

FAO David McGhie, Chair  
Plockton and District Community Council

Field Operations Division

**Simon Dunford**

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HM Principal Inspector  
Niall Miller

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Dear Mr McGhie

#### **HEALTH AND SAFETY AT WORK ETC ACT 1974**

I am writing to you to make the Community Council aware of the ongoing concerns that have been raised to the Health and Safety Executive (HSE) regarding the presence of cattle within Plockton village. Following concerns raised with HSE regarding the free roaming of cattle around the village in the summer of 2019 HSE engaged with the relevant stakeholders to ensure that steps were taken prior to the next grazing season to maintain the safety of the public.

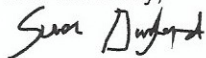
It remains the responsibility of the individual crofters to manage the risks posed to the public by their cattle. HSE has required that this matter is considered more fully by those involved and that should the crofters continue to use the common grazing areas within the village they provide measures to protect the public. In particular, on 10 March 2020, I set out in correspondence to the crofters involved, and The National Trust for Scotland (in their capacity as landowner), that *if it is necessary* for cattle to be grazed within the village *temporary* fencing should be used to keep cattle separate from members of the public and any movement of cattle between these areas must be attended by the crofters. The fencing used should be sufficient to retain the animals and capable of restricting access by children. Where electric fencing is used it should be constructed to the appropriate standards and should have suitable warning signs clearly displayed. These measures are aligned with HSE guidance document '*AIS 17 (Scotland): Cattle and public access in Scotland*' and are particularly important considering the (usually) high numbers of visitors and restricted areas in the village.

Since cattle were reintroduced to areas within the village in April 2020 several residents have contacted HSE expressing further concerns. However, further enquiries have confirmed that the above measures are currently being implemented by the crofters. Queries regarding the positioning of the fencing (i.e. whether this is within areas designated as 'common grazing'), the period of time that this is being left erected for and, any resultant access issues, should be directed to the landowner. I suggest that local residents contact The National Trust for Scotland Regional Office in Inverness initially if they wish to pursue these matters.

The precautions taken should be proportionate to the amount and type of public access in different areas of the land. Hence the additional measures expected if cattle are present within the village. Out with the village, beef bulls should not be in fields with core paths unless accompanied by cows or heifers. However, this does not include areas of open hill ground or moorland and there are no specific prohibitions on where other cattle may graze.

Several residents have also raised the zoonotic risk posed by cattle faeces (e.g. transmission of E coli O157). As outlined above, the crofters are required to keep their cattle separate from members of the public and this can most effectively be achieved by utilising grazing away from the village where possible. Where it is necessary to use grazing areas within the village, proportionate use of this grazing (with fencing to keep people out when it is in use) together with sensible management of the cattle movements between grazing areas should be a proportionate way to adequately control the zoonotic risks.

Yours faithfully,



**Simon Dunford**  
**HM Inspector of Health and Safety**