react aggressively and move towards you, keep calm, let the dog go and take the shortest, safest route out of the field.

5. RESPONSIBLE BEHAVIOUR BY LAND MANAGERS AND RESPONSIBLE BEHAVIOUR BY THE PUBLIC

- During the bird breeding season (usually April to July), dog(s) must be kept under close control or on a short lead in areas such as moorland, forests and grasslands.
- Owners must pick up and remove dog's faeces if it defecates in a public open place.
- Many paths and tracks go through farmyards. If there is no right of way or core path through a farmyard, land managers are encouraged to continue to allow access where this does not interfere unreasonably with your work. Although access rights do not extend to farmyards, many people take access through farmyards when following paths and tracks. In practice:
 - if a right of way or core path goes through a farmyard, you can follow this at any time;
 - if a reasonable, passable alternative route is signposted around the farmyard and buildings, then you should follow this. In the absence of a right of way, core path or reasonable, signposted route around the farmyard and buildings, you might be able to go through the farmyard if the farmer is content or if access has been taken on a customary basis in the past or you could exercise your access rights to go around the farmyard and buildings. If you do go through a farmyard, proceed safely and carefully, watch out for machinery or livestock, and respect the privacy of those living on the farm.

6. APPLICATION TO GLENWYVIS

GlenWyvis will not allow a general right of access through its distillery land in accordance with legislation.

With the exception of guide dogs, GlenWyvis will only permit dogs on site with the prior permission of the landlord. Dogs permitted to be on site must be accompanied by a responsible dog owner who is prepared to follow the Scottish Outdoor Access Code. Dogs must also be kept under control and on a lead. The Distillery is on a working farm and these steps have been taken to avoid any unto stress to livestock. Dogs will not be permitted into any production area. Any dog owner not acting responsibly, in the judgement of the distillery manager, will be asked to remove their dog(s) from land leased or owned by the distillery.

Adopted by resolution of the Management Committee	14 May 2018
Date Last Reviewed	01/04/2021
Responsibility for monitoring and review of policy	Distillery Manager