

ADVICE ON  
Avoiding Conflict

The  
British  
Horse  
Society



Occasionally riders and carriage drivers meet people who, for one reason or another, act aggressively. It is also true that riders can be surprised into acting aggressively themselves, perhaps because someone has done something to startle their horse and nearly caused an accident.

Many of these encounters are over so swiftly that nothing is exchanged but a couple of angry shouts, though that can be enough to cause lasting bad impressions or ill-feeling. Some incidents last longer and lead to 'an exchange of words' that leave you feeling upset or even cause a breakdown in relations with people whom you need to deal with in the future.

The best rule is not to lose your temper in the first place, to calm down as soon as you realise you are getting upset, and to apologise for speaking in that way, even if you're convinced that you're in the right. It's often possible to sort out the real rights and wrongs at a later, calmer, time.

If you are confident in the knowledge that what you are doing is right, it's easier to keep calm in a fraught situation. This and other BHS advice notes will help to give you that knowledge and it is strongly recommended that you be sure of your responsibilities and rights.

#### Use hi-viz clothing, on and off-road

Many encounters could have been avoided had the other party been aware earlier of the horse and rider. Hi-viz adds considerably to the ability of other users to see you and take appropriate action and they may be justifiably annoyed if an incident could have been avoided had you been using hi-viz equipment, rather than dark, dull colours which give much less warning of your presence. That split second of earlier warning can be crucial. See BETA Guide to Rider Hi-Viz.

#### Meetings on roads

Motorists sometimes abuse riders because they think horses are getting in their way on the road. The law is that horses have a right to be ridden and driven on all public roads except motorways, the only exception being the rare cases when a Traffic Regulation Order (TRO)



banning horse riding or driving is in operation. The best defence here is to have taken the BHS Riding & Road Safety Test and to ride according to that advice, which is supported by the Department for Transport. See also the BHS Safety leaflet, Road Sense for Riders. If you get the opportunity, you can explain to motorists why you are riding as you are – two abreast, or all in single file, whatever it is that has irritated them. You may find it useful to refer them to the BHS Safety leaflet ‘Horse Sense for Motorists.’ The BHS campaign Dead Slow recommends passing horses wide at a maximum of 15mph.

A commonly heard abusive shout is that horse riders or carriage drivers do not pay road tax so should not be on the road. This is a fallacy. The ‘road fund licence’ of vehicles was abolished in 1937 and since then every tax payer contributes to provision of roads irrespective of their mode of transport. The current vehicle tax is actually a pollution tax, so of course you do not need to pay it for horses!

### Cyclists

Be alert for big events (such as Grand Depart, Tour of Britain, L’eroica). Plan to avoid the area and if or simply turn the horses out and join in the fun.

Sportive events are listed by British Cycling with the route so you know where to avoid on which days. Make friends at local cycling clubs with the aim of knowing when they are holding events or training so that you can avoid them, or encourage the cyclists to avoid, including important links for horses in their routes.

With individual or groups of cyclists it is important to ‘meet, greet and educate’ where there is an opportunity. Wherever possible spread the ‘Call out from a distance’ message and always smile and say hello even when there is no response. Be aware that many cyclists will not be familiar with horses and simply do not know the best action to take, hence getting past you as quickly and quietly as possible seems the right thing to them!

### Verges

Sometimes riders are abused by householders because they are riding on the verge to avoid motorists. In most cases, as long as you are riding within the highway boundaries – usually hedges, fences or walls – you are exercising your right to travel along the highway. The tarmac strip is there for the convenience of motor vehicles but the highway normally extends to the boundaries. In England, Wales and Scotland (but not Northern Ireland), riders have a right to ride on the verge and it is often the safest place to be, although you should be alert to trip hazards. Where a verge is not in a condition to ride but would aid safety, you can make a case to the highway authority or parish council for it to be mown, or a volunteer group may be able to do so to help all riders.

Increasingly, there is encroachment by householders onto a verge, from mowing grass to placing posts, stones or plants, to linked fences and extensive ‘gardening’. All of these discourage riders, although some may genuinely be intended simply to improve appearance (in the householder’s view).

The majority of people are unaware that the verge is part of the highway, and that they are not allowed to obstruct it in any way, whether by placing stones or parking vehicles. They may, quite understandably, consider the road to be the tarmac only.

If a householder confronts you about riding on a verge which he has adopted, it is advisable to apologise for any perceived damage but to point out that you believe it to be part of the highway which permits you to use it, whether to avoid vehicles or the tarmac, and if his view differs, he should check with the highway authority.

You should report any incidences of encroachment and conflict over use of verges to the Highway Authority, seeking confirmation that this stretch of verge is public highway and asking for it to also confirm your right of use to the householder. Unfortunately, some authorities are unwilling to take enforcement action against encroachment on verges. You may wish to advise your BHS Access and Bridleways Officer<sup>1</sup> of the problem.

## Meetings off-road

### Unexpected encounters

Sometimes aggression arises because of an unexpected meeting at a blind corner or because a dog has spooked a horse (or sometimes vice versa!). In such circumstances try to keep calm and say as little as possible.

Remember that walkers (including dog walkers) and cyclists have the right to share bridleways and the other unsurfaced highways, although cyclists must give way to riders and walkers on bridleways<sup>2</sup>.

Vehicles other than motor vehicles are allowed on restricted byways, and all traffic is legally allowed to use byways and unsealed county roads. It is not unusual to meet motor vehicles, even on bridleways, because farmers and others may have a private right of access along the route.

### Mountain bikes

With individual or groups or cyclists it is important to 'meet, greet and educate' where there is an opportunity. Spread the message of 'Hail-A-Horse from a distance' and if the cyclists kindly stop, it is best if they are all on the same side of the path and avoid sudden movements or noises.

One message is 'What will scare a horse' but equally important is 'If half a ton of animal jumps on you and your bike'.

Mountain bikes sharing routes with horses have very different desires, mainly on surfaces (they prefer a much more rough and rocky challenge) but working with local groups will show that cyclists and riders have more common goals than differences and can work successfully together to repair routes that accommodate requirements of both groups. Taking a horse out and actually showing how certain size stones hurt an animal has a big impact so, as with road cyclists, the key is building local friendships.

### Being in the wrong place

Improvements in signposting and waymarking routes in recent years have made most rights of way easier to follow and lessened the chances of users being in the wrong place by accident, although this can still happen. The process has also made farmers more accepting of the public's right to use the minor highways such as bridleways.

However, there are places where local riders use the 'wrong' route – often at the request of the farmer – to avoid a farmyard or to go round a field instead of across. This can cause problems for visitors unaware of local custom and can also lead to various legal difficulties, including for the landowner. The BHS advises against such unofficial diversions (see Farming operations below), but it is usually best not to argue with the farmer at the time. Discuss the matter with

your local BHS Access and Bridleways Officer afterwards. If the right of way is obstructed by the landowner you have a right to deviate onto land belonging to the same landowner in order to get round the obstruction. You should report any obstruction to the highway authority.

If you are riding a route that you don't know or have not ridden for a long time, it is advisable to carry an up-to-date map. The Ordnance Survey Explorer maps are the best because they show

field boundaries which are often crucial in sorting out “am I in the right place?” problems. They also show, as ‘Other Routes with Public Access’, the unsurfaced highways on which you can assume you have a right to ride and drive, although not all of these are shown. An OS map is not conclusive legal evidence of a right of way<sup>3</sup>, but it is usually a very good guide.

OS maps do not show designated routes for riding or driving in Public Open Spaces, on commons, in country parks, on Countryside Stewardship land and so on. The BHS can give further information on how to find where to ride.

If challenged and told you are on the wrong route, ask politely which is the right one, and consult the map in the presence of your challenger, or politely invite your challenger to show you the correct route on their map. Be aware that occasionally a legal change may have occurred to a right of way since your OS map was issued, especially in areas where new housing or industrial development is taking place. If you are on a path for which you believe there is good historical or user evidence of as-yet-unrecorded equestrian rights (so that for example while the path may only be recorded as a footpath, it may in fact have a higher status), the rights need to be correctly recorded as soon as possible, especially once your right to use the path has been challenged. Please see the BHS advice notes on ‘Recording a Right of Way’ and ‘2026 Toolkit’.

If you appear to be on the wrong line, apologise, thank the person for their help and go immediately on to the correct path. If you are right and are allowed to continue without further comment, do so quietly and considerately. If, however, your challenger insists that you should not continue, it may be as well to leave quietly to avoid making the situation more angry.

If you feel that inadequate waymarking (rather than your failure to notice it) contributed to your dilemma, then you could ask the rights of way department of the highway authority for the area<sup>4</sup>, or the managers of the land if you were not on a highway, to improve matters, pinpointing (if you can) the places where you think extra waymarks would help.

In Scotland, under the Land Reform (Scotland) Act 2003, horse riders and carriage drivers have a right of responsible access over most land and inland water unless it is excluded from access rights, such as land associated with a building and its curtilage or where there is a privacy issue. Where there are existing public rights of way they are unaffected by this legislation but you can also exercise Land Reform (Scotland) Act access rights over them, unless the land they are on is excluded from access rights under the Act. For full information see the Scottish Outdoor Access Code.

In England and Wales if you are turned off a path shown on the map to be a bridleway, restricted byway or byway open to all traffic (BOAT) you should report the incident immediately to the rights of way or countryside department of the highway authority for the area. You should also report it to your local BHS Access and Bridleway Officer. In Scotland, if you are turned off an existing right of way or land on which you are exercising your rights under the Land Reform (Scotland) Act 2003, you should report incidents of this kind to the contact details on the last page of this leaflet. In Ireland there are few asserted bridleways; however, should such an incident occur it should be reported to both the local Council’s Countryside Officer and BHS Ireland’s Off-Road Horse Riding Development Officer.

### Farming operations

Be considerate when farming operations very temporarily block a right of way. Sheep and cattle have to be moved, crops have to be harvested. However, if a right of way is regularly blocked, for instance by a rope to guide cows to the milking parlour, and this causes difficulty for riders, either talk to the farmer (later, when he is not busy) or ask your highway authority’s rights of way

department to do so.

Take some time to learn about farming operations and be sensitive to the needs of those managing land. Rights of way add considerable complications, work and expense to an already difficult job, often at times of high demand from other tasks that are time-critical and have to take priority.

Farmers can become angry and aggressive if people are in the wrong place or have behaved badly, for

instance by riding off the line of the right of way and damaging crops, or leaving gates open that should be shut. This is understandable given that it is their livelihood at stake; the results of your actions could be far greater than you realise – for instance ewes and lambs scattered by galloping horses can take many hours of work to reunite them and lambs may be rejected by ewes as a result. You may also cause a farmer to be in breach of the many regulations, which may cause him extensive problems.

You should:

Follow the relevant national Countryside Access Code<sup>5</sup>

Follow the advice 'Leave gates as you find them', even if you have to dismount to do so. Take up any issues about difficult gates with the rights of way department of the highway authority or with the farmer after your ride.

Read BHS advice on the obstruction of rights of way.

**Be aware:**

Learn to recognise local crops in all stages of growth; remember that grass, too, is either a crop to be harvested or required for feed and treat it with respect. Where an unfenced bridleway crosses a field of ungrazed grass in early summer, ride in single file if possible and certainly no more than two abreast while the grass is growing, as it will be required for winter feed.

Stubble is not 'fair game' for an illicit gallop, it may already be sown with a new crop.



Riding in the wrong place on land subject to an Environmental Stewardship Agreement could cause a farmer to be in breach of his Agreement.

A tractor driver will not be able to hear your approach and if he is concentrating on operating the machinery behind him he may not immediately see you. Try to wait in a safe place until he has seen you and you can pass safely.

If your horse has escaped your control and strayed off the line of the path, try to contact the farmer as soon as possible after your ride to explain and apologise.

If you are in the wrong place, it is best to admit it and apologise, then leave quietly. If the farmer is cross because earlier riders behaved badly, it helps if you can take the time to listen to his grievance and say that you will try to spread the word amongst local riders to try to prevent it happening again.

### Horse Droppings

Horse droppings can be a bone of contention. A droppings bag can be installed behind carriage horses but this is not possible for the ridden horse. It is virtually impossible to predict when/where a horse will defecate although it will be particularly likely to do so if startled or where it has been startled before.

If possible, try to avoid riding where droppings are likely to give offence. For instance, if a bridleway goes through a children's recreation area, stick strictly to the line. If a path has a hard surface that is used by people with wheelchairs, cycles or pushchairs, try if you can to move your horse so that the droppings fall onto the verge and do not clog the other path users' wheels. It may be helpful to point out to complainants that horse dung is highly valued for compost, it can support biodiversity and droppings from healthy horses pose minimal risk to human health<sup>6</sup>.

On such routes it is much appreciated if riders are able to dismount and kick droppings to one side. Such behaviour increases the potential for new routes to include horses as dung is frequently given as a reason to exclude horses from off-road routes.

### Serious aggression

There have been occasions on rights of way where riders have been physically threatened. Should this happen to you, you are urged to leave immediately and to report the matter to the police, as well as to the highway authority, the parish or town council, your local BHS Access and Bridleway Officer and any local bridleway association. It is essential that seriously aggressive behaviour is reported to the police as soon as possible as you may not be the only one having the problem but the police might not act until they have enough reports. Give a specific description of the place, date, time and the action taken to deter your use of the right of way, such as 'threatening stance', 'abusive language', 'physical obstruction', 'drove at me with a Land Rover', 'pointed a gun at me', and ask for appropriate action to be taken. Also provide details of any witnesses. Ask the police to give you an incident report number.

### Keep a written record

Write a full note about any incident (even if it did not involve serious aggression) whilst the details are still fresh in your memory, and keep a copy safely, no matter to whom you reported the encounter.

### Four golden rules

- Don't lose your temper, either in the first place or afterwards. Take three deep breaths and relax!
- Ride considerately, obeying the Highway Code<sup>7</sup> and the relevant national

### Countryside Access Code.

- Always be polite: arrogant and impolite behaviour by one equestrian can spoil relationships for hundreds of other equestrians.
- Know that you are in the right, and in the right place. If you know the law, have followed the waymarks and are behaving responsibly, it's much easier to keep calm whatever the provocation.

### Footnotes

- 1 Contact details for all BHS Access and Bridleways Officers and relevant staff are listed in the current BHS Directory.
- 2 Section 30 of the Countryside Act 1968
- 3 The Definitive Map and Statement held by highway authorities are conclusive legal evidence of a right of way shown on them, but the absence of a route is no evidence that the route is not a highway. You can inspect these at any reasonable hour at the offices of your unitary, county or district council, and your parish council will usually also hold a copy.
- 4 In England this will be the county council (in 'two tier' areas where there are both a county council and district councils), the unitary authority, or the London borough. In Wales it will be the county or county borough council. In some cases a highway authority may have agreed to delegate some of its functions to a district council, a National Park authority or an Area of Outstanding Natural Beauty joint committee, but the highway authority retains ultimate responsibility
- 5 In England and Wales, the Countryside Code, [www.naturalengland.org.uk/ourwork/enjoying/countryside-code/default.aspx](http://www.naturalengland.org.uk/ourwork/enjoying/countryside-code/default.aspx)  
[www.countrysidecodewales.org.uk](http://www.countrysidecodewales.org.uk)  
 In Scotland the Scottish Outdoor Access Code, [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com)  
 In Ireland the Off-Road Horse Riding Code of Conduct, [www.bhsireland.com/trails.asp](http://www.bhsireland.com/trails.asp) and the ethics of Leave No Trace, [www.leaveonotraceireland.org](http://www.leaveonotraceireland.org)
- 6 'Infection at work: controlling the risks' prepared by the Advisory Committee on Dangerous Pathogens for the Health & Safety Executive, 2003
- 7 In Scotland and Wales the community council; in Northern Ireland the district or borough council  
[www.direct.gov.uk/en/TravelAndTransport/Highwaycode](http://www.direct.gov.uk/en/TravelAndTransport/Highwaycode)

If this advice note is a printed copy, please check for the latest version on [www.bhs.org.uk/access-and-bridleways](http://www.bhs.org.uk/access-and-bridleways)

For more information on The British Horse Society's rights of way work contact:

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