

The law and management of public access rights vary widely between the four countries of the United Kingdom. Practical elements of the following advice apply in all of them but the legal requirements in Scotland and Northern Ireland may differ from those in England and Wales.

More advice is available on www.bhs.org.uk/accessadvice.

IMPORTANT This guidance is general and does not aim to cover every variation in circumstances. Where it is being relied upon, The Society strongly recommends seeking its advice specific to the site.

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Protect and increase equestrian access – summary

- Horse riders and drivers of horsedrawn vehicles have the fewest rights of way available to them, a decreasing number every year, but equestrian need for motor-free routes is no less than that of pedestrians and cyclists.
- An average of £6,887 for each horse goes into the local economy. Multiplied by the number of horses in an area will be over a million pounds per annum in most areas of multiple parishes.
- The health benefits of riding and being with horses are high. Those people would not otherwise have exercise and mental health benefits.¹ People enjoy meeting horses, so horses on public routes provide a positive effect on mental health for others as well as equestrians.
- Any development can create opportunities for protecting and extending access for all, including equestrians. There is no reason to exclude them in favour of cycling and walking only.

¹ <https://research.brighton.ac.uk/en/publications/the-health-benefits-of-horse-riding-in-the-uk>

- Verges and non-asphalt surfaces are important for all non-wheeled users. They are more pleasant to use in terms of heat, ice and puddles, and better for bones and joints of pedestrians, horses and dogs. Avoiding 'urbanising' every development can increase green space, and aid nature recovery, as well as providing health benefits.
- All non-motorised users, including equestrians, have safely shared routes for centuries; there is no evidence for the modern assumption that horses should be segregated.² Joint responsibility and 'sharing the trail' messages can benefit all to avoid motor-free routes becoming cycle roads that are unacceptable for all other users, including slower-pace cyclists.
- Change of use that incorporates a bridleway or byway as access road is a net loss of motor-free safe access, it becomes yet another road which is unpleasant and unhealthy to use.

The case for more bridleways and byways

Horse riders are legally permitted to use only 22% of public rights of way; drivers of horsedrawn vehicles only 5%. That figure is based on the length of public rights of way recorded, so in reality this small proportion of bridleways, byways and unsurfaced roads is even less because of those which are unavailable due to lack of maintenance or obstruction or impossible to reach because they are isolated by roads with motor traffic.

Increasing pressure for development of houses and industry is making even fewer of those bridleways and byways available. Ancient 'green lane' bridleways, byways and unsurfaced roads are being tarmaced as access roads or cycle tracks and engulfed by new development spreading into the countryside. Motor traffic increases with new development or change of use so roads become even less safe for riders and carriage-drivers (equestrians) to use to access any surviving motor-free routes. Riders are also increasingly excluded from verges by creation of foot-cycleways – segregated provision for other vulnerable non-motorised users but equestrians are excluded and forced into the carriageway. Historically verges have provided a refuge and could, if mown, provide a safe route away from motor traffic, to the benefit of all.

Economic value

The horse industry is a major contributor of £5 billion to the economy from 726,000 horses in Britain,³ so £6,887 per horse distributed through a wide range of businesses, particularly in rural areas, mostly small to medium enterprises. Areas with good networks of traffic-free routes will attract more horse owners and therefore boost the local economy.

² Study by University of Surrey on [Conflict on shared use routes](#) published by the Countryside Agency in 2001/03

³ BETA National Equestrian Survey 2023

Health benefits

Riding, driving and looking after horses have a considerable health benefit to equestrians, particularly as a high proportion are mature women who would not otherwise have outdoor activity.⁴

Most riders and carriage-drivers wish to take their horses out on bridleways and byways, away from motor traffic, for the physical and mental health benefits to animal and human, in exactly the same way as most walkers (with and without dogs) and recreational cyclists. Many are unable to do so because the traffic on tarmac roads is too dangerous for such vulnerable road users, and there are generally so few traffic-free routes available to equestrians.

Opportunities

New development plans can do a great deal to increase opportunities for equestrian access by creating new restricted byways or bridleways or upgrading footpaths when equestrians are considered at an early part of the planning process. This includes schemes for new roads or widening existing ones where bridleways and byways can be given light-controlled crossings which include provision for equestrians,⁵ bridges or underpasses to maintain them as through routes.

New housing or industrial estates can accommodate equestrian routes in 'green corridors' across them which also benefit residents and workers by providing somewhere for exercise and greenspace. Greenspace usually adds value to a site and can incorporate sustainable urban drainage schemes, carbon sinks and 'green lungs' as well as providing traffic-free routes.

Where a development engulfs a bridleway or byway which does not have a sealed surface then it should be preserved as an equestrian route. Any plan to increase cycling provision should take place separately or ensure that non-asphalt surfaces are still provided for horses, and other users who may prefer it. Additional width will be needed if it is considered necessary to provide asphalt for cycling as it is undesirable for horses, and many pedestrians. A separate cycle track ensures that riders are able to continue to use the bridleway or byway in safety without the hazard of a sealed surface.

Changing a bridleway or byway into road should be avoided. Although legally the right to ride or drive a horse is included in a carriageway, sharing with motor traffic is not desirable because of the loss of amenity value and safety for users of the bridleway or byway. It is a net loss of a motor-free route. It is usually possible for a traffic-free route to be preserved, even if the access road or the bridleway or byway has to be moved to preserve a green corridor route.

⁴ <https://research.brighton.ac.uk/en/publications/the-health-benefits-of-horse-riding-in-the-uk>

⁵ User button box on pole at rider height set back from kerb. Segregated dual crossings are not necessary, despite being the DfT gold standard.

It can be argued that the public right takes precedence over the private right—the requirement for owners and occupiers to keep clear of obstruction and to avoid damaging the surface are basic highway law—therefore priority should be given to the public user by segregated width for non-motorised users even at the expense of less width for motor vehicles, and in choice of surface and motorists giving way to non-motorised users. Design must also ensure that motorists cannot assume priority and non-motorised user routes are protected from obstruction by parked vehicles.

On a site where available width is too narrow and the planning authority considers it appropriate to relinquish the traffic-free route, then a segregated foot-cycle-horseway should be provided so that horses and cyclists are accommodated with pedestrians separate from motor traffic.

Where horses are not provided for off the carriageway then the road should have a Traffic Regulation Order against parking which is enforced. Negotiating parked vehicles makes the road much more hazardous.

Horse dung is harmless, unlike dog faeces, but porous surfaces will assist in it being quickly absorbed.

Change of use

A primary consideration for any change of use should be whether the proposed use is consistent with the existence of an equestrian right of way and whether it will deny the public the use of the right of way because of increased risk to them.

Change of use of land adjacent to or crossed by a highway used by equestrians can be a problem if the new use generates sudden noises or movements, groups of people, noises from equipment or machinery (horses' hearing is more sensitive than that of humans) or unusual sights. Common examples include activities such as golf, archery, shooting, paintballing, sphere-rolling, live role play.

Granting of zoo licences for exotic animals adjacent to or across equestrian rights of way should be carefully considered by the planning authority. Such animals are rarely appropriate in proximity to domestic horses. There may be mitigation by habituation of horses to the zoo animals but in practice, equestrians are more likely to be denied the use of the right of way by their own assessment of risk from proximity to the exotic animals.

Planning permission

An application for Planning Permission should include an Environmental Impact Assessment which includes the impact on public rights of way directly or indirectly through the change of use (such as increased use or increased traffic). Frequently such Assessments fail to consider equestrians at all, even if they have adequately covered use on foot or cycle. Any opportunity to enhance the provision of routes usable by equestrians should be considered.

Planning permission should include, as appropriate:

- Conditions relating to the submission of details, site access, improvements, maintenance, drainage, safeguarding, landscaping and restoration.
- Obligations relating to off-site access and rights of way improvements and landscaping, long-term management or restoration, financial support for creation, maintenance, landscaping or restoration.

Planning permission cannot and does not cover any authorisation required for changes to an existing public right of way, including its alignment, surface, width, boundaries (e.g. fencing a previously open way) or structures across it. All such proposals must be dealt with by the public rights of way officer, generally of the county council or unitary authority and will require due legal process separate from the planning permission

Benefits to public rights of way can be funded under Section 106 or Community Infrastructure Levy obligations.

Where new bridleways or restricted byways are provided through planning conditions, action is required to add them to the highway authority's Definitive Map and Statement of Public Rights of Way to ensure that the right of way is correctly recorded and its maintenance liability determined.

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