

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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Bridleways and byways are public rights of way—minor highways—which are precious to equestrians (riders and carriage-drivers) for access away from motor traffic on roads. Landholders are required by law to ensure rights of way on their land are open and useable but at the same time, they are probably using the land to make a living and, undoubtedly, the existence of the public right of way makes that difficult, so consideration and co-operation of both users and landholders is crucial. Most land has to provide an income and on non-arable land this is likely to include stock-keeping, whether cattle, sheep, pigs or less common stock such as llamas, deer, emu or water buffalo. This may be intensive farming with high stocking levels or low levels of stock for conservation grazing. Native ponies are often used for conservation grazing and may be found in small semi-feral herds, similar to on Dartmoor and the New Forest and some mountain areas in Wales, which have a long history of re free-ranging herds of ponies under graziers' rights.

It is important to understand that public rights of way—bridleways, byways and unclassified roads—may be a serious limitation on the use and value of land if they are not separated from fields by hedges, fences or walls. Some tolerance by equestrians of

land management practice is therefore needed. Antagonism from landholders towards users of public paths is often the result of ignorant or inconsiderate users in the past who have created difficulties by leaving gates open or frightening animals. A landholder has every right to have stock in fields through which rights of way pass, providing the stock have been assessed as posing no risk to path users. This applies to any landholder and any animal with access to the public right of way.

There are situations where it appears that stock are kept in a field or gates are poorly maintained deliberately to deter use by the public. If this is the case, the highway authority has the power and the duty to take action to keep the right of way open and easy to use. Improvement of gates can be enforced under the Highways Act 1980; animals making a route hazardous or difficult to pass can be a statutory nuisance under the Environmental Protection Act 1990 and dangerous animals are dealt with by the Animals Act 1971.

Livestock can react adversely to public presence for the first time or as a unique occurrence, even though normally docile herd, habituated to human presence. The adverse reaction is likely to coincide with other stressors such as having been recently treated with medication or corralled for herd management or being chased by a dog or someone on a quad bike, which results in the animals being hyper-alert and quick to react.

Some complaints from path users about stock arise from animal behaviour which is not dangerous but is perceived as threatening through lack of knowledge and experience, or where the actions of a user of the right of way have created an adverse response in the stock. There have been incidents with tragic results, often without knowing why, because all animals are unpredictable—farmers handling their own stock every day have had accidents—so you should always be alert. If you are inexperienced with meeting livestock on rights of way, try to ride with someone who is more knowledgeable and whose horse is accustomed to the other animals until you are more confident in what to expect and how to act. Your horse should soon learn from the good example of experienced horses.

Carriage drivers are limited by needing more space and being less manoeuvrable than a ridden horse, so it is important that drivers have an assistant when passing through livestock.

Points to remember

Any animal with young may behave differently from normal and should be treated with extra caution as mothers may be more aggressive and highly protective of their young. They may perceive a threat in your presence or your actions which is not intended or obvious to you.

Breeding males (e.g. bull, ram, stallion) may be aggressive and protective of their females.

Animals quickly sense distress and will respond accordingly. Keep calm; be purposeful, smooth and quiet in your movements; make your voice strong and confident.

Frequent riding or driving through livestock usually means the stock react less because visitors are common and no longer interesting. Stock also becomes familiar to the visiting horses, so they too are likely to react calmly.

Young cattle and horses in groups may be boisterous, with 'mob mentality'. Be firmly assertive while alert to the situation escalating.

There are some important guidelines for equestrians passing through any livestock:

- Walk quietly through the field. If you are in company, keep voices quiet.
- Do not ride or drive through any field with livestock with a dog, even if the dog is in a horsedrawn vehicle (unless it is lying down, trained to reliably ignore other animals, and under close control).
- Avoid coming between cows and calves; if your path may pass between them, stop until they are together, or take a route around them, continuing slowly. Cows often leave a calf in a safe place while they graze some distance away and the calf may be hidden in vegetation. Be watchful and scan the field carefully. Look for the cows and the direction of their attention.
- If stock are following you closely, turn your horse to face them; they are more likely to retreat. Shout or move towards them if necessary. You may need to do this repeatedly while crossing the field; keep calm all the time.
- Make sure animals know you are there. Stop until they become aware of you, especially if they have young.
- If riding in a group or driving in convoy; keep the horses reasonably close together.
- If you have had a problem, mention it to the landholder if you know them and see if they have any advice. They are unlikely to be able to move stock from fields with rights of way, but other measures may be possible.
- Always keep a record of any adverse reaction by livestock, and report to the county council if it is threatening.

Gates

Gates which are easy to use make a big difference to the risks of passing through stock fields. The landholder should maintain gates so they can be easily opened and closed, ideally from horseback for speed and ease of entering and leaving the field without risking stock escaping. If you know the landholder and a gate is a problem it is worth letting them know why, it may not be obvious if they are not a rider, and they may not realise that operating a gate from horseback is much quicker and lower risk than dismounting.

It is in everyone's interests for stock to stay where they belong so making gates easy to negotiate by riders is important. Even carriage-drivers with a groom need gates which are easily negotiated. Difficult gates should be reported to the highway authority (county or unitary council) so that they can be improved to avoid incidents. Action becomes more urgent where livestock are present.

Gates on a deer farm need to be higher than standard because of the ability of deer to jump. This should not affect equestrians as, like any gate on a bridleway or byway, they should be easy and convenient to open, ideally from horseback so the latch must be extended by some means to the top of the gate. This can make deer gates easier for riders as closer to their height.

Alternative routes

It is illegal to obstruct a public right of way, and an equestrian can rightly expect a right of way to always be available, but a livestock keeper may choose to offer an alternative route which is easier for the public, to avoid the animals.

Where the route is a bridleway or byway, the alternative route may be on foot only, possibly because use by horses has been forgotten, ignored or cannot be accommodated. Where a reasonable alternative route is provided, most equestrians will prefer to use it. If it is inadequate for horses, a conversation with the farmer may be helpful, either directly if you are comfortable with that, or via the BHS, or the highway authority (county council).

Passing through stock

Deviating from the line of a bridleway or byway may be desirable to avoid a group of animals, whether grazing, lying down or active. Being off the line of the right of way is trespass but the cattle are a temporary obstruction on the path, and you have a right to deviate far enough to avoid them. If they are lying down, there may not be space to be far enough away to avoid them getting up, so approach slowly and calmly, give them time to see you and they are likely to get up and move away. Use your voice firmly but not aggressively if necessary. If they seem to be scrambling up hurriedly, pause and allow them to calm down before proceeding more slowly. Be patient.

Most livestock, including horses, will react more to the unfamiliar so if equestrians become wary of using a route through stock and do so less and less, the situation may deteriorate as the livestock become less habituated to rights of way users. In addition, the apprehension of the users tends to rise, which affects their horses and the stock and creates an escalating cycle. The answer may be to organise frequent small group (three or four horses) rides through the fields accompanied by horses which are accustomed to stock. It may be useful to do this in association with the farmer or landholder. The sooner

the animals are accustomed to strangers passing through their territory, the less likely it is that incidents will occur.

If a problem with livestock is serious or you have not reached a satisfactory conclusion with the highway authority, contact your local BHS Access and Bridleways Officer, a volunteer, who may know if other equestrians have been having similar problems and will know the best way in your area to take the matter further. They may be able to resolve the matter with the owner (if known) or will contact the highway authority.

Cattle

Cattle are notoriously inquisitive creatures, and what may appear as aggression is commonly curiosity, especially if they are young or recently turned out or not handled frequently. Cattle are prey animals, like horses, and are not usually aggressive, unless they are cows protecting calves or a bull protecting his cows. Dairy cows are handled several times a day and are of placid breeds so are least likely to be interested in you, unless they have a young calf.

Cows with young can be very protective and extra care will be required when passing through their field. Resting calves are often invisible in long grass while the mother joins others in the herd, perhaps many metres away, so scan the field carefully and be alert to a cow watching you, it's possible you could pass between her and her calf. Other cows in the herd would immediately join her to defend the calf; they are quick to act together.

Bullocks and heifers may find you and your horse extremely interesting and exciting. A group of young cattle can become very boisterous and 'above themselves'— think of how easily a group of rowdy teenagers can get out of control with mob mentality. The aim is to avoid this happening in the first place.

Often cattle are let out in the spring once the grass is high enough and may be particularly ebullient and curious at first. This may also be the case when they are first moved to new pasture. Passing through them calmly will ensure that they become used to horses. If you are aware that cattle are newly turned out, it may be sensible to avoid the route through them until they have settled so there is only one exciting stimulus at a time.

Longhorn and Highland cattle are often used for conservation grazing and may appear particularly menacing because of their long horns but they are among the most docile breeds.

Section 59 of the Wildlife and Countryside Act 1981 makes it an offence, subject to important exceptions, for the occupier of a field crossed by a right of way to cause or allow a bull to be at large in it except for:

- a) bulls not more than ten months old; and

- b) bulls which are not of a recognised dairy breed and which are at large with cows or heifers.

Dairy breeds listed in the legislation are Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey, Kerry. The list is out of date as several other dairy breeds are now common.

Move towards cattle if you need to get them away from a gate or out of your way, shouting at them. You might extend your arms or a stick if it is safe to do so (mindful of the effect on your horse or companions!). Be firm and confident, but also quiet and calm; expect them to move and most likely they will.

If you are dismounted and you feel threatened by cattle, let the horse go, it can run much faster than you and the cattle and will draw the attention of the cattle from you.

The Health and Safety Executive produces guidance relating to cattle where there is public access. See [hse.gov.uk/pubns/ais17ew.pdf](https://www.hse.gov.uk/pubns/ais17ew.pdf)

Sheep

Never trot or canter through fields of sheep unless they are distant enough to be undisturbed by you. Keep checking for reaction and walk if you are disturbing them. Sheep are most likely to avoid horses and equestrians or run from intruders in their field because they are prey animals and much smaller than horses. They can easily be panicked by visitors, particularly if you are going faster than walk, causing them to blindly run into corners or bottlenecks, into fences or other situations where they may be injured. Be prepared to walk slowly, pause to allow them to get up and move away, be patient.

This is particularly important when ewes are in lamb or have lambs at foot, which can be from January to August depending on the farm's system. Panic-stricken ewes may abort if they are in lamb or stop providing milk or care if they have lambs at foot.

Ewes with lambs are particularly vulnerable to disturbance, especially on open land. Avoid any action that would cause the sheep to run as lambs may become separated from their mothers and it takes a lot of difficult work to pair them again, with a risk of rejection of mothers rejecting their lambs. This can be a great expense for farmers and will discourage provision of access for equestrians as well as impairing the reputation of all equestrians.

Be very careful at gates to ensure that sheep, especially lambs, do not dash through; this is most likely if they feel cornered or separated from the flock.

Rams can be aggressive and should be treated with caution. They are most likely to be out with ewes from October to December (lowland earlier, upland later).

Pigs

Some horses are very perturbed by pigs until they become accustomed to them. If you are near an outdoor pig farm, contact the farmer to find out if there is any way of familiarising your horse to the pigs in a safe environment before riding or driving through them. Pigs have poor eyesight and are relatively slow moving so tend to quickly lose interest in users of a path near them.

Pigs may be used for conservation grazing purposes to control bracken. They are usually confined by electric fencing which should not cross the public right of way. This applies on a pig farm too; if the fencing crosses the path, it is an obstruction, and you may need to involve your highway authority (county or unitary council) in having it removed or set further back from the bridleway or byway.

Horses

Loose horses can be the biggest problem to equestrians. Being of the same species means there are issues of territory and ownership which do not exist with other stock. Some horses are more aggressive and are more likely to be defensive.

Most horses are accustomed to being handled, even semi-feral ponies will be rounded up occasionally and therefore accept the dominance of humans. As with cattle, acting confidently but quietly and firmly will achieve best results. Shouting, moving towards them forcefully, waving a whip and acting aggressively will deter most from taking too much interest in you (be mindful of the effect on your own horse or companions!). You may need to turn towards them repeatedly as you cross the field.

If enough equestrians cross the field often enough, the 'home' horses should become accustomed to the right of way users and become less interested. Until they become habituated, it is advisable to ride with someone else so that one rider can deter the horses while the other opens the gate. Carriage-drivers should always have a groom with them to assist.

The BHS strongly recommends against stallions being kept in fields through which rights of way pass (see [BHS Advice](#) on Stallions on land with equestrian access) but it is not prohibited and does occur in fields and open land. If you have a mare, it is wise to be particularly alert to her being in season and to avoid routes near a stallion at that time. If a stallion is with mares, any strange horse may be at risk, male or female.

Other livestock

There are many other animals which may be farmed such as deer, goats, water buffalo, llamas, alpacas, ostriches, emus and geese. Donkeys may also be kept, usually domestically or for breeding. Any of these animals may also be kept on smallholdings, for

domestic use or as pets. The latter can be more of a problem because they have no fear of humans or expect titbits so you may need to be particularly assertive.

In general, all domesticated animals are prey animals and likely to be deterred by confident, calm humans. All will require greater caution when they have young. Problems can be overcome by contacting the owner and arranging familiarisation days between the stock and several equestrians, perhaps starting with fewer animals and increasing their number if this is feasible. Increasing safety and avoiding incidents is very much in the interest of the farmer or owner as well as path users and an approach of cooperation is most likely to be successful.

Electric fencing

Electric fencing is commonly used to ensure security of grazing land. It should always be well clear of rights of way with careful provision at gates (see [BHS Advice](#) on Electric Fencing).

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