

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 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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This guidance is intended for those responsible for any construction site ('the site') in the vicinity of routes or areas used with horses (ridden or driven) such as bridleways, byways, roads, permitted paths and open access areas which may be adjacent to or crossing the site.

This advice applies equally to any work site where noise or movement may occur, e.g. tree-felling, ditch clearance, vegetation cutting, alongside a road, byway or bridleway or other route used with horses.

On site

The Health and Safety specification and briefing for all attending the site should include a section covering use of routes or areas by horse-riders and drivers (equestrians) with the guidance below.

All members of the construction and operational work force and visitors should be made aware of the equestrian routes or areas affected by the site.

If a banksman is employed to control vehicle movements and activities they should be fully briefed about the possibility of horses being in the area and the necessary actions to be taken for the safety of horse and rider or driver and others in the vicinity.

Warning notices should be displayed in advance of reaching the site describing the hazards for both equestrians and the construction site workers or visitors and requesting the co-operation of all.

Horses' reactions

Horses are not predators so their instinct is to run away from the unknown or threatening. Sudden noise and movement are likely triggers and horses can sense, see and hear things which humans may not be aware of or take for granted. Quiet rustlings and sudden bangs are often more of a trigger than a continuous mechanical noise such as a digger working.

Only horses know what they are thinking. One day they may react to something they've previously ignored, or we think they are doing, they might be reacting to something invisible or unheard by us and we assume it is what we perceive as a likely factor.

However, sudden movement or noises are most likely to trigger a reaction. A machine making a movement is more of a threat than one that is still, although even a still machine where there has not been one before may unsettle some horses. Operators must be able to shut off machinery or to stop movement and noise while horses pass and avoid starting up a machine or initiating movement while horses are in range.

Machinery or activity should not resume until horses are at least twenty metres past. If it is not possible for activity to be halted, staff should be at the location to warn approaching equestrians as appropriate. Such 'sentries' should be obvious on approach, not hidden behind a tree or equipment as suddenly appearing could be an additional stress factor causing a horse to react.

If a horse appears distressed—freezes, jerks sideways, prances about, takes flight, spins round or shies away or acts in any way other than a calm forward motion—or an equestrian appears to be struggling for control, or shouts, all movement and noise should cease immediately to avoid escalating the situation.

Activity should not resume unless the equestrian indicates that it is safe to do so or is out of sight or more than fifty metres away.

Do not resume as soon as a horse has become still as the rider may not yet have regained control and the horse may not have accepted the situation but be taking stock and easily frightened again. Wait until the equestrian signals that it is safe to continue, with a wave, smile, nod or call, or is out of range. They may have too much on to vocalise a thanks, so please take it as given!

Obstruction and surface

Access to any public highway must be unrestricted (a bridleway or byway is a highway). A route must be kept free of obstruction, debris and trip hazards and for the full width of

the route. Obstructing part of the width is still illegal even if you think there is space to pass. Horses will require a much greater width to pass safely than might be considered appropriate for a pedestrian. Tight spaces are more likely to trigger a reaction, especially in conjunction with noise and movement.

The surface of equestrian routes should be maintained in a manner suitable for horses. It must not be slippery or contain sharp stones (see BHS Advice on Surfaces www.bhs.org.uk/accessadvice). Existing grass or soft surfaces may need to be protected from construction traffic to avoid poaching or other damage.

Any temporary fencing alongside the route must be secured taut and not flapping in the wind. 'Heras' type security fencing is sometimes covered with plastic sheeting to prevent windblown debris but it is almost impossible to secure so that it does not flap and rustle in wind and it should never be used alongside routes used with horses unless it can be secured tightly enough and remain taut at all times. Frequent checks, especially in breezy weather, will be required with diligent attention to maintaining the sheeting taut. Also avoid loose packaging on stored material which may move in wind and be audible or visible from the horse route.

Similarly, flags (traditional and 'feather' flags) and banners should be avoided near equestrian routes. Flags are commonly used promotional items but can cause great difficulty for equestrians with horses not trained with them. The high level of movement that makes them striking for promotion is exactly what makes them hazardous on an equestrian route.

A route should be at least four metres wide to ensure that users can pass each other with ease without brushing against adjacent fences, walls or hedges. Vegetation should be cut so that the full width can be used if necessary.

Hazards overhead such as branches, cables or derricks should provide at least 3.4m clearance, preferably 3.7m in case a horse takes fright and jumps or rears.

For wind energy development sites, see the BHS publication Wind Turbines and Horses – Guidance for Planners and Developers on www.bhs.org.uk/accessadvice.

If this is a saved or printed copy, please check www.bhs.org.uk/accessadvice for the latest version (date top of page 2).