

Patron Her Majesty The Queen

The British Horse Society

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Fulfilling your passion for horses

## To all English Local Access Forums

04 February 2011

Dear Sir/Madam,

### Re: Equestrian Access

The British Horse Society works for safer on- and off-road riding and carriage driving through an improved public rights of way network, seeking to create new opportunities of lawful off road riding and carriage driving, and by safer use of our highways by all users.

The UK equestrian industry is currently valued at £7 billion per annum, 4.3 million people regularly engage in horse based leisure and sport, 80% of whom are female, and 53% come from CDE demographics. Horses are an integral part of British culture and society. The BHS is the largest equestrian charity in the UK and represents the interests of the everyday rider and driver. It has a world-wide reputation for its activities in welfare, education and training and on access issues.

The Strategy for the Horse Industry in England and Wales, published in December 2005, was prepared by the British Horse Industry Confederation (including the BHS) in partnership with the Department for Environment, Food and Rural Affairs, the Department for Culture, Media and Sport and the Welsh Assembly Government.

The Strategy includes the following aims:-

Aim 2 'Increase participation in equestrianism and develop the social contribution of the Horse Industry.'

Aim 3 'Boost the economic performance of equestrian businesses.'

Aim 5 'Increase access to off-road riding and carriage driving', including the encouragement and improvement of urban and suburban riding and carriage driving.

In England the length of the public right of way network currently amounts to 188,700km, of which ONLY 22% is available to horse riders and horse-drawn vehicle drivers have only 5%. Also, many equestrian rights of way are now disconnected from each other because the roads that should connect them are no longer safe for equestrian use because of the speed, size and volume of motorised traffic on them. Many equestrians have no access to a safe local route. There is much therefore that needs to be done to provide parity of access for the growing number of equestrians.

The Society fully appreciates all councils are experiencing unprecedented cut backs in their budgets and that access is generally not a priority. And it is precisely because such resources



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are so severely limited that when such public funding is available this should achieve maximum value and provide access for ALL non-motorised users. If all Councils were to adopt this default assumption all users would see measurable gains.

The three different pieces of legislation listed below have increased rights of access to the countryside to walkers, without similar provision for equestrians and other users. The Society would welcome any new access opportunities that your forum is able to secure to address this unfair situation for equestrians, and consequently, to improve access for cyclists as well.

The Society is keen to hear from Local Access Forums that currently do not have an equestrian representative, so that we can highlight this fact to our own members to encourage them to apply and ensure that relevant local equestrian access issues are passed to their area forum for consideration.

Yours faithfully,

A handwritten signature in black ink that reads "Mark Weston". The signature is written in a cursive, slightly slanted style.

Mark Weston,  
Director of Access, Safety and Welfare,  
The British Horse Society.  
02476 840560  
mobile: 07967973196

## **Countryside and Rights of Way Act 2000:**

- The creation of Open Access land has resulted in many landowners and local authorities erecting barriers and padlocked gates which, while they provide no impediment to walkers, exclude access to riders, even where they had previously enjoyed access rights, often enjoyed for centuries.
- Riders rights over Urban Commons, as provided for under the Law of Property Act 1925, are often being denied by the erection of barriers which deny access to equestrians.
- The maxim “Once a Highway, always a Highway” has stood the test of time since 1169 but in 2026, all under-recorded and unrecorded rights of way may be extinguished. Some landowners, when unwilling to dedicate higher rights over their land are persuaded to do so when they see historical documents showing an ancient way. The dearth of riders after the war meant that many bridleways were not properly recorded during the definitive map process. Some 50% of footpaths are actually ancient bridleways, and the bridleway rights will be extinguished in 2026 if section 53 of the Countryside and Rights of Way Act 2000 is brought into force.
- Forestry Commission freehold land has been dedicated for walkers but no such rights have been given to riders. This means that such access as is currently provided for equestrians will be lost when any such land is sold.

## **Natural Environment and Rural Communities Act 2006**

- This Act has restricted the creation of off-road routes for motorists. However there are many miles of dual status routes – routes which are on the List of Streets as Unclassified County Roads (UCRs) but also recorded on the definitive map as either footpaths or bridleways. Many local authorities have erected anti motor barriers which are also denying access to equestrians. Many of these dual status stretches are short lengths in the middle of longer off road routes, thus denying equestrian access on miles of safe off road routes. The barriers are also denying access to the less able rider who, as a consequence of disability, is unable to negotiate them.

## **Marine and Coastal Access Act 2009**

- The foreshore is now designated as Open Access Land, which has a restriction against horses. The government refused to acknowledge equestrian common law rights to the foreshore, stating that any existing rights will be protected but in practice there is nothing in writing to protect riders’ rights. There should be a presumption that any foreshore which is accessed via a road or bridleway has equestrian rights.
- The coastal strip is only for walkers. No acknowledgement is being made of under or unrecorded equestrian rights, that coincide with the route.